38a 1961 NEW YORK

# GOLDBERG ASSAILS PRIVATE-CLUB BIAS

## Mentions Washington Group That Bars Negro Envoys —Outlines Wide Plan

By IRVING SPIEGEL

Secretary of Labor Arthur J. Goldberg last night outlined a program here to combat discrimination, prejudice and segregation on every level of American society.

At the same time he indicted private clubs that practice discrimination. He singled out a prominent club in the capital, which he condemned for refusing membership to Negro envoys from other countries.

This club, which has been identified as the Metropolitan Club, has among its members high-ranking officials, both Republicans and Democrats.

"It is most unfortunate, "Mr. Goldberg said, "that one of the wealthiest socially prominent clubs, with a membership of persons distinguished in cultural and political life, turns this insulting face to the representatives of people from other lands, let alone to people from our land."

Mr. Goldberg spoke in the Roosevelt Hotel at a dinner of the American Jewish Committee.

The Labor Secretary outlined the following program for equal opportunity for Americans of all creeds:

¶The Government must work to eliminate discrimination. The Administration backs the Supreme Court school desegregation decisions, not only because they are the law but because they are morally right.

¶Business and industry must wipe out bias, not only in regard to blue-collar workers but also in white-collar, professional and executive posts.

¶Unions must end any discrimination still remaining in their ranks.

¶Even without legal requirements, private groups must move to eliminate discrimination. Private clubs are particularly guilty of bias.

¶Personal friendships between people of all races and religions must be built.

Mr. Goldberg said: "We are determined to insure that America will become, more and more, an open society, not a closed society, by tacit agreement or by unconstitutional laws, against millions of Americans."

### Kennedy Pledges Help

In a message read by the Secretary, President Kennedy pledged that his Administration "at all levels shall exercise affirmative leadership to discharge both its constitutional obligations and its moral duty to achieve opportunity for all."

The President noted that "in this great undertaking I am glad that I can continue to enjoy the support of the American Jewish Committee and like-minded groups."

Mr. Goldberg cited achievements of the Kennedy Administration in the field of human rights, including appointments on all levels in the Executive Branch, "in which religious or racial attributes have been disregarded." He pointed to "clear and strong executive orders which spell out how discrimination is to be eliminated with respect to work in and for the Government."

He also said the Justice Department would continue its activity against discrimination "as an active participant in litigation."

Mr. Goldberg stressed that "the time is past when it is tolerable for trade unions to restrict membership or to deny anyone the full benefits of union representation because of race, religion or color."

### Jewish Clubs Criticized

In denouncing some private clubs as "a miserable source of bigotry and prejudice," he also censured Jewish country clubs, saying that "we should face up to the fact that today we can no longer enjoy the pleasure of comforting prejudice without injury to the community."

The Secretary was also critical of social circles in major cities, including New York City and Chicago, where there are "no Negro writers, composers, artists, academicians with whom one break bread, with whom one can engage in intellectual discourse."

He announced he would issue an order next week in the Labor Department barring discrimination because of age. He said this order had the support of President Kennedy, "and we hope that it is a first step in combating this tragic form of discrimination."

He also said he was meeting next week with private contractors and unions engaged in Government work to enlist their cooperation in the enforcement of the President's executive order against discrimination.

### Neibuhr Honored

The committee's American Liberties Medallion was presented to Dr. Reinhold Niebuhr, Professor Emeritus of Union Theological Seminary. Dr. Niebuhr was cited for "outstanding advancement of the principles of liberty and equality." The presentation was made by former Senator Herbert H. Lehman.

Herbert B. Ehrmann, president of the committee, scored the Government's foreign policy in the Middle East. He said it had been marked by "national self-humiliation and appeasement of dictators."

Mr. Ehrmann asserted that the United States had "unwittingly created a grave danger" by acquiescing in "boycott and lawless acts" by the United Arab Republic. Mr. Ehrmann declared that President Gamal Abdel Nasser of the United Arab Republic "has become the single greatest obstacle to peace in the Middle East."

38a 1961

EN-ROUTE
NEW YORK -JACKSON, MISS.

AUGUST
2 WHITE PRIEST CALL OFF
RACIAL RIDE

# Racial Ride By 2 Priests Called Off

An attempt by two Roman Catholic priests to participate in the "freedom rider" movement apparently was called off Monday after they were on their way.

The Rev. Richard Wagner, 29, chaplain at Xavier University in New Orleans and a teacher at St. Augustine's High School there, and the Rev. Philip Berrigan, 37, also a teacher at St. Augustine's, departed from New York en route to Jackson, Miss.

They were to be the first Roman Catholic clergy to join in the segregation testing activities sponsored by the Congress of Racial Equality.

But when they arrived by plane in Atlanta a message awaited them to call the Very Rev. George F. O'Dea, superior general, in Baltimore. The two white priests told the Associated Press they had been called back. They declined to give a reason and O'Dea refused to comment in Baltimore.

Asked if they were disappointed, both said, "We certainly are."

Wagner and Berrigan had planned to test segregation regulations at the airport and bus terminals in Jackson. They were going to wait for the bus to take them home to New Orleans in the Negro waiting room.

BIRTH DOCUMENTS ) RACE ELIMINATED
DEATH CERTIFICATES )

# Race Problem Solved Forever

Jackson Daily News
Jan 28 1961

An official announcement from up that way boasts that New York City will become the first community in the nation to eliminate racial information from birth documents beginning with this New Year. Later in 1961, reference to race will be eliminated from death certificates.

The health department will continue to gather statistics on race and color because there seems to be some diseases which afflict and is frequently fatal to one race more than another.

If this is what New York City wants, so be it for New York. Meanwhile, there is room for confusion.

In the first place, New York is a place without racial prejudice. New York is where every race is encouraged to be proud of racial characteristics because there are no characteristics peculiar to race.

These questions can be asked: Who can be proud of race when there is no such thing as race? What do you gain if you keep confidential data on race when it doesn't exist?

The health data on non-existent race is kept locked up and stamped hyper-secret, not subject to public inspection or to subpoena, regardless of the race, creed or color—which does not exist—of the person who might desire to analyze the ethereal ethnic information.

However, suppose that a certain person feels the pangs of discrimination because of something which doesn't exist, yet he succeeds in obtaining a writ from a Negro (which doesn't exist) judge in Harlem to prove his race in order to establish proof of discrimination. What organization would he call to help him bring pressure on the Negro (which doesn't exist) judge to obtain said writ?

Why from the National Association for the Advancement of (blank—it doesn't exist) People. Who else?

And suppose something good occurs to a person of a race (which doesn't exist) and the nation is told that a Negro which doesn't exist is offered a job in the President's cabinet for the first time in history and the National Association for the Advancement of (blank) People desires to issue a statement to the press regarding this joyful news, how will the organization which doesn't exist tell the newspapers about something which doesn't exist and suppose the headline writer wanted to tell it anyhow? Newspapermen in other sections of the country do it fairly successfully. They'd write, "Negro Offered Cabinet Post."

But since race doesn't exist in New York, those poor headline writers would confuse their readers when they picked up the paper and read, "Blank Offered Cabinet Post."

And pity those poor New York TV commentators who have been promoting race (oops, it doesn't exist) in the South. When they start giving their home audience "expert" information on a subject that doesn't exist they will have viewers so confused their ratings will drop out of sight and so will they, hurrah.

Congratulations to New York. They are resourceful, imaginative people, fully capable of solving any problem.

When they can abolish something which never existed but still have a little left over, we suppose the next best thing to do with the stuff is to mark it confidential and lock it up.

38a 1961

# Court Lifts 4 Ministers From Suit

## Negroes Cleared; U.S. Judge Retains 3 Libel Actions

Libel suits totaling $2 million against the New York Times are to be tried in federal court rather than in the local Circuit Court, U. S. District Judge Frank M. Johnson Jr. has decided.

The cases were removed to the federal court last April. In deciding not to remand them to the state court, Johnson held that four Alabama Negro ministers were "fraudulently" joined to the libel suits to keep them out of the federal court.

He found that "there is no legal basis whatsoever for the claim asserted against the resident defendants Abernathy, Shuttlesworth Seay Sr., and Lowery."

The Revs. Ralph Abernathy and Solomon Seay Sr., of Montgomery, Fred Shuttlesworth of Birmingham, and J. E. Lowery of Mobile were named co-defendants with the Times in a series of five libel suits, two of which have already been tried in the state court.

**GREW OUT OF AD**

All the suits grew out of an advertisement in the New York newspaper which sought funds for the defense of the Rev. Martin Luther King in the perjury trial in which he was subsequently acquitted here.

The charges of libel arose from statements in the ad which described oppressive measures against Negro demonstrators by Montgomery police and state officials.

The three suits which Johnson retained in federal court are by Alabama Gov. John Patterson, for $1 million, City Commissioner Frank Parks and former City Commissioner Clyde Sellers, for $500,000.

Sellers had previously withdrawn his petition to send back his suit to state court.

In denying the petitions of Parks and Patterson, Johnson said that:

"This court. . . has painstakingly studied all the evidence submitted and available, including a transcript of the trial in the Sullivan case.

**NONE EXISTED**

"From the facts available to this court, no liability on the part of the four resident defendants (the Negro ministers) existed under any recognized theory of law.

"Their joinder in each of these cases was therefore fraudulent as that term is applied in removal cases."

Johnson said that the Times had offered "clear and convincing evidence" that the four individual defendants were fraudulently added to the libel suits.

He pointed to testimony by professional writer John Murray during the trial of the libel suit by City Commissioner L. B. Sullivan. Murray testified that he himself submitted the ad to the Times without the knowledge of the four integration leaders.

The four Negro defendants also denied on the witness stand that they had any knowledge of the contents of the ad or that their names would appear on it as endorsers.

Johnson also rejected the theory that the four defendants could have ratified the ad through their membership in the Southern Christian Leadership Conference, which is headed by Martin Luther King.

**NO RIGID PERIOD**

A third contention by attorneys for Parks and Patterson was that the Times had waited too long to transfer the cases to the federal court.

"In such instances of fraudulent joinder, there is no rigid 20-day period which applies," he held.

The Times had only to remove the cases within "a reasonable time" once it had determined that there had been fraudulent joinder, he said. This, he decided, it had done.

The first two in the series of suits were tried before Circuit Judge Walter B. Jones. All-white juries awarded $500,000 verdicts to both City Commissioner L. B. Sullivan and Mayor Earl James.

THE NEW YORK TIMES

Both verdicts are being appealed by the Times.

Prior to issuing his order and opinion, Johnson had a deposition taken from King, in which the Negro leader denied having prior knowledge of the contents of the ad.

King is a defendant in one of the suits, that of Gov. Patterson.

# Times Winner In Birmingham Libel Reversal

NEW ORLEANS, June 15 (AP)—The United States 5th Circuit Court of Appeals has ruled that the New York Times and one of its writers cannot be sued for libel in Alabama.

The decision stemmed from an article on segregation which appeared in the newspaper in April 1960.

The ruling yesterday concerned seven libel suits at Birmingham, and had no bearing on five other suits filed against the newspaper at Montgomery.

The Times had appealed a ruling by United States District Court Judge R. Hobart Grooms of Birmingham. He had denied a motion by the Times to quash service in the seven suits which had been consolidated for hearing.

Judge Grooms had said the Times could be sued in Alabama.

**Opinion Unanimous**

In a unanimous opinion written by Chief Justice Elbert P. Tuttle, the appellate court reversed Judge Grooms and remanded the cases to United States District Court with instructions to enter judgment for the Times and Harrison Salisbury, one of its staff members.

Mr. Salisbury pictured Birmingham as a city filled with "emotional dynamite of racism," and he said, "The eavesdropper, the informer, the spy have become a fact of life."

A grand jury at Bessemer, near Birmingham, returned a 42-count indictment of criminal libel against Mr. Salisbury.

But Deputy Circuit Solicitor Howard Sullinger promised to recommend speedy remedial action if the conditions Mr. Salisbury described were found to exist. Mr. Sullinger, however, declined to discuss details of the indictment.

Mr. Salisbury declined to testify before the grand jury.

**Asked $500,000 Each**

Of the suits involved in the ruling by the appellate court, six were filed by Birmingham Mayor James W. Morgan and Commissioners Eugene Connor and James T. Waggoner and Bessemer City Commissioners Jess Lanier, Raymond Parson and Herman Thompson. They asked $500,000 each.

Anothee suit for $100,000 was filed by Birmingham City Detective Joe Lindsay.

Judge Tuttle quoted an opinion of the Alabama Supreme Court that in an action for libel against a newspaper, the injury occurs where the newspaper is primarily published.

"It is thus clear that whatever else may be in dispute, none of the activities of Salisbury, and therefore of the Times, performed or done in Alabama, ripened into a cause of action in that Stat," the opinion said.

The Times also claimed that if the statute was so applied, it would violate the due process clause of the 14th Amendment in that it would interfere with freedom of the press and thus abridge the privileges and immunities guaranteed under the 1st Amendment.

The appellate court's ruling does not involve litigation against the Times at Montgomery.

Montgomery Mayor Earl James, City Commissioners Frank Parks and L. B. Sullivan and former Commissioner Clyde Sellers sued for $500,000 each against the newspaper and four Negro ministers.

And Gov. John Patterson sued for $1 million.

Mr. James and Mr. Sullivan won $500,000 judgments in State Court and the cases have been appealed to the Alabama Supreme Court.

None of the other cases has come to trial, since the Times has sought to move them to United States District Court.

# Ministers Judged Not Part Of Newspaper Suit

Four Negro ministers, who figured as defendents along with the New York Times newspaper in a libel suit filed by Alabama Governor Patterson and other state and Montgomery officials, have been judged non-libelous in three of the five cases filed. A Federal Court ruled they were brought into court as defendents without any valid legal excuse.

Federal Judge Frank M. Johnson ruled that the Rev. Ralph D. Abernathy and the Rev. S. S. Seay of Montgomery, along with the Rev. F. L. Shuttlesworth of Birmingham, and the Rev. J. E. Lowery of Mobile had been brought into court "fraudulently" in the legal sense of the word, and that he saw no liability on the part of them existed under any recognized theory of law, according to the facts available to his court.

The libel suits grew out of an advertisement that appeared in the New York Times March 29, 1960 which appealed for funds in the defense of the Rev. Dr. Martin Luther King Jr., while he was on trial on charges of lying about his Alabama income tax.

The advertisement, among other things, criticized the handling of Negro college students demonstrations in Montgomery by city and state authorities, and was submitted by a Times writer for a committee that was handling the defense of Dr. King Jr. The advertisement carried the names of the four Negro ministers.

**APPEAL PENDING**

The first two suits, filed in state court by Montgomery Mayor Earl James and Police Commissioner L. B. Sullivan against the four ministers and the newspaper, awarded $500,000 to the plaintiffs. The appeal by the defendants is still pending.

In the remainig three cases the New York Times succeeded in having them heard in Federal instead of state court. The $1,000,000 damage claims of Governor Patterson, and $500,000 claims, each, of City Commissioner Frank Parks, and ex-Police Commissioner Clyde Sellers were pending in state court when the Times succeeded in getting the federal court transfer.

It was during this switch in courts that the Negro ministers were judged not a part of the suit. In his ruling Judge Johnson said it was clear that the ministers did not authorize writer John Murray,, the King defense committee, the New York Times, or anyone else to use their names in the ad.

The judge ruled further that the Negroes did not endorse the advertisement.

Contrary to an argument used by the plaintiffs Judge Johnson also said that the New York Times did act within a reasonable length of time in taking the federal court, after it became apparent that the Negro ministers were being illegally sued.

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NEW YORK

# LEFKOWITZ CALLS NEGROES CHEATED

## He Attacks Wagner Record on Civil Rights as Poor

By IRVING SPIEGEL

Louis J. Lefkowitz, the Republican candidate for Mayor, attacked Mayor Wagner's civil rights record yesterday, terming it "one of inaction and indifference—of pious promises and poor performance."

The State Attorney General accused the Wagner administration of having "short-changed in city services" the majority of Negro residents. He listed such areas as Bedford-Stuyvesant in Brooklyn and Harlem.

"The oldest school buildings, the worst illegal slum conditions, the poorest municipal hospital services are all earmarks of the Wagner record of eight years," Mr. Lefkowitz said.

Mr. Lefkowitz' charges were made in an address to 1,200 persons at a "Second Cup O' Coffee Rally-Meeting," sponsored by the Friends of Lefkowitz for Mayor. Samuel Hausman, chairman of the group, presided at the event, at the Astor Hotel.

### Rockefeller Speaks

Governor Rockefeller, who was also on the platform, said: "Eight years of a weak and vacillating Wagner woven into sixteen years of one-party monopoly have brought this great city to a sad state of affairs.

"Our people are afraid to walk the streets at night, our parks are abandoned to hoodlums, even our policemen are being assaulted."

In his address, Mr. Lefkowitz said that the City's Commission on Intergroup Relations "has been saddled with procedures so elaborate and complicated that it takes several pages to list the steps that must be taken before effective action can be taken."

Mr. Lefkowitz charged that local legislation prohibiting city contracts with companies that practiced racial discrimination in employment had never been implemented and that the open-enrollment school program "continues at a lagging pace."

He said that Mayor Wagner had in "every other area of municipal activity" been either unable or unwilling to come to grips with the fundamental problem and to develop programs based on strong actions rather than smooth speeches."

### Discusses School Problems

Mr. Lefkowitz pledged, if elected, to increase the number of fully certified teachers in predominantly Negro and Puerto Rican schools by reducing the concentration of substitute teachers.

Further, Mr. Lefkowitz promised to strengthen educational programs to assimilate non-English-speaking students and to improve work to help "new migrant groups in theid adjustment to their life in New York City."

"Most essential," Mr. Lefkowitz said, "is a need to mobilize all the resources of this city in the development of a program of planned progress to attain the ideal of full human dignity."

Departing from his text, Mr. Lefkowitz said that he began his day at 8 or 8:30 A. M. and often worked "around the clock." He then said: "I don't think this man at City Hall ever took any homework home with him."

### Speaks on WOR

It was a day of busy campaigning for Mr. Lefkowitz. In a taped address over Radio Station WOR sponsored by the New York City Republican Advisory Council, Mr. Lefkowitz again charged that "crime and delinquency are terrorizing our city."

Before his Astor Hotel address, Mr. Lefkowitz spoke at a breakfast of the New York State Careerists Society at the New Yorker Hotel. Later in the afternoon, he appeared for Grandparents Day at the Hebrew Home for the Aged in the Bronx. Here Mr. Lefkowitz departed from the campaign and spoke on the problems of the aged.

He also attended a nonpartisan luncheon at the Waldorf-Astoria Hotel in honor of Lester B. Granger, retired national executive secretary of the National Urban League.

In the evening Mr. Lefkowitz was scheduled to attend a function of locality mayors at Sammy's Bowery Follies.

The New York Times

**AT BREAKFAST RALLY: Governor Rockefeller and Attorney General Louis J. Lefkowitz, Republican candidate for Mayor, conferring at dais before they addressed a rally sponsored by "Friends of Lefkowitz for Mayor."**

38a 1961

NEW YORK

# 23 Harlem Gang Members Face Judge After March

Montgomery Advertiser 2-20-61

NEW YORK (AP) — Twenty-three members of a Harlem gang appeared in court Tuesday after their capture during a march into a racially mixed Bronx neighborhood in search of a revenge fight.

The youths, all Negroes, were among about 60 members of the Harlem Lords gang that invaded the soutwest Bronx Monday night armed with knives, bats, iron pipes and clubs.

They were headed for a housing development looking for a gang that had whipped them in an earlier battle. But police intercepted them on the way, and the gang fight never came off.

Ten of those seized were under 16, and a Bronx children's court judge set hearings for Thursday. The others will also get hearings Thursday in Bronx adolescent court.

Theodore Bowen, 17, was accused of attacking a detective with a knife, and Victor Diaz, 19, of wielding a baling hook. Both were held in $1,000 bail each on charges of felonious assault, unlawful assembly and violation of the Sullivan anti-weapons law.

As the horde advanced into the Bronx it pummeled and shoved pedestrians in the way. Citizens telephoned police and eight squad cars screamed toward the site of the violence.

**APPROACHED GANG**

First to reach the Lords were Detectives Arthur O'Connor and Ronald Ris. With guns drawn, the policemen approached the gang from either side.

Reis was bowled over as one youth lunged at him, wielding knife. But Reis regained his fee and kept his gun on the gang

The two detectives shoute warnings not to move, but despit this at last 35 youths move away into the dark. Within mir utes, the squad cars pulled u and surrounded the remaining 23

Police said they learned from questioning that the gang hac been chased out of a park by a racially mixed gang Monday morning. The Harlem Lords wer out to avenge that.

# Negro in Ball Flips over Falls In Effort to 'Integrate' Niagara

NIAGARA FALLS, Ont., July 15 (AP) — A Negro, strapped inside an eight-foot, rubber-coated steel ball, successfully rode over the 161-foot Horseshoe Falls today and said he did it "for love" and to "integrate" the giant cataract.

Nathan Boya, 30, of New York became the fifth person in history to negotiate the tumbling drop and escape unharmed.

"I did it to integrate the falls," Niagara Park Commission police quoted Boya. "I'm a Negro and proud of it," he said.

The ball, with a two-foot dent in it, was towed to the Canadian side of the Lower Niagara River after the plunge. Boya was seen as he opened the hatch and waved to thousands of stunned spectators.

He was taken into custody by park police and held on a charge of illegal entry.

"I'm happy I did it. It's something I've always wanted to do," Boya told investigators when he was taken to a hospital for a physical check-up. He was reported in good condition, having suffered only a few scratches on his arms.

The ball, dented into pear shape, was equipped with a snorkel breathing device. Boya had braced himself with a safety belt for the ride.

Swimmers in the Upper Niagara River told police that they had seen the ball being towed by a large boat shortly after 10 a.m. EDT today. The unauthorized ride over the falls started at about 10:50 a.m., police said.

Boya told police the ride had been planned several months ago with Jean Lussier, the only other living survivor of a stunt-ride over the Horseshoe. He said Lussier, who went over the falls 32 years ago in a rubber barrel, aided in the design of the sphere.

Boya said the idea stemmed from a now-faded romance with a girl while he was stationed with the Army in France, in 1947.

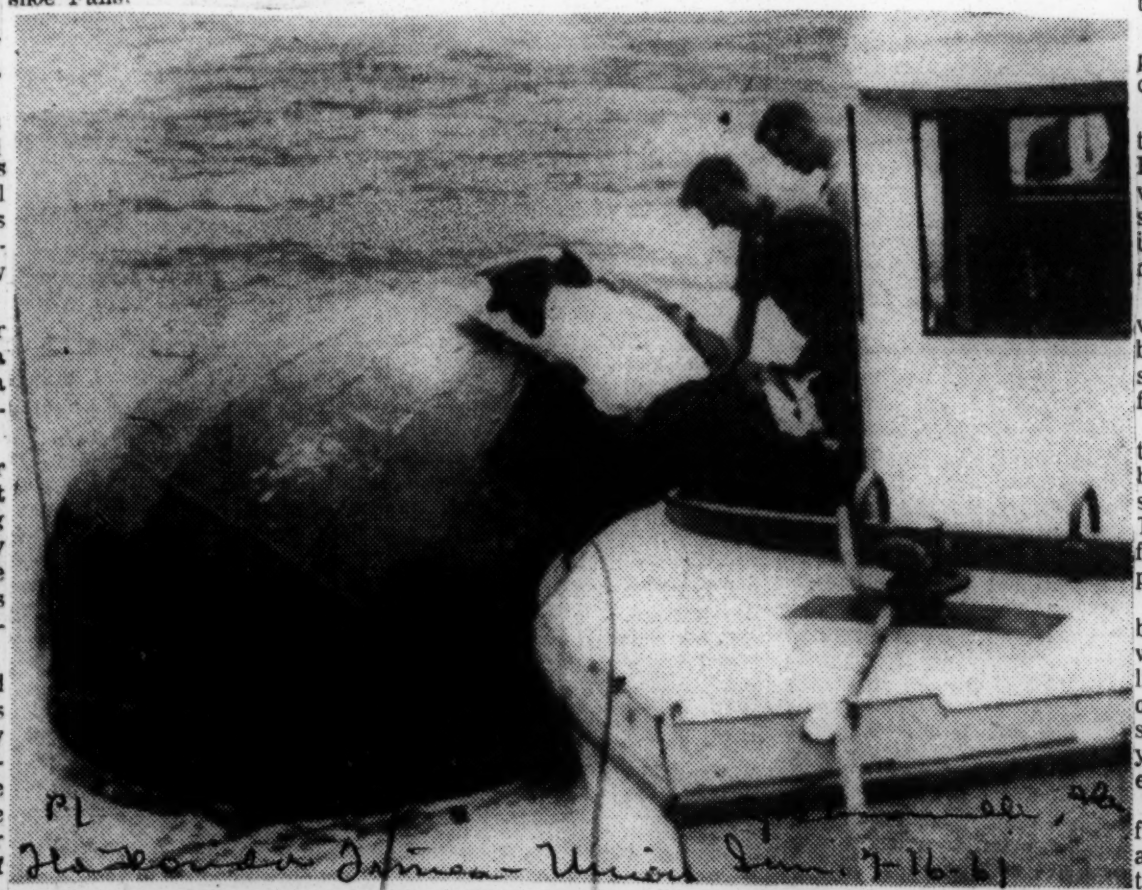
He said they had talked of marriage and a honeymoon at the famous tourist center.

"During our talks, the subject of daredevils had come up. I told her that men in this country do such things to prove their love — "like the knights of old." He said they had agreed that he would thus prove his love.

"So what I said in jest has become reality" he told investigators.

A year ago (July 9, 1960) then 7-year-old Roger Woodward of Niagara Falls, N.Y., was swept over the Horseshoe Falls accidentally and was rescued relatively unharmed from the lower river.

Two other stunt artists successfully rode over the Horseshoe Falls.



—AP Wirephoto

**Boat Crew Recovers Ball in Which Boya Survived Niagara Falls Plunge**

# Negro Daredevil Integrates Niagara Falls In Steel Ball

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Two other stunt artists successfully rode over the Horseshoe Falls. The first successful try was made in 1901 in a wooden barrel carrying Anna Taylor. Ten years later, Bobby Leech, an Englishman, made it in a steel barrel. Lussier's feat was accomplished in 1928.

Boya said the steel ball cost him $5,000 and he had made the first payment several weeks ago.

38a 1961

AUGUST
CHAPEL HILL- THEATER
DESEGREGATED

NORTH CAROLINA

## At Chapel Hill

# Limited Integration Okayed For Theatre

CHAPEL HILL—Carolina Theatre here Thursday became the first white movie house in the South to adopt a policy of integration.

The theatre's new policy is limited.

It will apply only to Negro students at the University of North Carolina who show identification cards at the box office.

By mid-afternoon Thursday, the theatre reported that no Negro students had sought admission. Two Negro students said, however, that they would attend the movie Thursday night.

The movie playing is "The Dark at the Top of the Stairs."

**With Raleigh Mayor.**

Details of the integration arrangements were worked out by the Chapel Hill Human Relations Committee and Raleigh Mayor William Enloe, district manager of the ABC Paramount Theatre Chain, which owns the theatre here.

Although the theatre official did not say so, the new policy was regarded here as an experiment, which, if successful, would lead to a more liberal integration plan.

Negro students at the University were told confidentially of the new policy Wednesday night. No official figures were available at the University as to how many Negro students are currently enrolled, but the new policy was not expected to affect more than a dozen or so.

**No Comment.**

The only other white theatre in town, the Varsity, had no comment for the present. The Varsity manager said he had been unable to reach the theatre owner to determine whe
policy chang
Both of the
were picketed
spring by mem
Hill Committee for Open Movies.
The picketing began in January
the nan effort to integrate the
Carolina Theatre for a showing of
and Bess failed.

Integration leaders held several meetings with the theatre managers here and with Mayor Enloe in Raleigh.

Picketing was halted in May when Enloe told integration leaders that he would find it much easier to work out something if there were no pressure. Enloe's chain owns theatres in Durham, Raleigh, Greensboro and throughout the South.

**No Police Plans.**

Chapel Hill Police Chief William Blake said he had been advised earlier of the theatre change in policy, but did not plan to make any changes in the policemen's regular beats.

"I don't think it will be necessary," he said.

Most of Chapel Hill's downtown eating places have been integrated for several months and there have been no incidents reported.

A new school desegregation plan will also go into effect here this fall, which will make Chapel Hill schools the most heavily integrated of any towns in the South.

**Chairman Comments.**

Mary Mason, Negro, graduate last spring of N. C. College and chairman of the Chapel Hill Committee for Open Movies, said "I'm very happy the step has been taken and I am confident it will in time be extended to the other Negroes in the community. I am willing to wait."

Hilliard Caldwell, Negro, employe at N. C. Memorial Hospital and leader in Chapel Hill's NAACP chapter and one of the integration leaders here, declared, "I know Chapel Hill is ready for integrated movies. I'm glad to see it. The manager and owners should be given some consideration. There will also be some resentment among Negroes and white liberals in town. Only about 10 Negroes are attending the University now full time. Just permitting Negro students to attend the theatre will not work out well."

# Negro Coeds Mix Theater

CHAPEL HILL, N.C. (AP) — Two Negro coeds attended the Carolina Theater without incident Thursday night as the motion picture house first opened its doors on an unsegregated basis.

The theater, one of two in this college town, had been picketed by antisegregationists over a period of about five months, this year. The other theater remains segregated.

The new policy applies only to University of North Carolina Negro students, of whom there are 69 in a summer school enrollment of 3,600.

# Says Monroe, N. C., Was Ripe For Violence

MONROE, N. C. (UPI)— The anti-segregation picketing which led to racial rioting here Sunday was billed as a "test of passive resistance" but it followed blunt talk of violence.

Law officers confiscated pistols, rifles, brass knuckles, butcher knives and meat cleavers from both whites and Negroes after the wild fighting broke out.

Local Negro leader Robert Williams, who sponsored the demonstrations, is known as an advocate of "meeting force with force." He was expelled from the National Association for the Advancement of Colored People in 1959 for his extreme views.

**That was after he told Mrs. Daisy Bates, then N.A.A.C.P. head in Little Rock, that Negroes "must be willing to die and to kill as individuals and collectively to defend their homes and persons."**

**He later said he and other Negroes in and around this town of 11,000 persons—30 per cent Negro—were stockpiling small arms for use in self-defense.**

Williams said local police were not giving Negroes protection from bands of white youths. He said his home had been shot up on several weekends recently and he had telegrammed Gov. Terry Sanford about the incidents.

This weekend, Williams called for peaceful picketing of the county courthouse by the Monroe Non-Violent Action committee. The protest, directed against the city's policy of segregation, was to be "a test of the passive resistance method."

**Weekend shopping crowds Saturday swelled the town's normal population. Chief Mauney posted four policemen at the corners of Courthouse square and ordered them to keep onlookers on the other side of the street from the marching pickets.**

**In the crowds watching picketers, officers said they saw some hooded members of the Ku Klux Klan. White youths jeered at the pickets Saturday and fist fights broke out.**

Police arrested two whites and two Negroes on charges of assault and charged three picketers with breaking an ordinance which requires picketers to stay 15 feet apart.

There was no serious violence, but the outbreaks and the hard talk set the stage for Sunday's rioting when the pickets returned to the courthouse.

## Ex-NAACP Leader Is Sought

By ALAN RESCH

MONROE, N. C. (UPI) — This small Carolina town, racially uneasy for several months, exploded into violence Sunday when police tried to keep a white integrationist from joining Negro anti-segregation demonstrators in a taxi. A white policeman was shot in the melee.

Police arrested more than 50 persons, many of them whites, on charges of inciting to riot, and charged a Negro youth with assault with intent to kill the wounded policeman.

Police Chief A. A. Mauney also said Negroes temporarily held a white couple as hostages in an attempt to force release of integrated pickets jailed by officers during several hours of racial turbulence. He said, however, the couple was released unharmed.

Seventeen-year-old Albert Rorie was arrested at his home Sunday following more than seven hours of racial violence. He is charged with shooting Policeman J. W. Rushing in the leg, when Rushing tried to stop a white girl, Constance Lever of Durham, England, from entering a taxicab with other pickets.

Rushing told officers that the youth shot him after he chased three young Negroes from the scene of the afternoon disturbance and exchanged gunfire with them. He said the boy, cornered behind a car and trailer, crawled under the trailer, took aim, and fired at his legs.

Mauney said that earlier Sunday night a group of Negroes had temporarily held the white couple, Mr. and Mrs. Bruce Stegal of near-by Marshville, N.C., as hostages. The couple was held in the home of Robert Williams, ousted leader of the NAACP, Ma[illegible]e.

Police said Tuesday night that Williams apparently has fled the city. Officers [illegible] shotguns and tear gas guns raided the headquarters [illegible] a self-confessed admirer of Premier Fidel Castro who was expelled by the NAACP for advocating violence against whites.

Williams had disappeared, officers said, and no guns were found in the building. Police asked the FBI to issue an alarm for Williams, who was believed to be traveling north.

About 50 law enforcement officers, working in teams of 25 on each shift, patrolled the city Tuesday on an around-the-clock basis to prevent a recurrence of racial violence here.

Officials indicated state police, called in Sunday by the City Council, would remain here as long as necessary. Officers moved through a crowd of about 400 white persons, most of them curious teenagers, Monday night at the city courthouse but there were no incidents or arrests.

Authorities had thought Williams had barricaded himself in the house with a group of followers and was distributing ammunition to the group.

But the house was empty and a group of Negroes involved in Sunday's rioting issued a statement saying they had simply stayed in Williams' "Freedom House" for their own safety.

"Therefore, we were in no position to influence the events that ensued," the group said.

Trouble had been brewing in Monroe for months. Local Negroes led by Robert Williams, had been protesting segregation and alleged unfair treatment by police.

Williams, ousted from the NAACP in 1959 after advocating that Negroes meet "force with force," has urged Negroes to arm themselves. By this weekend, the town of 11,000 on the South Carolina border, was a tinderbox of aroused feelings.

Williams said he invited pickets to parade around the county courthouse Sunday to protest the city's segregation policies "as a test of the passive resistance method." Williams did not take part in the picketing which followed minor racial tiffs earlier this weekend.

Violence erupted Sunday when Policeman J. E. Rushing tried to stop 20-year-old Constance Lever of Durham, England, from getting into a car with a group of Negro pickets. Miss Lever and other whites had been among the picketers.

James Foreman, Negro president of the National Freedom Council, said he was clubbed on the head and other Negroes were beaten as members of the white crowd who had been watching the picketers surged forward.

## Mother Upset Over Daughter's Role In Monroe Rioting

DURHAM, England.—(UPI)—Mrs. Anita Lever said Monday she was "upset" by the news that her daughter Constance touched off Sunday's racial riot in Monroe, N. C.

"Of course I'm upset," she told UPI. "I'm sorry she went there."

"Constance's reaction to racial differences is governed by the fact that we lived in East Africa for years. She has no conception that a black person is any different from a white."

Mrs. Lever and her husband, J. W. Lever, a lecturer in English at Durham university, returned last year from Kampala, Uganda.

Lever was an instructor at Kampala's all-Negro Makere university, Mrs. Lever was a teacher at a native primary school, and 20-year-old Constance was a teacher at a school for Indian students.

Mrs. Lever said she hoped the British Embassy in Washington would arrange for her daughter's release from Monroe jail.

"I want to have a long talk with her," she said.

38a 1961

# N. Carolina Judge Bans Race Pickets

By WALTER H. WAGGONER

(Copyright 1961 by the New York Times Co.)

MONROE, N.C.—Effective state and local police work and a judge's stern warning to integrationists against picketing the county courthouse here helped restore this tension-packed city to almost normal peace and calm Tuesday.

There was one incident at midday involving an attack on a Negro associate of the Rev. Martin Luther King Jr., an Atlanta integration leader. But it was quickly handled and the threats of more picketing that could have produced another clash between integrationists and their local white opponents did not materialize.

This county seat of about 11,000 persons was rocked Sunday evening when picketing of the courthouse in the heart of the city erupted into a fight between about 1,000 whites and Negroes.

A policeman was shot in the leg and about 50 persons were arrested. Among those jailed were a group of "freedom riders," who professed to a belief in non-violence. They had stopped in Monroe last week on their way north to protest what they regard as racial discrimination here.

At the height of the violence a white couple visiting the city from nearby Marshville were seized by a crowd of Negroes and held as hostages. Robert F. Williams, Negro extremist leader here, was indicted on a charge of kidnaping but he fled before police could capture him. He is still at liberty.

The victim of Tuesday's only incident was the Rev. Wyatt Tee Walker, also of Atlanta, executive director of the Southern Christian Leadership Conference, of which King is president.

Walker was about to enter the courthouse with two Negro journalists when their way was blocked by Vann M. Vickery, 32, a Monroe restaurant operator. He shouted abuse at the trio and then threw Walker down the concrete steps when he tried to pass.

Vickery is a massive man and the Negro a very slight one. Walker landed in the ivy at the base of a granite Civil War monument at the west entrance of the courthouse about 30 feet from the steps, but he was unhurt. Vickery, who struggled violently with police before he was handcuffed and bundled into a patrol car, was charged with public drunkenness and resisting arrest.

At 2 p. m., about an hour after the fracas on the courthouse steps, Superior Court Judge Allan H. Gwyn offered his explanation, which he said was requested by the integrationists, of what he meant when he said Monday that "there would be no picketing of this court or any other court, as far as I am concerned."

Speaking slowly and in a low voice often made inaudible by the large floor fan mildly agitating the stifling air in the big court room, Judge Gwyn said:

"If anything is fundamental in our law, it is that the judiciary shall be independent, not independent to trample on people's rights but independent to protect people's rights under the law. Judgment may not be coerced, or judges may not be coerced, and opinions may not be affected by pressures either by picketing or otherwise."

NORTH CAROLINA

## The Monroe Mau-Mau

A significant point about the weekend violence in Monroe, North Carolina, was that a group of "freedom riders" had come to town to join Robert F. Williams, the Negro incendiary who has openly declared his affections for Castro, flown the Cuban flag in his yard, denounced the United States, declared himself in an "armaments race with the white people of Monroe," maintained a large arsenal of weapons and has long advocated violence.

Knowing this background, aware that Williams was suspended by the NAACP two years ago (although recently readmitted and reelected to leadership of the local chapter), these proponents of non-violence joined with him in a force of some 200 to provoke the "blood bath" Williams has talked about so long. One of their number shot a policeman, shots were fired at passing cars and, finally, they kidnaped a white couple.

All this in the name of the composite organization called the "Monroe Non-Violent Action Committee" formed recently.

A more appropriate name would have been the Monroe Mau-Mau, with Williams the Tarheel Kenyatta.

The South will wait to see what the reaction of the North will be to this outrageous black savagery, besides which the deplorable events in Alabama pale into insignificance. This should erase whatever doubt there might have been that the "freedom rider" type is really looking for trouble, all the while protesting his passivity.

But for swift and massive law enforcement, Burning Spear Williams might have had his blood bath. There are always enough white toughs around to accommodate the violence seekers.

But, for now at least, Williams' armaments race has become a foot race to escape prosecution for kidnaping. If he makes it to Cuba, however, North Carolina is not likely to offer a tractor or even a plow for his return.

MONROE, N.C.

# Negro Is Indicted in Kidnapping Of White Couple in Race Clash

## Leader of Carolina Pickets Flees Home —Freedom Riders in Monroe Vow to Continue Fight on Segregation

By CLAUDE SITTON

Special to The New York Times.

MONROE, N. C., Aug. 28—A Negro leader was indicted today on charges of kidnapping a white couple and holding them hostage during a race riot here yesterday.

Law enforcement officers armed with rifles and submachine guns searched the home of Robert F. Williams, the accused Negro, but found that he had fled, apparently taking his wife and two children with him.

The Union County grand jury, which was in regular session, returned the indictment shortly after hearing testimony from Mr. and Mrs. G. Bruce Stegall of near-by Marshallville. They said they had been held captive in Williams' home last night for two and a half hours.

The police said Williams had promoted a series of anti-segregation demonstrations in this town of 10,000 persons, twenty-five miles southeast of Charlotte.

Racial animosity aroused during the picketing of the Union County Court House yesterday led to a clash between 1,000 whites and Negroes.

### Mob Is Subdued

A policeman was shot in the thigh and a number of persons received lesser injuries before local officers, aided by seventy-five state troopers, brought the mob under control. Forty-eight persons were arrested.

Williams has publicly advocated violence as a means of ending racial restrictions.

In the July 10 issue of his mimeographed publication, "The Chursader," he told Monroe Negroes:

"No colored person is safe and secure in this outlaw land. Our best bet is to arm and defend ourselves. When the streets become rivers of blood, then and only then will the state and the National Government show an interest in the welfare of colored Americans."

Williams was suspended for six months by the National Association for the Advancement of Colored People in 1959 for voicing similar sentiments.

### Freedom Riders Picket

Daily anti-segregation picketing, which began here last week, was sparked by a group of seventeen white and Negro Freedom Riders from outside the state. They said they had come at Williams' invitation.

The Riders, most of whom are from the North, had stopped off here en route to their homes after having been arraigned in Jackson, Miss., on charges growing out of efforts to end segregation in transportation facilities.

Four of the Freedom Riders asserted that they would continue their assault on segregation here. They were John C. Lowry and Edward Bromberg, both of New York; Daniel Thompson of Cleveland and Charles Butler of Charleston, S. C.

As they spoke, a group of some twenty Negro youths rode up in trucks. The Freedom Riders said the youths, who seemed angry and excited, were members of the newly formed Monroe Non-Violent Action Committee.

### Negroes' Demands

The Freedom Riders and the others said their demands included opening of the municipal swimming pool on a desegregated basis, equal police protection for Negroes, improved job opportunities and a conference with Mayor Fred M. Wilson.

"We're going to stay until something is done," declared Mr. Thompson.

The thirteen other Freedom Riders who had arrived with them, including two white girls, were arrested during yesterday's rioting. They were held in lieu of $1,000 bonds on charges of inciting to riot.

Local officials and Mrs. Stegall said the capture of her and her husband had ben part of an attempt by the Negroes to force the police to release the Freedom Riders and other members of their faction.

Mrs. Stegall told newsmen she and her husband had been forced from their car at gunpoint, taken to the Williams home and bound back to back with tape from a Veneitian blind.

Williams, she said, had called Chief A. A. Mauney of the Monroe police and told him that if those in jail were not released the Stegalls "will be killed or sacrificed or done away with" within thirty minutes.

### Voice Recognized

Chief Mauney was quoted as having said that he had received the call and had recognized Williams' voice.

Many residents here were shocked by the violence. One of them was Mrs. Margaret Baucom.

"It's tragic because we've never had anything but good relations between whites and Negroes in this town. And that's the truth."

Her comments and those of others indicated some willingness on the part of whites to sit down at the conference table with Negroes to see if their problems could not be resolved.

MONTGOMERY, Ala., Aug. 28 (UPI)—Gov. John Patterson sent three telegrams today deploring the outbreak of racial violence in Monroe, N. C., which he blamed on "lawless elements" from the North.

The wires were sent to Attorney General Robert F. Kennedy, Gov. Terry Sanford of North Carolina and Mayor Wilson of Monroe.

to send Alabama troops and law enforcement personnel to North Carolina if the state requested aid.

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### Robert Kennedy Comments

WASHINGTON, Aug. 28 (UPI)—Attorney General Robert F. Kennedy said today that those responsible for racial violence at Monroe should be prosecuted to the full extent of the law. He said no action by the Federal Government was contemplated since the weekend outbreak of racial strife seemed to be under control.

**Arrests in New Orleans**

NEW ORLEANS, Aug. 28 (AP)—The police arrested four members of the Congress of Racial Equality—three Negroes and one white person—for picketing City Hall today.

# CALM RETURNING TO MONROE, N. C.

## But Negro Is Assaulted on Steps of Courthouse

By WALTER H. WAGGONER

Special to The New York Times.

MONROE, N. C., Aug. 29—An almost normal peace and calm returned to Monroe today.

There was one incident at midday involving an attack on a Negro associate of the Rev. Dr. Martin Luther King Jr. But it was quickly handled and the threats of more picketing that could have produced another clash between integrationists and local white opponents did not materialize.

This county seat of about 11,000 persons was rocked Sunday evening when picketing of the courthouse in the heart of the city erupted into a fight between about 1,000 whites and Negroes.

A policeman was shot in the leg and about fifty persons were arrested. Among those jailed were a group of Freedom Riders who had stopped in Monroe last week on their way North to protest racial discrimination.

At the height of the violence a white couple visiting the city from near-by Marshville were seized by a crowd of Negroes and held as hostages.

**Negroe Leader Indicted**

Robert F. Williams, Negro extremist leader here, was indicted on a charge of kidnaping yesterday, but he fled before the police could apprehend him. He is still at liberty.

The victim of today's incident was Wyatt Tee Walker, executive director of the southern Christian Leadership Conference, of which the Rev. Dr. King is president.

Mr. Walker was about to enter the courthouse with two Negro reporters when their way was blocked by Vann M. Vickery, a 32-year-old restaurant operator. He shouted abuse at them and then threw Mr. Walker down the concrete steps when he tried to pass.

Vickery is a massive man and the Negro a very slight one. Mr. Walker landed in the ivy at the base of a granite Civil War monument at the west entrance of the courthouse about thirty feet from the steps, but he was unhurt.

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**Judge Gives Warning**

At 2 P. M., about an hour after the fracas on the courthouse steps, Superior Court Judge Allen H. Gwyn offered his explanation, which he said was requested by the integrationists, of what he meant when he said yesterday that "there would be no picketing of this court or any other court, as far as I am concerned."

Speaking slowly and in a low voice often made inaudible by the large floor fan mildly agitating the stifling air in the big courtroom, Judge Gwyn said:

"If anything is fundamental in our law, it is that the judiciary shall be independent, not independent to trample on people's rights but independent to protect people's rights under the law. Judgement may not be coerced, or judges may not be coarced, and opinions may not be affected by pressures either by picketing or otherwise."

**Threatens Jail for Pickets**

Anyone picketing the courthouse, he continued, would be guilty of contempt of court and would go to jail.

The judge refused to give any guidance as to what picketing might be permissible. But he strongly urged that it be abandoned at this time altogether.

Then he continued: "Now, those who from now on wish to engage in picketing are advised that they do so in the light of an inflamed community. They do so in the light of a jail full of people. They do so in the light of bills of indictment issued for kidnapping which grew out of this very disturbance. They do in the light of assaults.

"They do so in the light of weapons having been accumulated in certain quarters, if that is a fact, and I understand it is. They do so in the light of great danger to the peace in good order of this community. And if you feel you are entitled to picket under such circumstances, then go to it."

But the judge did not restrict his warning to the Freedom Riders or the integrationists. He refeerred to some of the local whites who he said "are of a temper to take the law in your own hands."

***'Look After Your Own Business'***

"So I say to you citizens who are concerned about picketing, who are opposed to some of the things they may have seen, you go home and look after your own business and give our officers an opportunity to perform their duties under the law as they have to do.

"As to all others, whether home-grown or foreign-born, I want to say that the chief and all of his deputies are here; the high sheriff and all his deputies are here; the forces of the State of North Carolina are here, not only under the direction of the government, but also the Federal government through the Attorney General.

"All are alert to the terrible situation which has arisen here, and we're going to have peace, and we're going to have order. And if anyone doesn't believe that, then let him express himself.

"We're not going to turn this government over to a bunch of hoodlums, either local or otherwise. We are going to be fair but be firm."

# Police Find Arms Cache For Negroes

MONROE, N. C. (AP) — Police raided the home of the president of the Monroe Non-Violent Action Committee Wednesday confiscated a small arsenal of weapons, including automatic rifles.

Richard Crowder, 19-year-old Negro head of the group, had been picked up earlier for investigation in the kidnaping of a white couple during the aftermath of an interracial disturbance Sunday.

Crowder was charged with kidnaping and was held without bond.

Officers said they found 11 weapons, most of them rifles, in the attic of Crowder's home. They said the weapons were among those collected recently by Robert F. Williams, 36-year-old militant Negro leader, who is being sought on a kidnap warrant. Williams, with his wife and children, fled the city Sunday night in the wake of the disturbances.

The raid was conducted by local and county police, assisted by agents of the State Bureau of Investigation.

Crowder's committee has sponsored interracial picketing here for more than a week. Forty-seven persons were arrested Sunday in Connection with an hour-long free-for-all. They were released from jail Tuesday night and Wednesday after their bonds were reduced from $1,000 to $25 each.

Officers searched Williams' home Monday after a grand jury indicted him on the kidnap charges. However, no weapons were found.

With the city of 10,000 relatively quiet, it was learned that the Union County grand jury will reconvene Thursday, apparently to consider further presentments in connection with the weekend violence.

Meantime, the group of Freedom Riders regrouped in two homes in the Negro district to discuss future plans.

# Williams Tells Worthy, 'I Was A Marked Man'

Afro American 36 Sat 10-21-61

Baltimore, Md.

## Exile tells of his fears

By WILLIAM WORTHY
(Special to the AFRO)

HAVANA (Via Cable) — Robert F. Williams is going to be known to the listening world by a theme song.

When he begins his series of broadcasts over Radio Havana, the programs will open and close with a very moving song, "Look At My Chains."

It describes the pains and emotions of a people still in bondage.

In an exclusive all - night interview in my hotel room, the Monroe, N.C., civil rights leader said he agrees with Elijah Muhammad that the black man in the United States has no representatives in government.

* * *

**WILLIAMS SAID** Klan justice, operating nakedly, forced him to flee.

He said: "I'll never forget the Sabbath day brutality of the white Christians in my home town on August 27th. They beat 14 and 15-year-old girls while cops held the girls' hands behind their backs. While enjoying the sanctuary of my home. Mrs. Bruce Stegall, who changed her "kidnaping" story several times, mentioned that she had been to church that morning."

Widely known as the "Angola of the Western Hemisphere," Monroe has long offered ample reason for a colored man to flee. But Williams reports there was more behind his departure than just the local events.

An AFRO front page story on July 22 reported a Harlem meeting that raised $260 to send rifles to Monroe. Williams was beginning to receive invitations from all over the United States to come and help set up local rifle clubs.

"Defense of our homes" was becoming a watchword among a people that have turned the other cheek for 300 years. Washington was shaken.

**ON THE** international stage, the United States expected further embarrassment from Williams. The Freedom Now Committee of Los Angeles had asked him to present at the United Nations a petition citing wholesale United States violations of human rights.

The man who escaped to Cuba believes the man-hunting zeal of the FBI was not coincidental. An example had to be made of him to stave off further resort to the United Nations forum.

To anyone on the scene here in Cuba, the arrival of Williams clearly signifies a turning point in our civil rights struggle.

Currently awaiting a second invasion at any time, the Cubans say that the Yankees will have to send rockets to get Williams back. Afro - Cubans in particular link the Cuban Revolution to the black man's revolution that has clearly begun in the United States.

* * *

**OUT OF THE** 21 republics in this hemisphere Cuba is the only one that will give sanctuary to a refugee from the cotton curtain, Williams says.

With the United States world position going daily from bad to worse, Williams believes a quasi-fascist climate is rapidly developing. Many of us are not yet fully cognizant of it.

He fears that on a national level outspoken colored Americans will henceforth be disposed of in barbarous ways hitherto utilized by Mississippi savages.

Civil rights, advocates, Williams foresees, will begin "disappearing" at night. Strange car "accidents" will take the lives of careful drivers.

* * *

**IN JUNE THE** Klan tried this technique three times on him, he stated.

He said, "The plants of honest and militant publications will be blown up. Gangsters will be hired for fatal 'holdups.' Many determined freedom fighters will die unless we recognize the desperation of a declining power elite."

Carlos Moore, an Afro-Cuban who recently returned home after years in New York, sat in the lengthy interview. He and Bob Williams both warned this reporter to stay off the streets at night upon my return to the states.

"Because of your type of reporting in the AFRO," they said, "you are a marked man. You will pay with a knife in your back if you underestimate the ruthlessness of those whom honest journalism hurts."

* * *

**WILLIAMS** says he shoulders at the fatal consequences if the FBI had squeezed vn one lead out of those who befriended him. In the future, he believes, the only wise course is to equate federal agents and the Dixiecrat cops with whom they collaborate. Their questions should go unanswered.

Says Williams: "I, myself, would shut the door in their faces. No law compels a citizen to talk to them."

The former president of the Monroe NAACP sees other lessons to be learned from his vivid experiences. He wants us to begin relying more on our own publications for balanced news of today's world.

Simply by reporting the Monroe news straight, Williams maintains that the dailies and wire services would have prevented the would - be massacre of Monroe freedom riders.

* * *

**TO FIGHT** "the United front" of the Klan, White Citizen Councils, John Birch Society and state and federal officials, Williams wants to see hundreds of Freedom Now groups spring up.

In the natural course of development these groups would link themselves across the country. They would become a powerful deterrent to the creation of a full scale police state, he argues.

While still fighting in Monroe just to survive, Robert Williams was a force to be reckoned with. Now that he has access to global airwaves, he is an even greater threat.

* * *

**HE RECALLS** how John Brown mobilized world opinion by dramatizing the abolitionist struggle. For a man in exile, with ideas as his own weapons, Williams appears remarkably confident of multiplying his worldwide supporters.

He didn't tell me how or when, but he insists he will return. It sounds highly unlikely. Yet whoever thought he could make it to safety in Cuba?

OCTOBER

MONROE, NORTH CAROLINA

ROBERT F. WILLIAMS

Within the next year this reporter anticipates many unlikely events in the world of color. At 4:45 a.m., as Bob and his bodyguards said good night, I was asking myself what he will go back with and who will be at his side.

# Robert Williams Hopes to Reach Negroes Through Castro's Propaganda Radio Station

HAVANA, Cuba.—(ANP)—Robert F. Williams, integration leader who fled arrest for the alleged kidnaping of a white couple, has announced that he hopes to reach his fellow Negroes in the South with his thoughts through Fidel Castro's propaganda radio station.

Williams, 36, of Monroe, N. C., has been granted political asylum in Cuba because American Negroes "are mistreated and persecuted as animals," the government newspaper El Mundo said.

A former president of the Union County branch NAACP and a founder of the Cuba First committee, Wlliams fled arrest in the United States several weeks ago. He had been at odds with the NAACP for advocating using violence to meet violence.

Williams was charged with kidnaping after allegedly holding a white couple as hostages during racial rioting in Monroe, touched off during a freedom rider demonstration.

**No Weapons Found**

He was allegedly training Negroes in Monroe in military tactics and amassing arms. However, no arms were found in a police raid on his house.

Sources close to Williams say he had no hand in the alleged kidnaping.

Prior to the Monroe rioting, Williams had reported at least three different attempts on his life by whites, asking for protection. He also told of whites firing guns at other Negroes as the Monroe situation worsened.

Williams, according to reports, has made two trips to Cuba as a guest of Castro, who called him the "greatest American." He had applied to the Cuban government for a passport for himself and family. The U. S. State Department at that time had refused to issue one.

The Monroe Defense committee, with headquarters in New York City, reports that it has sent a telegram to Atty. Gen. Robert F. Kennedy telling him that violence continues unabated against Negroes in the Union county community.

"We condemn you for hypocrisy in hounding Robert F. Williams while giving the white mob a free hand to attack the black community," the committee told the attorney general. The message was signed by Calvin Hicks.

**Whites Rape Negro Girl**

The committee, in what it calls an "urgent communique," charges that on Sept. 16, in Union County, N. C., an Afro-American girl was beaten and raped by four white men who jumped her from their car as she was walking home about 7:30 p.m. The girl was dragged into a cornfield and attacked by the men, the report states.

The communique reads:

38a 1961

# N.C. Airport Is Opened To Negroes

RALEIGH, N.C. (UPI) — Negroes were served in the restaurant at Raleigh-Durham Airport anRd used restroom facilities without incident Thursday prior to President John F. Kennedy's arrival.

Negro patrons entered the restaurant and were served breakfast several hours before Kennedy's arrival. Other Negroes order and were served throughout the morning. Negroes also entered restrooms which bore "white" signs.

Policemen were stationed in the lounge marked "white men" but made no effort to bar anyone.

**CALLED OFFENSIVE**

A local NAACP chapter had asked the President not to come to Raleigh-Durham Airport because of what it called "offensive signs" at the restrooms.

Airport officials conceded the signs were posted but said there was no segregation of any facilities and had been none for several years.

Airport manager Henry Boyd said Wednesday the signs would be removed at the request of the U.S. attorney general's office, but several were still on doors when the President arrived.

Kennedy did not enter any building at the airport.

Boyd said the signs had been posted in accordance with state law, but that there had been no attempt to enforce segregation for several years.

**VOLUNTARY BASIS**

A telegram from an assistant attorney general in Washington noted that the airport authority had desegregated terminal facilities on a voluntary basis, Boyd said. He said all of signs would be removed "in the next few days."

There was no demonstration by Negroes, although there had been reports that a Negro youth group from Durham might stage an anti-segregation demonstration during the President's visit.

Negroes mingled freely in the crowd of some 2,000 at the airport and there were Negro newsmen in the press section beside the parking apron when Kennedy spoke.

OCTOBER

NORTH CAROLINA

RALEIGH,N.C.--
RALEIGH-DURHAM AIRPORT OPENED TO NEGROES
RESTAURANT, RESTROOM FACILITIES
WITHOUT INCIDENT
PRIOR TO PRESIDENT JOHN F. KENNEDY'S
ARRIVAL(THURSDAY OCT. 12, 1961)

# North Carolina Racial Strife Eases Up

MONROE, N.C., Sept. 2 (AP)—Public demonstrations against segregation apparently are at an end—at least for the time being—in this Southern city wracked by racial violence and tensions for the past several days.

Twenty-two people, many of them from out of state, were convicted Friday in Monroe Recorder's Court of inciting a riot through integrationist picketing here. All were given suspended sentences on condition they hold no more demonstrations. None testified and all agreed, through lawyers, to accept the conditions.

THE OUT-OF-STATE visitors planned to leave Monroe Saturday. Some had said after court they planned immediate departure, but Friday night several still were at the home of Robert F. Williams, militant Negro who is a fugitive on kidnap charges.

**Williams and four other people have been indicted in the Sunday night abduction of Mr. and Mrs. Bruce Stegall of nearby Marshville. The Stegalls said they were seized by an armed mob of about 200 Negroes, taken to Williams' house, tied up and held hostage for about 3½ hours. They were freed unhurt. The incident occurred at the height of racial feeling here, after a week of picketing capped by fist fights and other clashes.**

In custody on the kidnap charges are Richard Crowder, 19, and Harold Reep, 18, Monroe Negroes, and John Cecil Lowry, 20, of The Bronx, N.Y. At large are Williams and a Negro woman, May Mallory.

WILLIAMS APPARENTLY left Monroe last Sunday night with his wife and two children. The FBI has issued a fugitive warrant for his arrest. Williams, 36, long had advocated meeting violence with violence, and had stored firearms at his home.

Judge James E. Griffin handed down sentences against the demonstrators ranging from six months to two years. But the 33-year-old, crew-cut judge told the defendants he would suspend the active terms for two years, provided they not picket or take part in any activity that might lead to race trouble in Union County.

Attorneys William Kuntsler of New York and Len Holt of Norfolk, Va., represented the defendants and entered innocent pleas for them.

# Search For Williams In Clinton Area

CLINTON (AP)—A man answering the description of Robert F. Williams, militant Negro leader wanted for kidnaping in Monroe, was the object of a search in Eastern North Carolina Thursday night.

Highway patrolmen were told the man stopped his black, 1958 Chevrolet for mechanical repairs at a garage on U.S. 701 just north of here.

The patrol radio station at Raleigh said the car proceeded north on U.S. 701 before the repairs could be made. The station did not know the nature of the mechanical trouble.

**Driver Described.**

This description of the driver was broadcast to patrolmen in the area: Negro, 5-11, 210 pounds, wearing a goatee and having a heavy build.

The patrol station said the car bore National Association for the Advancement of Colored People stickers on its front bumper and windshield. The driver was believed traveling alone.

Williams was indicted on charges of kidnaping a white couple in Monroe Sunday night during an outbreak of racial violence.

**Was Pretty Certain.**

The patrol station at Elizabethtown said David Herring, operator of the garage, notified authorities telling them he was "pretty certain" it was Williams.

However, there was a 20-minute lag between the time the car left the station and the time a patrolman arrived. This would have given the driver sufficient time to reach the Newton Grove traffic circle, about 17 miles north - and cut off in almost any direction.

At Monroe, four additional kidnaping indictments were returned by the Union County grand jury Thursday as a result of the abduction last Sunday of a white couple during racial disturbances here.

**Rally Called Off.**

Meanwhile, a rally of integrationists scheduled for Thursday night at the St. James Holiness Church was called off. Bishop W. T. Bunn, pastor of the church would not comment on the reason, but an aide said the minister was afraid trouble might develop.

James Forman of Chicago, a Negro who coordinated picketing here last week which touched off the turmoil, said the Rev. Wyatt Tee Walker of Atlanta, the scheduled speaker, did not show up. Walker is executive director of the Southern Christian Leadership Conference.

The grand jury Thursday indicted three Negroes and one white man in the Sunday abduction of Mr. and Mrs. G. Bruce Stegall of Marshville, a small Union County community 11 miles west of here. The Stegalls said they were held captive 2½ hours by an interracial group at the home of Robert F. Williams, 36-year-old Negro leader.

Indicted by the grand jury on kidnap charges Thursday were three Negroes, May Mallory, age and residence unknown; Richard Crowder, 19, of Monroe, president of the Monroe Non-Violent Action Committee; and Harold Reep, 18, also of Monroe. Also indicted was 20-year-old John Cecil Lowry of the Bronx, N.Y., white, a former student at Queens College in New York City.

The Mallory woman's whereabout was not known, officers said. Repp, Crowder and Lowry were held in jail here without bond.

Another Negro, 38-year-old Leroy Hood of Monroe, Thursday turned four rifles over to police after he was questioned. The weapons were identified as foreign surplus, large caliber rifles.

State and local police staged another quick raid at Williams' home Thursday morning and picked up a case of dynamite hidden beneath a dog house in the back yard. The wet dynamite was wrapped in a plastic raincoat but officers said it could be detonated.

Gov. Sanford declared Thursday, "I hope we won't have any more demonstrations" at racially-troubled Monroe, and "I'll do everything I can to stop further demonstrations."

The Governor's comment came at his news conference when he was asked if he thinks violence will again erupt at Monroe.

"I think there is a danger violence will erupt again if they continue their activities down there." When asked who he meant by "they," the Governor said he meant those led by Robert E. Williams.

"I think the activities of Williams' crowd caused it in the first place," said the Governor in discussing the violence that erupt at Monroe Sunday night.

The Governor reiterated, "We are not going to put up with violence in any form for any purpose."

## Now Safe in Cuba; Proclaims Innocence

# Courier Month Ahead on Williams' Flight

(Special to The Courier)

MONROE, N. C. — A by-lined story appearing in The Pittsburgh Courier Sept. 9, reported that Monroe's fiery Robert F. Williams, 36, was safely en route to Cuba, fleeing harassment and possible harm from local authorities.

Last week these reports were verified by other publications and international wire services. He has been granted political asylum by the government of Cuba's Prime Minister Fidel Castro.

Williams, former president of the Union (N. C.) County NAACP has been indicted by a grand jury on charges of complicity in the alleged kidnapping of a white couple on Aug. 27.

**SAFE IN HAVANNA** he has written America, and broadcast on the air, statements avowing complete innocence of the charges. He is charged with the kidnapping and detention for two hours in his former Monroe residence, a white couple, Mr. and Mrs. Bruce Stegall of Marshville, N.

**What Williams actually did, according to his statement, and those of earlier witnesses, was to take the couple into his home after they had been disarmed and threatened by a crowd of colored persons who had gathered to protect themselves from a white mob.**

Williams stated from Havana that he fled for his life only after he was told over the telephone by a police official that he would be "hanged in the courthouse square."

■

**THE ACCUSED MAN** has long been the target of police officials, klansmen and White Citizens Council followers because of his militant crusade for civil rights for Negroes, and equal protection by the law.

**Williams wrote friends in the U. S., and several New York papers: "I am not guilty. My only crime is that I am a Negro who has loudly and militantly protested America's ruthless oppression of Negroes . . . in conjunction with the KKK, the U. S. government is seeking to lynch me for political reason."**

Friends of Williams said this week that they did not expect him ever to return to Monroe to face the "trumped up charges." Most of them frankly consider the charge framed, devoid of even legal fact and aimed at ridding the community of the second Negro leader to openly fight racial discrimination.

■

**THE EMBATTLED** former NAACP leader skyrocketed to famed after another Negro (physician) had been accused of performing an illegal operation on a white woman. Cleared of the charge the medic later moved.

**Also chased out of the country during the mid-1950's were two Negro youths, seven and nine years old, accused of kissing a white girl about their age.**

**Fleeing the city with Williams were his wife and children whose whereabouts at this time are also unknown.—McCRAY**

August Oct.
MONROE, N.C.
MR. ROBERT WILLIAMS
Oct- Mrs. Willie Mae Mallory (Kidnapping

POLICMAN SHOT

# Racial Violence Flares In North Carolina City

The Montgomery Advertiser

MONROE, N.C. (AP) — A policeman was wounded here Sunday as violence broke out during racial picketing on Monroe's courthouse square. Fifteen pickets and three others were charged with inciting to riot.

The shooting occurred about 4:30 p.m. as an interracial group marched around the square carrying signs protesting segregation.

Tension mounted Sunday night with a report that a white couple was being held hostage by Negroes. Police Chief A. A. Mauney said Negroes told him they were holding a couple hostage but he was unable to verify the report.

The wounded officer was J. W. Rushing, who was quoted as saying he was shot in the hip as he tried to disarm a Negro. The wound was not serious. Witnesses said the gunman got away.

Fighting broke out between pickets and several white persons and officers charged some 15 of the pickets and three white men with inciting to riot.

Chief Mauney said he received a call from a man identifying himself as Robert Williams—Monroe Negro integrationist—saying the Negroes would hold the white couple hostage until the pickets arrested Sunday were freed.

Mauney said Williams then put on the telephone a man who identified himself as G. Bruce Stegal, the hostage.

The police chief said Williams also claimed Mrs. Stegal was held.

Mayor Fred Wilson told newsmen he is sending a wire to Atty. Gen. Robert F. Kennedy to ask his advice.

Chief Mauney said the fighting started when several cars arrived at the square to pick up the pickets. Mauney said the driver of the lead car, a Negro he identified as James Foreman, started cursing white bystanders.

The chief said Foreman pulled a gun as he was arrested, touching off the fighting.

Shortly after the flareup, the highway patrol dispatched 15 patrol cars to Monroe. Later, patrol Maj. Raymond Williams said 32 more patrol cars had been dispatched to the scene.

For the past week, members of the Monroe Non-Violent Action Committee have picketed the courthouse square, carrying signs protesting segregation.

Three men were arrested Saturday in connection with a fight involving a white picket. All were charged with simple assault and released under $50 bond each.

# Carolina Indicts Negro Leader As Kidnaper Of White Couple

The Atlanta Constitution p. 2

By CLAUDE SITTON
(Copyright 1961 by The New York Times Co.)

MONROE, N.C.—A negro leader was indicted Monday on charges of kidnaping a white couple and holding them hostage during a racial disturbance here.

Law enforcement officers armed with rifles and submachine guns searched the home of Robert F. Williams but found that he had fled, apparently taking his wife and two children with him. Monroe police asked the FBI to issue a nationwide alarm for him.

The Union County Grand Jury, which was in regular session, returned the indictment shortly after hearing testimony from Mr.

The robbery—the third major robbery in DeKalb County this year—was swiftly executed. Witnesses said the bandit apparently lost his nerve and fled before taking all the money.

**BRANDISHES PISTOL**

H. F. Cowen, executive vice president and office manager, said the slender, dark-complexioned man wearing a short-sleeved sports shirt and khaki trousers walked into the office about 3 p.m. when only four employes were present.

Brandishing a pistol, he warned:

"This is a holdup . . . I'm not kidding."

He turned the gun on Mrs. Doris Zimmerman, an employe, and control. Forty-eight persons were arrested.

An uneasy truce was maintained Monday night between the heavily armed white and Negro residents and some persons voiced fears of renewed violence.

Williams, a bearded partisan of Cuban Premier Fidel Castro, has publicly advociated violence as a means for ending racial restrictions.

In the July 10 issue of his mimeographed publication, "The Crusader," he told Monroe Negroes:

"No colored person is safe and secure in this outlaw land. Our best bet is to arm and defend ourselves. When the streets become rivers of blood, then and only then will the state and the national government show an interest in the welfare of colored Americans."

**Williams was ousted by the NAACP several years ago for voicing similar sentiments. The daily anti-segregation picketing, which began here last week, was sparked by a group of 17 whites and Negro Freedom Riders from outside the state. They said they had come at William's invitation.**

**The riders, most of them are from the North, stopped off here en route to their homes after having been arraigned in Jackson, Miss., on charges growing out of efforts to end segregation in transportation terminals.**
**The Atlanta Constitution**
**p 2**
**Tues. 8-29-61**
**Atlanta, Ga.**

# 3 Charged With Assault After N.C. Racial Scuffle

News Courier p 1 & 2

MONROE, N.C. (AP) — Three men were arrested on assault charges Saturday as the result of brief scuffles during racially mixed picketing around the courthouse square.

Three pickets were cited for violating an ordinance that requires them to walk at least 15 feet apart.

Police Chief A. A. Mauney said David Lee Price, 27, of Rt. 2 Monroe, a white man, was arrested on a charge of simple assaul on Paul Deitrich of Washington, one of a group which has picketed here all week.

James L. Elmore, 21-year-old Monroe white man, and Leroy Glenn Wright, 20, a Negro picket from Nashville, Tenn., were charged with simple assault. The police chief said they engaged in a fist fight.

All three posted $50 bonds for trial next week in city court.

Named in warrants charging violation of the picketing ordinance were Roy Lee Crowder, 18, Horace Fincher, 23, and Eddie H. Manns, 19, all Monroe Negroes. They, too, were released under $50 bonds.

The half dozen pickets, members of the Monroe Non-Violent Action Committee, carried signs protesting the city's official policy of segregation in schools and recreation facilities.

They began marching in front of the Union County courthouse Monday. Saturday, their activity was made potentially dangerous because of large numbers of county people who visited the city of 10,000 for weekend shopping.

Mauney stationed officers at all four corners of the courthouse square. They ordered onlookers to remain across the street from the pickets. White youths yelled taunts a he pickes but most of them kept heir disance.

When he pickets left at 5 p.m., they marched by the courthouse singing hymns.

# Negro Pickets Set Off Riot

## 50 Persons Arrested As Result Of Fight

Jackson Daily News
P. 1

MONROE, N. C. (UPI) — Roving bands of heavily armed police, special deputies and highway patrolmen kept tight control today of this tense city, torn by a shot-punctured night of race rioting.

Highway patrolmen armed with automatic carbines and sawed-off shotguns supplemented local police and a corps of about 75 hastily-deputized firemen in keeping the shaky peace in the south-central North Carolina city of 11,000 population. More than 50 patrol cars came here with the approval of Gov. Terry Sanford when long-smouldering racial tension broke out in violence.

Mon. 8-28-61

Police arrested more than 50 persons, many of them white, after the rioting was climaxed in the wounding of a policeman. A Negro youth was charged with assault with intent to kill the officer.

The trouble, which broke out late Sunday afternoon, grew from white resentment of Negro protests against segregation, particularly against Negro leader Robert Williams who once was expelled from the National Association for the Advancement of Colored People for advocating the Negroes meet violence with violence.

### COURT HOUSE PICKETED

Violence finally did break out when Negroes picketed the county courthouse in a protest demonstration. Police moved in at a point when it appeared things were going to get out of hand, the Negroes fought, white onlookers moved in and the surface tension was broken.

Williams' house was heavily guarded by police today. Newsmen were not allowed to approach it but a patrolman reported that it looked like a fortress with armed men clearly visible.

"That's the police, don't shoot," the patrolman said he heard someone say when he approached the house.

Police Chief A. A. Mauney charged that Negroes temporarily held a white couple as hostages during the rioting in an attempt to force release of pickets arrested by police officers. The couple was later released unharmed, Mauney said.

Mayor Fred Wilson called the City Council into emergency session after a crowd of more than 1,000 jeering whites—some armed with butcher knives and meat cleavers — collected downtown, harassing police and apparently looking for more trouble.

The crowd began to disperse about 11 p.m., six hours after the original violence, but gunfire could be heard from the police station until 4 a.m. today.

The City Council called for state troopers to help regain control of the town, and Mayor Wilson wired Attorney General Robert Kennedy for advice on how to end the racial disorders.

(The FBI in North Carolina declined to comment on the matter and the Justice Department in Washington said it would have no comment until later today. Kennedy spent the weekend at his summer home in Hyannis Port, Mass.)

Jackson

Trouble had been brewing in Monroe for months. Local Negroes, led by Robert Williams, have been protesting segregation and alleged unfair treatment by police.

Williams, ousted from the NAACP in 1959 after advocating that Negroes meet "force with force," has urged Negroes to arm themselves. By this weekend, the town of 11,000, lying on the South Carolina border, was a tinderbox of aroused feelings.

### TESTS PASSIVE RESISTANCE

Williams said he invited pickets to parade around the county courthouse Sunday to protest the city's segregation policies "as a test of the passive resistance method." Williams did not take part in the picketing which followed minor racial tiffs earlier weekend.

Violence erupted Sunday when policeman J. W. Rushing tried to stop 20-year-old Constance Lever of Durham, England from getting into a car with a group of Negro pickets. Miss Lever and other whites had been among the picketers.

Mon, 8-28-61

James Foreman, Negro president of the National Freedom Council, said he was clubbered on the head and other Negroes were beaten by members of the white crowd who had been watching the picketers surged forward.

### GUNFIRE EXCHANGED

In the wild fighting which broke out, Rushing said he chased three Negro youths from the scene and exchanged gunfire with them. He said one youth, whom he identified as Albert Rorie, 17, crouched under a trailer and shot him in the left leg with a pistol. Rorie was charged with assault with attempt to kill.

Police arrested more than 20 pickets including Miss Lever, and several whites in the thick of fighting. Later more than 20 others were arrested after Mayor Wilson deputized fire department employes and about 75 states troopers arrived in town.

Mauney said he received a telephone call about 8 p.m. threatening "something bad will happen" if the integrationist picketers were not released. He said he was informed that Negroes were holding a white couple, Mr. and Mrs. Bruce Stegal of nearby Marshville, N. C., as hostages in Williams' home.

Officers also said that at one point a carload of whites passed by Williams' house and were greeted by a volley of about 20 shots from the house next door.

## Georgia Woman Nabbed In Monroe Kidnap Case

Charlotte and Observer Raleigh, N.C.
P 8 sat. 10-14-61

CLEVELAND (AP)—A 34-year-old Negro woman from Macon, Ga., was arraigned here Friday on a kidnaping charge, growing out of racial violence that broke out in Monroe, N.C., Aug. 27.

U.S. Commissioner H. A. Horn set a hearing for Oct. 27 for the woman, identified as Willie Mae Mallory, and set bond at $7,500. Horn said it was necessary to continue the case because a warrant, en route from North Carolina, had not arrived.

The Georgia woman, one of five persons indicted for kidnaping in the Monroe incident, was arrested in Cleveland Thursday. Another of those indicted is Robert Williams, militant Negro integrationist of Monroe who presently is reported to be in Cuba.

The five are charged with holding a white couple—Mr. and Mrs. G. Bruce Stegall of Marshville — hostage for several hours during the Aug. 27 racial flareup in Monroe. The couple later were released unharmed.

38a 1961

NORTH CAROLINA

MONROE-DEFENSE COMMITTEE

# MONROE, NORTH CAROLINA VICTIMS OF RACIAL INJUSTICE NEED YOUR HELP

**Why Do Afro-American Citizens in Monroe Need You Help?**

Fo many yeas in Monoe, North Carolina, Afro-Americans could not walk the streets without fear of attack. They were constantl beaten, shot and raped by racist mobs, including elements of law enforcement agencies.

On many occasions these mobs, robed in the garb of the KKK (Monroe is KKK Southeastern headquarters), would visit the black community to fetch some "nigra" who hadn't "stayed in his place" or simply to shoot up the area as an after-church, Sunday afternoon recreational.

Because the constituted judicial and civil authorities allowed such conditions to go unchallenged and failed to extend equal protection under law to all citizens, Afro-Americans in Monroe, under the dynamic leadership of Robert F. Williams, were obliged to meet force with force in defense of their homes and families.

No longer did the lan terrorize the community. But the concept of self-defense raised a terrifying maelstrom of hatred from racist elements against Robert F. Williams, and the black community in general. Monroe became a racial tinder-box, needing only a tiny spark to set off a major conflagration.

On August 27—following a series of peaceful picket lines conducted my Williams and his folowers in front of the segregated swimming pool (during which three attempts were made upon Mr. Williams' life in full view of local and state police who stood and laughed)—the Klan did cause combustion along racial lines.

Apparently dissatisied with their heretofoe haphazard terrorist tactics the Klan launched an armed attack against black citizens with, one must presume, every intention of wiping out that community.

**What Does The Monroe Defense Committee Plan to Do?**

THE MONROE DEFENSE COMMITTEE has already begun a campaign to tell the story of Minroe to the world. An important part of that story is the criminal negligence displayed by Attorney Robert Kennedy, who turned a deaf ear on repeated please from Mr. Williams and others for Federal protection after the complete failure of local and state police to defend Afro-Americans from racist mobs. He (Kennedy) did, however, move swiftly when North Carolina authorities called him for help in catching Williams.

THE MONROE COMMITTEE will also direct its efforts to informing the public of how Afro-Americans in Monroe are forced to endure constant betrayal of their rights in the courts, denial of welfare assistance, and systematic exclusion in employment, housing and recreational facilities.

THE MONROE DEFENSE COMMITTEE will bring its message to as broad a national and international audience as possible. However, it will pay particular attention to Afro-American communities across the nation in an effort to achieve mass solidarity behind the fighting spirit of Monroe citizens and Robert F. Williams.

Apart from the educational job the committee intends to perform, there is the extremely urgent situation concerning the four Freedom Fighters locked up in the Monroe, N.C., jail on kidnaping and similar charges. One of them is only 17 years old.

The legal expenses for these vaiant people is most assuredy going to be astronomical. Mr. Williams is a free man, but his friends in jail desperately need financial support.

**WHAT Can You Do?**

In order for THE MONROE DEFENSE COMMITTEE to be truly effective in accomplishing its desire to aid the people of Monroe, to aid those in jail and to aid those who are still being terrorized by the racists, we must have the active and generous support of al pogessive and feedom-loving people.

We urge all interested ersons to send their contributions to:

Calvin Hicks, Exec. Secy.
MONROE DEFENSE COMMITTEE
53 West 125th St.
New York 27, N.Y.
Phone: LE. 4-8411

**Enclosed please find contribution of $..... I would like to know more about the Committee.**

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# Charging airman $5 for Coke costs bartender $100, 30 days

The Afro-American P.1 Oct. 12-16-61

GRAND FORKS, N. D.—A 52 - year - old bartender charged an airman $5 for a soft drink. A local judge then "charged" the bartender $100 and sentenced him to 30 days in jail — the maximum penalty for breaking North Dakota's new anti-discrimination law.

Sgt. Joseph McClendon, 32-year-old New Yorker, told the court that John Brandt, the bartender, told him any drink would cost him $5. Sgt. McClendon ordered a Coca Cola, paid the $5, and took the case to court.

With the aid of the NAACP he proceeded under the state law passed last July which forbids a public business to deny equal service on the basis of race, color, religion or national origin. The law was adopted after colored airmen from Minor and Grand Forks Air Bases complained of being refused service in bars and restaurants.

The state's colored population, 257 in 1950, grew to three times its size with the activation of the two bases.

**LINCOLN UNIVERSITY** (Pa.) students rang chapel bells last week to celebrate the breaking of the color bar at the Oxford Hotel. The hotel dropped racial bars after a meeting between Chris Vergos, hotel owner; Donald McMeans, Lincoln U. NAACP president; J. B. MacRae, dean of students; Dr. Samuel G. Stevens, university chaplain, and other Oxford citizens.

The hotel was picketed last week as a student was denied a room repeatedly. He was told there were no vacancies and his reservation would not be accepted. Two other colored students, of fair completion, were given their choice of rooms and stayed overnight.

Another colored student was turned away with the "no vacancies" excuse but a white faculty member was given a room. Over 250 Lincoln students picketed the hotel in protest.

* * *

**THE BERKELEY, CALIF.** CORE chapter ended a 57-year-old discriminatory hiring policy at Hink's Department Store last week. The store hired two colored clerks after the group picketed. The store told Tony Salotto, CORE chairman, that colored persons will be hired for other jobs as they become available.

The CORE chairman said other local department stores will be contacted and urged to practice fair hiring.

* * *

**IN McCOMB, MISS.,** CORE is challenging the right of U.S. District Judge Harold Cox to restrain or enjoin the organization from staging "freedom rides". CORE says that one judge cannot overturn a ruling on basic Constitutional rights made by a three-judge federal court.

Judge Cox, in issuing the ten-day temporary order, said that it applied only to CORE but not to other colored persons using the local bus terminal on an unsegregated basis. Issued on Dec. 2, the temporary restraining order went into effect immediately.

The order was first issued by Judge Sidney Mize and extended one day by Judge Cox.

It was sought by city officials who tried to maintain segregation even in the face of a ruling of the Interstate Commerce Commission against it. When non-segregation signs replaced the jimcrow signs inside the terminal, the city posted jimcrow signs outside.

When these signs were ordered down, the city stationed policemen outside to pressure colored travelers to use the jimcrow waiting room. The restaurant was closed.

Thomas Gaither, local CORE representative, told the AFRO that nine CORE members had used the general bus station facilities before the order from Judge Cox. He said that if, after Dec. 13, Judge Cox makes his temporary order permanent, CORE will appeal to the 5th U.S. Circuit Court in New Orleans.

Carl Rachin, CORE attorney, said: "CORE members are simply exercising their constitutional rights as citizens. We do not feel that these rights can be denied."

* * *

**ON DEC. 6,** Robert Moses and 12 McComb students were released from Pike County jail under $1,000 appeal bond. Mr. Moses is assistant director of the Student Non-violent Coordinating Committee's Voter Registration Project.

The 13 were sentenced Oct. 31 for breach of the peace. The charge grew out of an Oct. 4 demonstration when 103 Burglund High School pupils walked out of school protesting the refusal of authorities to readmit Miss Brenda Travis.

Miss Travis and four others were arrested Aug. 30 for refusing to obey jimcrow regulations in the local bus station. Mr. Moses has been both arrested and assaulted for carrying on a voter registration project.

* * *

**FOLLOWING THE ORDER** of U.S. District Judge Sidney Mize of Gulfport, a U.S. marshal kept five CORE members, high school pupils, from using desegregated facilities at the bus station.

The five are McComb residents, expelled from Burglund High School, now attending the high school division of Campbell College in Jackson. Judge Mize issued the order on the request of McComb officials.

* * *

**JUDGE MIZE** later refused to issue an order forcing desegregation of Gulf Coast beaches. The order was requested by the Justice Department.

Judge Mize said he would not act until a suit already in Mississippi state court has been settled. In this suit, Mrs. Lee D. Guice seeks to determine ownership of sections of the beach.

The government contends that the beach is partially financed by federal funds through an agreement between Army engineers and Harrison County, Miss.

* * *

**SOUTH CAROLINA** Circuit Judge J. B. Pruitt upheld breach of peace charges against 288 sitdown demonstrators. The case started in March, 1960 when the demonstrators, from South Carolina State and Claflin Colleges, staged a march down town.

Police used fire hoses and tear gas to break up the demonstration. A local magistrate fined each $50 with a 30-day jail sentence after an all-white jury found them guilty of breach of the peace.

In refusing their appeal, Judge Pruitt last week said: "The evidence is clear that the arresting officers were motivated solely by a proper concern for the preservation of order and the protection of the general welfare."

* * *

**MEANWHILE, IN COLUMBIA,** the South Carolina Supreme Court upheld the convictions of 187 sitdowners arrested March 2 in Columbia. The court ruled that the demonstrators defied police orders in picketing on the State House grounds.

The state said the demonstration caused traffic congestion, public inconvenience and drew "potential troublemakers." In upholding this view, the high court sustained the fines of $10 to $100 sentences of from 10 to 30 days imposed by the magistrate's court.

* * *

**THE NAACP** has asked the Department of Justice to investigate the arrest of NAACP leaders in Mississippi.

Aaron Henry, state NAACP president, was arrested Dec. 7 along with four others. They were charged with conducting a selective buying campaign against stores which discriminate in employment and services.

Others arrested with Mr. Henry, a Clarksdale pharmacist, were: John C. Melchor, Clarksdale NAACP president; R. L. Drew, first vice president; Mrs. Vera M. Pige, secretary, and the Rev. Theodore Trammell, chaplain. They were released later on their own recognizance.

The selective buying campaign started before Thanksgiving. It came when invitations to colored high school bands to participate in the Christmas parade were withdrawn.

* * *

**IN BATON ROUGE,** colored citizens gave 12 downtown merchants two days to say whether or not they were going to hire colored persons and desegregate facilities.

Earlier in the week, CORE sitdowners were refused service at downtown variety stores.

In New Orleans, Judge Shirley G. Wimberley found three CORE pickets guilty of obstructing sidewalks and failing to move on. Convicted were Jerome Smith, David Dennis and Miss Doris Castle.

Following the convictions, twelve members of the Interdenominational Ministeral Alliance picketed stores while CORE members staged sitdowns.

* * *

**IN CHARLOTTE,** two department stores announced the end of segregation in their cafeterias. The decision followed two days of picketing by students at Johnson C. Smith University.

In High Point, N.C., ministers said they would call a statewide boycott of A. and P. stores unless colored clerks were hired. The Rev. B. Elton Cox, a field representative of CORE, said:

"The majority of the trade is from colored persons, yet they won't hire a colored cashier."

The ministers picketed the store last week after attempts to talk with the manager failed.

Kelly Alexander, state NAACP president, said his organization would assist CORE in the campaign if needed.

* * *

**IN ATLANTA** Friday night two members of the Student Non - Violent Coordinating Committee were ordered out of a restaurant in the Trailways Bus Terminal.

James Foreman told the AFRO that a case is already pending a hearing on his Nov. 1 arrest at the same restaurant. He said that the refusal of the restaurant to serve everyone is a violation of the ICC order. The ICC, he said, is interested in the case.

In Friday's incident, two white and two colored CORE members went to the restaurant separately. The whites shared their food with the colored demonstrators when they were refused service. When a waitress got a policeman, all left quietly.

The student organization wired Mayor-elect Ivan Allen asking him, as his first official act on taking office, to order the police department to stop enforcing segregation in the restaurant.

* * *

**ALSO IN ATLANTA,** the Georgia Court of Appeals overthrew convictions of

three segregationists who were accused of "illegal parading."

The men, all connected with the Pentecostal church, said they interpreted the Bible as teaching segregation. Their demonstration was planned to coincide with the appearance in Atlanta of Robert Kennedy, U.S. Attorney General, at the University of Georgia.

* * *

**"IRRESPECTIVE OF** the attitude Federal authorities may take to you at times, you are clearly within your rights when you go out and enforce the laws of the State of Mississippi."

This was the message of Attorney General Joe T. Patterson to the meeting in Jackson of the State Sheriffs' Association.

Saying the state would back sheriffs who enforced Mississippi laws even if they conflict with federal laws, Mr. Patterson said:

"If they put a sheriff in jail for enforcing the law, then I may as well go to jail too."

* * *

**THE MAYOR OF** Slaton, Texas accused the U.S. Labor Department of "blackmail" in civil rights matters. L.C. Lemon said that the agency threatened to cut off Mexican farm labor in the area unless the city swimming pool is integrated in 30 days.

In Huntsville, Ala., Lewis M. Parker, 59, waived preliminary hearing on a charge of perjury. He is charged with giving false information when asked if he were a member of the Ku Klax Klan.

The questioning was preliminary to his service on a jury hearing the case against men accused of burning a Greyhound bus carrying Freedom Riders.

Seven of the accused were acquitted on a mistrial when the jury would not agree on a verdict.

* * *

**HODDING CARTER,** editor of the Delta Democrat - Times in Greenville, Miss., said in Providence, R.I. that he was threatened as a result of his remarks there.

Mr. Carter said he received a telehone call from an anonymous person who said: "You're going to get what the others did."

He was sure the threat referred to the beating of news paper men recently when an attempt was made to desegregate the McComb, Miss. bus station.

His wife, at home, reported that someone had also called his home in Greenville.

Mr. Carter had told a Pembroke College group that Federal troops should be sent if there is any more violence in Mississippi.

# U. S. Airmen Win Dakota Victory

GRAND FORKS, N. D. — A white bartender was sentenced to 30 days in jail and fined $100 here for charging Negro airmen $5.00 for a Coca Cola.

This was the first victory of the recently formed Greater Grand Forks chapter of the NAACP, made up mostly of Air Force personnel stationed at Grand Forks air bases.

Under leadership of Lt. Theodore Johnson, president of the NAACP unit, the airme nare waging a fight against strong prejudices in this region of the country.

The airmen are trying to get whites near the air base to live up to the new North Dakota law which forbids discrimination in places of public accommodations. Some restaurants and bars have openly defied the law.

Negro military personnel are also facing hardship in finding off-base homes for their families.

Leonard H. Carter, NAACP field secretary, informed James C. Evans, civilian assistant to the Secretary of Defense in Washington, D. C., that when Negro airmen find homes, "they pay higher rents than similarly situated white families because of the restricted market.

"Aside from the humiliating and personal insults these servicemen are subjected to, it is unthinkable that the U. S. Government will tolerate discrimination and exploitation against members of its armed forces," Carter added.

"Actually these Negro families are paying a color tax, in addition to excessive rents," he said.

The NAACP asked for an "immediate investigation into this matter .... and that some solution to this problem be found." The Association offered its "full co-operation" to the Secretary of Defense's office.

38a 1961

OCTOBER

NORTH CAROLINA

MONROE, N.C.

MR. ROBERT F. WILLIAMS

# Escapes FBI net in Canada and Mexico

The Afro-American P.1

Sat 10-7-61.

Baltimore Md.

## AFRO's Worthy first to report Monroe, N.C. rights leader in Cuba

By WILLIAM WORTHY

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HAVANA, Cuba — Robert Williams, the militant civil rights fighter from Monroe, N.C., has eluded the international manhunt of a month's duration and is now safe in Cuba.

I know because I ran into him Thursday, relaxed and smiling as he was leaving the ministry of foreign affairs. He appeared a free and unworried man.

Williams said very soon he will "begin refuting and documenting the officials' lies hatched in Monroe and echoed in Washington about the Aug. 27 kidnaping that never took place.

* * *

**HE SAID HE** will tell his story to the people of the world over the shortwave radio system of Havana.

Evidently for security reasons, only a few people until last Thursday shared the information that Williams is in Cuba.

Meanwhile, from Cuba, Worthy said Williams will hold a press conference Monday evening (Oct. 2) to "tell his story."

From now on Williams will be closely guarded. Cubans fear that if not guarded he would be assassinated.

Still a little breathless when he recalls his hair-raising odyssey, Williams said U.S. police agencies don't track down even murderers and bank robbers with the zeal that the FBI displayed in the continent-wide hunt for him and his family.

ROBERT F. WILLIAMS

* * *

**HE SAID** that after some of his Canadian friends had their homes searched they were told: "That man hasn't got a chance. We will send him back to the states in a pine-box."

Williams recalled that the weekend of violence in Monroe was responsible for the creation of the "underground railroad" which enabled him to elude the manhunt.

He said that after police cars sealed off the street where he lived he received a telephone call from police headquarters warning him that the National Guard was en route to his house.

Williams said he was told: "You will soon be hanging in the Courthouse Square."

* * *

**HE SAID** this was his moment of decision, that he told the four members of his family they would have to head for Cuba with just the clothes on their backs.

He said he chose Cuba, because he concluded that even in northern states he would be extradited to South Carolina where he would have been shot in a trumped up escape effort or tried on a phony kidnap charge.

Williams attributed his escape to what he described as "familar stereotype about colored male burliness."

Pointing out that he has no scars on his face or body and weighs far less than 250 pounds, he said circulars sent out about him described nonexistent facial scars and imaginary cut on his right leg.

Sat 10-7-61

**HE SAID** that in the thousands of round - about miles he traveled in order to reach Cuba not a single person showed any sign of recognizing him.

Canadian newspapers, he declared, carried stories stating that the FBI sent "hundreds of agents .... to guide Royal Canadian Mounted Police in the search for him.

Also there were many Federal agents in Mexico who participated in the search, Williams asserted.

He also claims that persons in cities and towns where he has appeared as a speaker and subscribers to his newsletter, the Crusader, have been questioned and shadowed.

* * *

**REGARDING HIS** newsletter. Williams says he will continue to publish it as "editor in exile," and that it will be distributed from New York City.

This is a photo of Robert Williams when he organized a gun club in Monroe, N.C. last spring.

In confidence, this reporter has been told the route Williams took to come here. I have also been filled - in on the coordinated network of groups that risked legal hazards in order to speed him along his journey to safety.

I was told that local attorneys were frequently at his aid on some legs of the journey in case of sudden capture, ready to testify as witnesses to refute phony police claims of "shot while resisting arrest."

* * *

**THE CAREFULLY**-thought - out trip was a fast-moving thriller that to all practical purposes updates Harriet Tubman's slower exploits on foot with the runaway slaves.

Williams said that at the final critical point of his journey he came close to making a fatal error, but would not go into details as he has reasons for keeping secret the details of how he escaped.

..AT THE FINAL critical point in his journey, Williams said underestimated the vast imperial arm-twisting power the United States exercises among our junior allies and especially among our satellites in "the American family of nations."

Williams has his reasons for keeping secret the details of his brilliantly executed trip. He expects to be called upon to help other endangered freedom fighters to follow in his tracks. For those coming occasions he wants to perfect a multidirectional and permanent underground railroad.

With Cuba now revealed as an ever-ready sanctuary for menanced "freedom fighters," all varieties of Dixiecrat terror and all the implicit threats of personal economic ruin will henceforth be less awesome to those on the equal rights firing line.

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**IN BALTIMORE**, Saturday, FBI agent James Henderson said he had no knowledge of Mr. Williams' "Alleged escape to Cuba" from this country.

However, in Washington, a Justice Department spokesman said Williams, appearance in Cuba "came as no surprise" since he "long has been a Communist sympathizer and an outspoken advocate of Fidel Castro."

The statement was given after the AFRO's story by Worthy was published.

WILLIAMS TELLS

# His story of Monroe

By WILLIAM WORTHY

Special to the AFRO

HAVANA, Cuba — Robert Williams, integration leader from Monroe, N.C. who fled here for "political asylum," shed some light on the hectic day that caused his flight from his home.

Mr. Williams spoke here at a press conference to a group of Latin, Asian and colored newsmen. He excluded representatives of the two major American wire services because, he said, they had not presented a fair picture of the situation in Monroe.

The FBI has out a "Wanted" flyer for Mr. Williams. He is charged with kidnaping a white Monroe couple, Mr. and Mrs. Bruce Stegall.

* * *

REFERRING TO the "kidnaping," Mr. Williams denied he had held the couple as hostages in his home.

He said the Stegalls were recognized by the crowd around his house which was intent on harming them. Mr. Williams said he saved the couple from the crowd but refused to escort them from the area.

He did this, he said, despite the warning from a bystander that "the dead don't lie."

The couple, badly scared, followed him into his house, he said, for safety. They thanked him for allowing them to stay there.

However, when the couple went to police, he said, the woman told them that she had been kidnaped by 200 persons. She later narrowed down the number to implicate only Mr. Williams.

**THE MILITANT** ex - president of the Union County NAACP also challenged the police version of a telephone call he made at about that time. The chief of police told reporters that he had threatened to kill the couple unless a group of Freedom Riders was released from jail.

Actually, Mr. Williams said, he told police the crowd would march on the jail unless badly - beaten Freedom Riders were given medical attention.

The police took the Riders to the hospital and had their leader telephone Mr. Williams to assure him they were being cared for.

At this point, Mr. Williams told the newsmen, the chief of police called on Gov. Terry Sanford to send troops to supplement the 17 - man police force.

However, when he (Mr. Williams) telephoned the state house to ask for protection of his state and Constitutional rights, a governor's aide asked:

"Do you mean that you aren't dead yet? You're getting just what you deserve."

Mr. Williams met with no greater success in seeking federal protection. Someone told him Robert Kennedy, attorney general, was busy.

**MR. WILLIAMS** said it was he who shot a white Monroe policeman in the hip. The officer, he said, was preparing to fire into a crowd of colored girls.

The pacifists who came to Monroe are his friends, Mr. Williams said, despite the fact that he is not a pacifist and doesn't believe their philosophy will work with "conscienceless white racists."

He appealed for worldwide support of Freedom Rider John Lowry of New York, now jailed in Monroe on a companion kidnaping charge. Mr. Williams said that the white City College (N.Y.) student was sitting on the porch of the house next to his (Williams') when the Stegall couple was stopped by the crowd.

He said Lowry now faces 20 years in prison because he moved the Stegall car to the curb to avoid blocking the middle of the street.

**EMBITTERED** by his Monroe experiences, Mr. Williams advised colored soldiers and Marines to "lay down your arms, join the Cuban side and become free if compelled to come here in an invasion force.

"I will also tell colored servicemen," he continued, "that it is a farce to believe the United States wants to defend democracy in Germany.

"The Afro-American's fight is in the United States, not in Cuba, not in Germany, not in Asia."

For his listeners, Mr. Williams reviewed the unremitting racial strife in Monroe since 1958 when he gained international support after exposing the so-called "kissing case." In this incident, two colored boys, 8 and 10, were sentenced to reform school until 21 years of age after a white girl kissed them in play.

The children were later released because of world attention drawn to the case.

MONROE, N.C. - MR.ROBERT F. WILLIAMS
REFUGE TO CUBA

# Wanted Negro Escapes To Cuba

The Herald Courier

HAVANA (AP)—Robert F. Williams, 36, militant Negro integrationist sought for kidnaping a white couple during racial riots in Monroe, N.C., has escaped to Cuba, whose revolutionary government he admires.

A Havana radio report, monitored Saturday in Key West, Fla., said that Williams asked and received political asylum in Cuba.

The FBI and the Royal Canadian Mounted police were seeking Williams, indicted by a grand jury in Union County, N.C. (Monroe) last Aug. 28 on charges of kidnaping Mr. and Mrs. G. Bruce Stegall of Marshville near Monroe.

He was accused of joining other Negroes in keeping the Stegalls as hostages for three hours in his home to win release of Negroes arrested in a racial disorder. The Stegalls were released unharmed, and she said later that Williams had criticized the others about the kidnaping and did not help when they tied her and her husband up.

The Militant, a weekly newspaper published in New York City, published in this week's issue a letter purportedly from Williams in which he said he slipped by police in Monroe, hitchhiked a ride to Greensboro, N.C., with a passing Negro motorists, and from Greensboro took a bus to New York. A spokesman for The Militant said he did not recall the postmark on the letter.

Prensa, the official Cuban news agency, also announced Saturday that Williams was in Cuba, but gave no word on how he got there or where he is staying.

Prensa said that Williams fled the United States "because of threats against his life and persecution in his country."

The agency also charged that Williams, an avowed admirer of Cuban Prime Minister Fidel Castro, was harassed by American authorities "because of his valiant fight in favor of colored people and his defense of the Cuban revolution" Williams visited Cuba last year, and said there was no racial discrimination in the country.

The Havana radio, in announcing that Williams was granted asylum, quoted him as saying after his arrival that "the fate of 20 million American Negroes is closely linked with the Cuban revolution, as is the case with the tremendous liberation movement in Asia and America."

The radio also quoted him as saying he sought asylum "because of continuing death threats he has been receiving, including threats from the Ku Klux Klan for being president of the National Association for the Advancement of Colored People."

Williams is president of the Union County Chapter of the NAACP. The national organization suspended him after he advocated that Negroes meet violence with violence, but he was reinstated.

Williams once said he was stockpiling weapons in "an armament race with the white people of Monroe."

# U.S. Confirms Negro Taking Refuge In Cuba

Jackson Daily News

WASHINGTON (UPI)—The Justice Department has reported that Negro integration leader Robert F. Williams Jr. has fled to Cuba to escape prosecution in the kidnaping of a man and wife during racial strife at Monroe N. C.

A department spokesman said last night Williams apparently fled to Canada after leaving Monroe Aug. 27 and then went on to Cuba.

His appearance in Cuba "came as no surprise," the spokesman said, since he "long has been a Communist sympathizer and an outspoken advocate of Fidel Castro."

Williams once sought asylum in the Soviet Union, the spokesman said. He is considered extremely dangerous by the FBI.

Williams, former chief of the Monroe branch of the National Association for the Advancement of Colored People, was charged with kidnapping a white couple and holding them during street clashes between white crowds and "freedom ridrs" at Monroe.

He fled his home before police arrived. The national NAACP has repudiated him for his views that Negroes should use any means, including violence, to counter violence by whites.

# Fugitive in Race-Row Kidnaping Reported in Cuba

The Dispatch

YORK, Pa., Sept. 29 (AP) The York Gazette & Daily said today that Robert F. Williams, a Negro who disappeared after being indicted in the kidnaping ofa whitecouple in North Carolina during a race disturbance, is in Cuba.

The newspaper said the information was cabled to it by William Worthy, an American newspaperman. Worthy, a Negro, was the center of a controversy for visiting Red China in 1956 despite a United States ban on travel there.

The cable said in part:

"Robert F. iWlliams is safe in Cuba. I know because I ran into him today (Thursday) as he was leaving the Ministry of Fireign Affairs."

The cable indicated that Williams made the trip by some underground route.

Williams, 36, a resident of Monroe, N. C., is a militant desegregationist who once said he was stockpiling weapons in "an armament race with the white people of Monroe."

He was indicted on the kidnaping charge Aug. 28 by a Union County grand jury in an outgrowth of race disorders there.

Williams was accused of joining other Negroes in kidnaping Mr. and Mrs. G. Bruce Stegall and holding them several hours as hostages in an attempt to gain the release of Negroes who had been arrested in the disorders. The couple then was released unharmed.

Mrs. Stegall said afterward that she heard Williams telephone to the police and say that "unless the Negroes in jail were freed, they'd kill us."

She said she and her husband were tied hand to hand and back to back, but that Williams did not participate in the binding. Shesaid he had chided the other Negroes about kidnaping them.

Worthy said in ihs dispatch that iWlliams' escape was coordinated by a network of groups that ignored legal hazards.

He wrote that local attorneys were frequently at Williams' side on various sections of the journey—to be on hand in case of sudden capture and also to refute any false charges of "shot while resisting arrest."

# Cuba Gives Asylum to Man Sought in Monroe Kidnaping

P. 6 The Herald and Observer Sun. 10-1-61

HAVANA (AP)—Robert F. Williams, 36, militant Negro integrationist sought for kidnaping a white couple during racial riots in Monroe, N.C., has escaped to Cuba, whose revolutionary government he admires.

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ROBERT F. WILLIAMS.

# North Carolina Troopers Raid Negro Integrationists

Philadelphia

MONROE, N. C., Aug. 28. — Police and State troopers, determined to prevent further race rioting in this tense city, raided the stronghold of a Negro integration splinter group Monday.

Law officers holding shotguns and tear gas guns ready descended on the headquarters of Negro leader Robert Williams. Officers had described the place as an armed camp but found both guns and Williams gone.

Exec. 8-29-61

State Police immediately asked the FBI to issue an alarm for Williams who is charged with kidnaping a white couple and holding them hostages during last night's rioting.

Philadelphia Pa

Williams, a bearded admirer of Fidel Castro who once was suspended by the NAACP for advocating violence against whites had been reported issuing ammunition to his followers Sunday night as white toughs roamed the city. One carload of whites last night drove past Williams' home and his nearby "Freedom House," where visitors to his organization stayed, to be greeted by an estimated 20 shots.

The kidnap warrant against Williams was issued Monday by a Union county Superior Court Grand Jury which named Williams in two indictments, one for each of the two kidnaped persons — Mr. and Mrs. G. Bruce Stegall of Marshallville, N. C.

Fifty state patrolmen helped keep the peace in Monroe and authorities said they would stay as long as needed.

In Washington, Attorney General Robert Kennedy said no Federal action was planned because local and State authorities had "moved vigorously" and had the situation under control. Kennedy said he hoped the persons responsible for the violence would be prosecuted "to the full extent of the law."

The reported kidnaping climaxed a week end of racial violence in this city of 10,000, where Negro and white pickets, some from as far away as England, have marched with placards for days.

The middle-aged couple who were held hostage, Mr. and Mrs. Stegall, testified before the grand jury which Superior Court Judge Allen H. Gwyn ordered to take up the interracial situation.

The Stegalls said they took a short cut on their way home Sunday night and a band of about 200 Negroes, many of them armed, stopped them on the street where Williams lives.

"We were scared," said Mrs. Stegall, who said they had nothing to do with the racial disturbances and passed through Williams' neighborhood by chance. "They took us in Williams' home and tied us up. They had guns on us. The house was filled with Negroes and others were outside in the yard and around the house."

The Stegalls were released later and escorted out of town by two carloads of Negroes, they said.

An uneasy quiet returned to this county seat 24 miles east of Charlotte. The pickets did not march and extra law officers patroled the city. Mayor Fred Wilson called the City Council into a second emergency session to consider ways of preventing further outbreaks of racial violence.

## Carolina Racial Fights Result in 47 Arrests

Evening Star D.C.

Mon 8-28-61

MONROE, N. C., Aug. 28 (AP). — The City Council planned to ask an injunction today against anti-segregation picketing by mixed Negro and white youths which set off a week end of violence in this city of 10,000.

Washington D.C.

A policeman was wounded yesterday, a white couple was held hostage for several hours by Negroes, and the highway patrol said 20 shots were fired at a carload of white persons passing a Negro integrationist's house last night.

Sporadic fights downtown resulted in 35 arrests yesterday and last night, and more arrests raised the total to at least 47 by 2:30 a.m. today. Most of those arrested were charged with inciting to riot, but several persons were charged with carrying concealed weapons. Police said hearings for those arrested will be held September 11.

Mayor Fred Wilson sent a telegram to Attorney General Robert Kennedy saying the city had been invaded by Freedom Riders and carpetbaggers. He asked that they be "restrained by your office."

The Justice Department said it has asked the FBI to learn the facts.

Negro and white pickets from as far away as England and Chicago have been carrying placards in downtown Monroe for several days. They handed out leaflets charging discrimination in the city's recreation facilities, in hiring by Monroe factories and saying welfare officials deprive Negroes of relief.

Yesterday's melee—one officer privately said it developed into a riot—started as the pickets were about to disband. Officer J. W. Rushing said he tried to disarm a Negro picket who then fled but turned and shot the officer in the hip. The wound was not serious.

Another law enforcement man, who asked not to be named, said the incident began when a white English girl, 20-year-old Constance Lever, started to get into a car with some armed Negro pickets. He said Officer Rushing tried to dissuade Miss Lever from getting into the car and that ames Foreman of Chicago, a Negro integration leader, tried to pull her into the car. Mr. Rushing then disarmed two of the Negroes but another broke away, fired at Mr. Rushing, and fled.

Albert Rorie, 17, Monroe Negro who has taken part in the picketing, was arrested on a charge of assault with a deadly weapon. He denied shooting Mr. Rushing.

Police Chief A. A. Mauney said Mr. and Mrs. G. Bruce Stegal of nearby Marshville were released unharmed last night after being taken hostage. Chief Mauney said his first word tat they were held came in a telephone call from Robert Williams, Monroe Negro integration leader, who said the Stegals would be held until Negro pickets under arrest were freed.

Newsmen were not allowed to see the Stegals.

Mr. Williams heads the county chapter of the National Association for the Advancement of Colored People and is an outspoken admirer of Fidel Castro. He has boasted of having a large number of firearms in his home.

Mon 8-28-61

Lt. C. L. Teague of the Highway Patrol reported 20 shots were fired at a carload of white persons who drove down the street near Mr. Williams' home late last night. Patrolmen immediately closed off the street to motor traffic.

One of the white pickets, Daniel Thompson of Cleveland, Ohio, said a house has been rented near Mr. Williams' home to accomodate the visiting pickets. He said they call it "the freedom house."

## Suspended Sentences Halt Monroe Pickets

The News and Observer

Sat

MONROE (AP) — Twenty-two racial pickets were convicted of inciting a riot and were let off with suspended prison terms Friday when they agreed to call off their demonstrations.

Sat 8-26-61

Judge James E. Griffin, who consolidated the charges against the group for a single trial, handed out sentences ranging from six months to two years in jail, but told the demonstrators he would suspend the active prison terms for two years on condition that they not picket or participate in any activity that might lead to trace trouble in Union County.

**Plan Prompt Departure.**

Raleigh N.C.

The demonstrators, through lawyers, agreed to accept the suspensions on that basis. Most of the out-of-town "freedom riders" said they planned to leave immediately.

They were charged with inciting a riot after their arrest in last weekend's series of racial outbursts which erupted following a week of picketing the county courthouse against segregation practices. Some also were charged with resisting arrest and simple assault.

More than 40 persons were arrested, some of them white people who became embroiled in the hour-long free-for-all.

**Pleas of Innocent.**

Attorneys William Kuntsler of New York and Len Holt of Norfolk, Va., had entered pleas of innocent for the seven freedom riders and other integrationists.

None of the defendants testified.

Two were fined $100 and ordered to pay court costs, in addition to their suspended prison terms of two years. They were Le Roy Wright, 19, Nashville, Tenn., Negro, and Woodrow Wilson, 19, Monroe Negro.

In addition to the riot charge, Wright was convicted of carrying a concealed weapon. Wilson also was charged with using profane language, and resisting arrest.

**Racial Equality Leader.**

Four were given 12 months suspended terms and fined $50 and costs. They were James Forman of Chicago, a leader in the Congress of Racial Equality (CORE); Richard T. Griswold, 35, white of Brooklyn, N.Y.; Paul Deitrich, 29, white, of Washington, D.C.; and J. Vance Covington, 17, Monroe Negro.

Robert Kilgo of Monroe and William Mahoney, 19, of Montclair, N.J., were fined $25 and costs and given eight months suspended terms.

Given six months, suspended, and let off without fines were John Hough, Brown Massey, Dorothy Massey, Josephine Massey, Leonora Massey, Ola May Massey, Charles Nance, Eddie Nance, Heath Rush, Constance Lever, Kenneth Shilman, Joe Wilson and Joseph Williams.

**Came As Observer.**

Miss Lever, a white woman of Manchester, England, joined the freedom riders here the day before the outbursts on Sunday. A staff member of the British Embassy in Washington, Donald James Graybrook, came here for her trial. He said he came "purely as an observer at the request of Miss Lever."

Miss Lever said she planned to leave Monroe by morning.

The big legal question during the trial was whether it was legal for the demonstrators to continue picketing under the tense situation that prevailed last weekend.

# Negro Indicted In Race Kidnaping

The New York Times Service

MONROE, N.C. — A Negro leader was indicted Monday on charges of kidnaping a white couple and holding them hostage during a race riot here.

Law enforcement officers armed with rifles and submachine-guns searched the home of Robert F. Williams but found that he had fled, apparently taking his wife and two children with him.

**The Union County Grand Jury, which was in regular session, returned the indictment shortly after hearing testimony from Mr. and Mrs. G. Bruce Stegall of nearby Marshallville. They said they had been held captive in Williams' home Sunday night for 2½ hours.**

Police said Williams had promoted a series of anti-segregation demonstrations in this town of 10,000 persons some 25 miles southeast of Charlotte.

Racial animosity aroused during the picketing of the Union County Courthouse Sunday led to a clash between some 1,000 whites and Negroes.

**A policeman was shot in the thigh and a number of persons received lesser injuries. Local officers, aided by about 75 state troopers, brought the mpb under control. Forty-eight persons were arrested.**

**An uneasy truce was maintained Monday night between the heavily armed white and Negro residents, and some persons voiced fears of renewed violence.**

Williams, a bearded partisan of Cuban Premier Fidel Castro, has publicly advocated violence as a means of ending racial restrictions.

In the July 10 issue of his mimeographed publication, The Crusader, he told Monroe Negroes:

"No colored person is safe and secure in this outlaw land. Our best bet is to arm and defend ourselves. When the streets become rivers of blood, then and only then will the state and the national government snow an interest in the welfare of colored Americans."

Williams was ousted by the National Association for the Advancement of Colored People several years ago for voicing similar sentiments.

# Arms Seized In Monroe Negro Home

MONROE, N. C., Aug. 31 (UPI)—Police raided the home of the youthful president of a Negro "nonviolent" committee last night and seized a cache of arms and ammunition.

Police arrested the leader, Richard Crowder, 19, and another Negro, Harold Reap, 18, on charges of kidnaping connected with the alleged Harold Reap, 18, on charges of kidnaping connected with the alleged abduction of a white couple during a Sunday night riot.

Both men were wanted, along with bearded Robert Williams, a Negro leader who advocates violence, in the kidnaping of Mr. and Mrs. G. Bruce Stegall, who said they got lost and happened onto the street where followers of Williams were staying during the rioting.

Arrested earlier on the same charge and now in county jail is John Cecil Lowry, 20, a New York white man.

Police said Crowder admitted the weapons found in the attic of his home were the same guns that earlier had been stored in the home of Williams. Police with drawn guns raided the Williams home Monday in expectation of seizing the arms and Williams, but found both gone.

The rioting grew from incidents at the Courthouse in downtown Monroe where followers of Williams had been picketing in protest against segregation.

# Dixie City Seeks Ban After Racial Violence

Associated Press.

MONROE, N. C., Aug. 28.—The City Council planned to ask an injunction today against anti-segregation picketing by mixed Negro and white youths which set off a weekend of violence in this city of 10,000.

A policeman was wounded yesterday, a white couple was held hostage for several hours by Negroes, and the Highway Patrol said 20 shots were fired at a carload of white persons passing a Negro integrationist's house last night.

**35 Were Arrested.**

Sporadic fights downtown resulted in at least 35 arrests.

Mayor Fred Wilson sent a telegram to United States Attorney General Robert Kennedy saying the city had been invaded by "freedom riders" and "carpet baggers." He asked that they be "restrained by your office."

The Justice Department said it has asked the Federal Bureau of Investigation to learn the facts.

Negro and white pickets from as far away as England and Chicago have been carrying placards in downtown Monroe for several days.

# Police Seize Arsenal At Monroe, N. C.

MONROE, N.C. (AP) — Police raided the home of the president of the Monroe Non-Violent Action Committee Wednesday night and confiscated a small arsenal of weapons, including one of Russian manufacture.

Richard Crowder, 19-year-old Negro head of the group, had been picked up earlier for investigation in the kidnaping of a white couple during the aftermath of an interracial disturbance Sunday.

Crowder was charged with kidnaping and was held without bond.

Officers said they found 11 weapons, most of them rifles, in the attic of Crowder's home. They said the weapons were among those collected recently by Robert F. Williams, 36-year-old militant Negro leader, who is being sought on a kidnap warrant. Williams, with his wife and children, fled the city Sunday night in the wake of the disturbances.

Police said one of the rifles was Russian, of a large caliber, and had a hammer and sickle emblem on its side.

The raid was conducted by local and county police, assisted by agents of the State Bureau of Investigation.

# Bronx 'Rider' Jailed In Dixie Race Riots

Associated Press.

MONROE, N. C., Aug. 30.—A 20-year-old former college student today faces charges of aiding and abetting in the abduction of a white Union County couple Sunday night during a series of inter-racial fights here.

John Lowery, 20, of the Bronx, N. Y., was charged late yesterday after he was questioned by authorities in the abduction of Mr. and Mrs. G. Bruce Stegall of nearby Marshville.

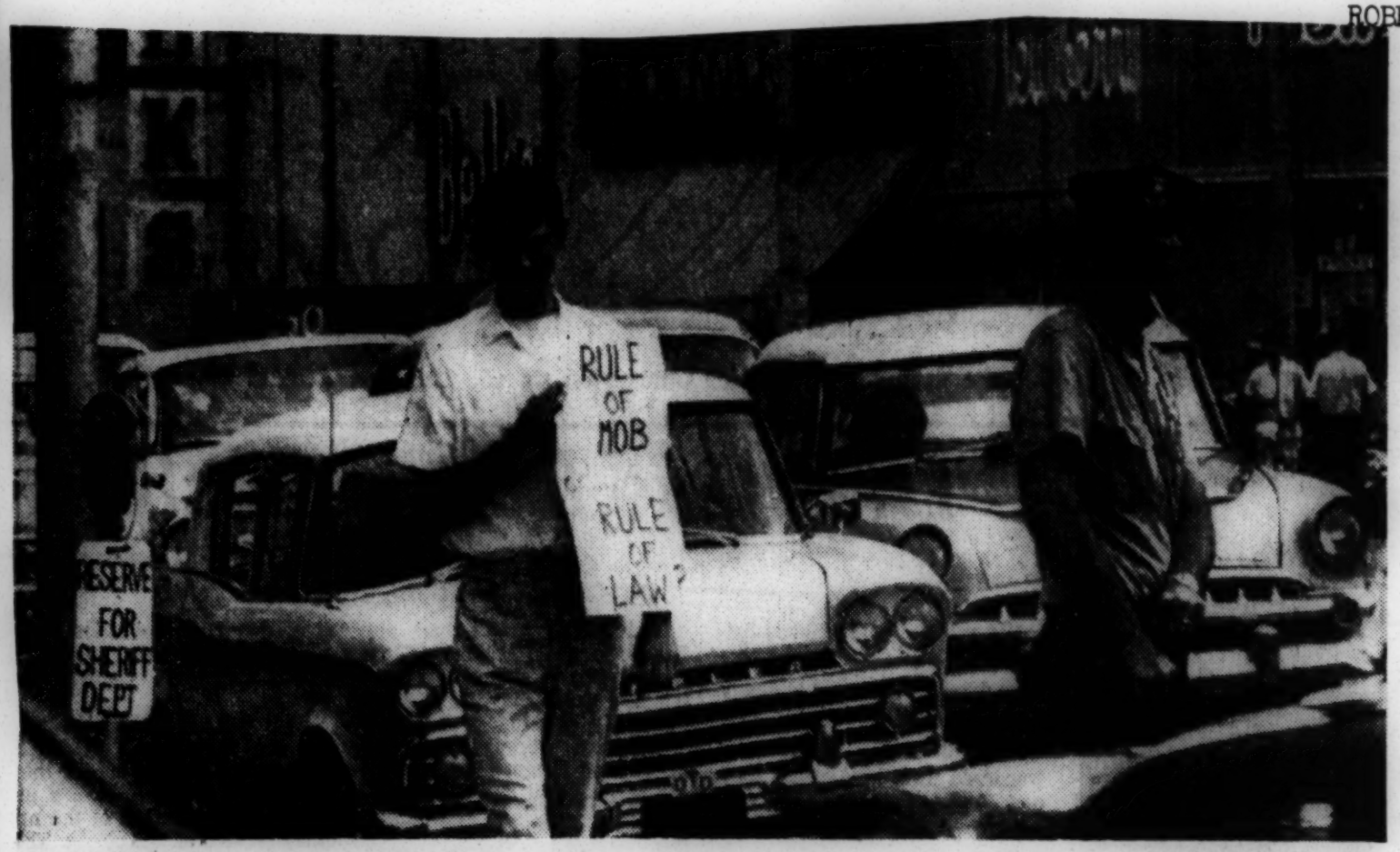
Mr. Lowery was jailed without bond and, under North Carolina law, could get life in prison if convicted. He said he was a "Freedom Rider" and former student at Queens College in New York City.

Meanwhile Robert F. Williams, 36-year-old militant Monroe Negro leader who was indicted Monday on two charges of kidnaping, is still being sought. Mr. Williams, his wife and two children have been missing since the Stegalls were released about 9 p.m. Sunday.

Several days of picketing in downtown Monroe around the courthouse square erupted Sunday into several inter-racial fights and an hour-long battle involving some 300 persons of both races.

Daniel Thompson, 26, of Cleveland, a white member of the Monroe Non-Violent Action Committee, said his group might hold a rally today in the Negro section of this city of 10,000, but there probably would be no more picketing.

Meanwhile County Judge James E. Griffin reduced bonds for "Freedom Riders" arrested in the wake of Sunday's outburst to $25. Dr. C. M. Alston, a Negro dentist, posted the bond money and the "Freedom Riders" were released from jail.




**UNIDENTIFIED WHITE PICKET PROTESTS SEGREGATION IN MONROE, N. C. DEMONSTRATION**
**Policeman At Right Stands Guard To Prevent Violence In Racially Tense Tar Heel City**

The Newsand Courier Charleston SC Sun. 8-29-61 P. 6 A

**BRUCE STEGALL LEAVES HEARING ROOM**
**He Gave Testimony About Alleged Kidnaping**

**MRS. BRUCE STEGALL TALKS TO REPORTERS**
**She Said Negroes Tied Her To A Chair**

# Grand Jury Indicts Monroe, N.C., Negro On Charge Of Kidnaping White Couple

## FBI Asked To Issue Alert For Williams

The Herald-Tribune
p. 6A

MONROE, N. C. (AP) — A kidnap indictment was returned Monday against Robert F. Williams, controversial Monroe Negro who long has advocated violence by his race.

The Union County Grand Jury returned the true bill after hearing testimony by a white couple held hostage by Negroes Sunday night. The couple said they were abducted by about 200 armed Negroes, and tied up but later released.

About 30 officers immediately raided Williams' house where the Negro leader has kept a large store of arms. Williams himself was believed to have fled, and no weapons were found.

Also raided was the rented so-called "Freedom House" near Williams' home. Pickets from outside the state have been staying there.

Monroe police asked the FBI to issue a nationwide alert for the goateed Williams.

The reported kidnaping climaxed a weekend of racial violence in this city of 10,000, where Negro and white pickets, one from as far away as England, have marched with placards for days.

**POLICEMAN WOUNDED**

A policeman was wounded Sunday by a Negro he said he was trying to disarm. Sporadic fighting over the weekend resulted in 47 arrests. Extra highway patrolmen were ordered in to help keep order. The city appealed to the federal government for help.

The bearded Williams, an avowed admirer of Fidel Castro, apparently had fled. Police patrolled the area of his home, where Williams has boasted of maintaining a large arsenal. Reporters have seen a large number of firearms there.

The 36-year-old, muscular Williams has said he was stockpiling weapons in "an armament race with the white people of Monroe."

Two bills of indictment were returned against Williams, charging him separately in the alleged kidnaping of the man and woman. Warrants for his arrest say that he "unlawfully, wilfully, feloniously, and forceably did kidnap," them.

Highway Patrol Lt. C. W. Teague told newsmen his 50 patrolmen would stay in Monroe as long as the police chief wants them.

An uneasy quiet returned to this county seat of 10,000 population, 24 miles east of Charlotte. No pickets marched and extra law officers patrolled the city. Mayor Fred Wilson called the City Council into a second emergency session to consider ways of preventing further outbreaks of racial violence.

**SANFORD STATEMENT**

In Raleigh, Gov. Terry Sanford declared that the Monroe situation "is under control, and is going to be kept under control."

The governor ordered 50 State Highway Patrolmen and two State Bureau of Investigation agents here to assist the overworked Monroe police department headed by Chief A. A. Mauney and Union County Sheriff D. Shelly Griffin's men in restoring order. The FBI, asked by the Justice Department to learn the facts, also dispatched agents to watch the situation.

The middle-aged couple who were held hostage, Mr. and Mrs. G. Bruce Stegall of the nearby community of Marshville, were questioned by the grand jury which Superior Court Judge Allen H. Gwyn ordered to take up the interracial situation.

The Stegalls said that as they took a short cut on their way home Sunday night a band of about 200 Negroes, many of them armed, stopped them on the street where Williams lives.

**INNOCENT BYSTANDERS**

"We were scared," said Mrs. Stegall, who said they had nothing to do with the racial disturbances and passed through Williams' neighborhood by chance.

"They took us in Williams' home and tied us up. They had guns on us. The house was filled with Negroes and others were outside in the yard and around the house."

About 20 shots were fired at another car containing white persons who passed near Williams' house, said Highway Patrol Lt. C. L. Teague. On a visit to the Williams' residence about two weeks ago, a reporter saw 13 carbines in his living room, a double-barreled shotgun propped beside the front door and a snub-nose revolver on the dining room table.

Mrs. Stegall said Williams didn't help tie them up but that he reported by telephone to Police Chief Mauney that he had white hostages and demanded the release of Negro pickets who had been arrested.

**"MOB WOULD GET YOU"**

"He told us he couldn't let us go," said Mrs. Stegall, "because the mob outside 'would just get you and I can't do a thing.'

"The mob was hollering 'Let me kill them.' "

The Stegalls were bound and taken to a vacant house near Williams' but were released later and escorted out of town by two carloads of Negroes, they said.

The seizure of the Stegalls climaxed a day in which several fights erupted about the picket line manned by Monroe Negroes and some civil rights advocates, some of them white, from as far away as Chicago and Durham, England. The out-of-towners were Williams' guests during the week-long picketing.

Williams, 36, a self-proclaimed admirer of the Cuban regime of Fidel Castro, once was stripped of the presidency of the Union County chapter of the national convention of the National Association for the Advancement of Colored People. But the goateed, muscular Williams subsequently was reelected president by the Union NAACP chapter which has a membership now of 13.

**OUTSIDE AGITATORS**

"We are not going to allow outside agitators to promote violence in our state," said Gov. Sanford.

"The band of agitators who have descended on Monroe came at the request of an outspoken advocator of violence, a self-styled Castro who has attempted to grow a beard, who wears a beret and who carries a loaded carbine. It is significant that he has been denounced by the respected leadership of both races."

The governor's statement did not mention Williams by name.

ROBERT F. WILLIAMS
Indicted For Kidnaping

POLICMAN SHOT

# Racial Violence Flares In North Carolina City

Montgomery Advertiser 8/1

Mon 8-28-61

MONROE, N.C., (AP) — A policeman was wounded here Sunday as violence broke out during racial picketing on Monroe's courthouse square. Fifteen pickets and three others were charged with inciting to riot.

Montgomery Ala

The shooting occurred about 4:30 p.m. as an interracial group marched around the square carrying signs protesting segregation.

Tension mounted Sunday night with a report that a white couple was being held hostage by Negroes. Police Chief A. A. Mauney said Negroes told him they were holding a couple hostage but he was unable to verify the report.

The wounded officer was J. W. Rushing, who was quoted as saying he was shot in the hip as he tried to disarm a Negro. The wound was not serious. Witnesses said the gunman got away.

Fighting broke out between pickets and several white persons and officers charged some 15 of the pickets and three white men with inciting to riot.

Chief Mauney said he received a call from a man identifying himself as Robert Williams—Monroe Negro integrationist—saying the Negroes would hold the white couple hostage until the pickets arrested Sunday were freed.

Mauney said Williams then put on the telephone a man who identified himself as G. Bruce Stegal, the hostage.

The police chief said Williams also claimed Mrs. Stegal was held.

Mayor Fred Wilson Told newsmen he is sending a wire to Atty. Gen. Robert F. Kennedy to ask his advice.

Chief Mauney said the fighting started when several cars arrived at the square to pick up the pickets. Mauney said the driver of the lead car, a Negro he identified as James Foreman, started cursing white bystanders.

The chief said Foreman pulled a gun as he was arrested, touching off the fighting.

Shortly after the flareup, the highway patrol dispatched 15 patrol cars to Monroe. Later, patrol Maj. Raymond Williams said 32 more patrol cars had been dispatched to the scene.

For the past week, members of the Monroe Non-Violent Action Committee have picketed the courthouse square, carrying signs protesting segregation.

Three men were arrested Saturday in connection with a fight involving a white picket. All were charged with simple assault and released under $50 bond each.

## Rifle Fund Raised By Harlem Negroes

The News and Courier

NEW YORK (Speciall) — Cash contributions and pledges totaling $260 were raised here Monday at a public meeting in Harlem called to buy rifles for Robert F. Williams of Union County, N. C., the Afro - American, a Negro newspaper, reported. P-4-C

Citing what they called a "new level of struggle," the speakers announced plans for a national appeal for individual donations of $12.50—the price per rifle.

The meeting was under the auspices of the Afro-American Alliance for Action. Thurs 7-20-61

On Tuesday afternoon, following the Harlem rally, the Alliance staged a two-hour demonstration in behalf of Williams outside the United Nations. Charleston S.C.

Picket signs read: "Monro, N C., is America's Angola," "American Freedom Is a Fraud," "We Need A Mau Mau," "Robert Williams Must Not Be Murdered as Lumumba Was."

NORTH CAROLINA

# N. C. Negro Leader Collects Rifles For 'Armament Race'

The News and Courier

P-4-C

MONROE, N.C. (AP) — Robert F. Williams, a Castro-oriented Negro leader, said today he is collecting rifles for two reasons: 1. To form a rifle club for sport, and 2. For an "armament race with the white people of Monroe."

Williams, an avowed admirer of Cuban Dictator Fidel Castro, declined to say how many members he has in his rifle club, but he said the group has about 100 weapons, mostly foreign rifles.

"I keep an armed guard on my house at night," said Williams, "and if anyone attacks my house, the City of Monroe is going to see a blood bath."

Dr. Fred M. Wilson, a dentist serving his third term as mayor of Monroe, said, "Anyone is free to have firearms and we hope they use them in a judicious manner." Thurs 7-20-61

Williams, president of the Union County chapter of the National Association for the Advancement of Colored People, has been in trouble with the national group because of his various militant statements. Charleston S.C.

Williams, who has made two trips to Cuba since Castro seized control of that country, often flies the Cuban flag in his backyard. Newsmen who have visited his home have reported seeing firearms there.

He also publishes a newsletter called "The Crusader," which he said has a circulation of 1,500 to 2,000. Through the newsletter, he has asked for funds to support his rifle club. He declined to say how much money he has collected.

The idea of the rifle club was first started in 1959, Williams said, but was dropped asd only recently was revived. Williams said he hopes to obtain land and start construction within a month.

Conrad J. Lynn, a New York lawyer who represents Williams, said in New York that a meeting sponsored July 10 at Unittd Mutual Auditorium raised "several hundreds of dollars" for Williams' project. He said about 40 rifles were sent to North Carolina as replacements for defective weapons Williams had.

MONROE. N.C.

Williams declined to confirm this but said he expected "two or three hundred rifles from such places as Harlem and Chicago."

He said some of the money being raised will be used to buy ammunition, gas masks and steel helmets.

# Carolina Negro Aims 'Arms Race' at Whites

The Evening Star P-A-2

Washington, D.C.

MONROE, N. C., July 20 (AP).—A Monroe Negro leader says he is collecting rifles for two reasons—to form a rifle club for sport and for an "armament race with the white people of Monroe."

Robert F. Williams, an avowed admirer of Cuban Premier Fidel Castro, declined to say how many members he has in his rifle club, but he said the group has about 100 weapons, mostly foreign rifles.

"I keep an armed guard on my house at night," he said yesterday. "If anyone attacks my house, the city of Monroe is going to see a blood bath."

Thurs 7-20-61

### Flies Cuban Flag

Mr. Williams, president of the Union County chapter of the National Association for the Advancement of Colored People, has been in trouble with the national group because of his various militant statements.

Mr. Williams, who has made two trips to Cuba since Mr. Castro seized control of that country, often flies the Cuban flag in his backyard. Newsmen who have visited his home have reported seeing firearms there.

At East Lansing, Mich., four Negro officials from Tanganyika and Kenya have complained to Michigan State University authorities of discrimination because, they said, they were allowed only one drink each in two Lansing area bars.

Dr. John A. Hannah, university president, expressed regrets over the incident. He is chairman of the President's Civil Rights Commission. The Negroes, who spent several days at the university on a tour of the United States, made the complaints in a letter to MSU officials.

### Riders in Memphis

Five Freedom Riders arrived at Memphis, Tenn., after an uneventful bus trip from Chattanooga, Tenn., via Nashville, ate at a bus terminal restaurant, and commented "we don't know where we're going next."

City Judge James Spencer convicted two Negro leaders at Jackson, Miss., for contributing to the delinquency of minors who were arrested on breach of peace charges in desegregation attempts.

The two were James Luther Bevel, 24, of Itta Bena, Miss., field secretary for the Congress of Racial Equality, and Bernard Lafayette, 20, of Tampa, Fla., field secretary for the Jackson Non-Violent Movement. Mr. Bevel was convicted on three counts and Mr. Lafayette on two. They were sentenced to $500 fines and six months in jail on each count.

The color ban at the municipal swimming pool in Maplewood, Mo., a St. Louis suburb, has been lifted. The pool was closed Tuesday when about 40 Negroes tried to buy admission tickets, but yesterday the City Council voted unanimously to open the pool to all residents of Maplewood, regardless of race.

The racial scene—

# Negro club collects rifles in 'armament race' with whites

The Birmingham News

By The Associated Press

A Monroe, N. C., Negro leader says he is collecting rifles for two reasons—to form a rifle club for sport and for an "armament race with the white people of Monroe.'

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Thurs 7-20-61

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Birmingham Ala.

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**At Annapolis, Md., five Negroes who conducted a carousel sit-in at an amusement park near Washington planned to ask the Supreme Court to review their trespassing convictions, upheld by the Maryland Court of Appeals.**

CITY UDGE James Spencer convicted two Negro leaders at Jackson, Miss., for contributing to the delinquency of minors who were arrested on breach of peace charges in desegregation attempts.

The two leaders were James Luther Bevel, 24, of Itta Bena, Miss., field secretary for the Congress of Racial Equality, and Bernard Lafayette, 20, of Tampa, Fla., field secretary for the Jackson nonviolent movement. Bevel was convicted on three counts and Lafayette on two. They were sentenced to $500 fine and six months in jail on each count.

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# Pastors In Lead On The Picket Line

Colored Patrons Not Permitted To See Colored Film

CHAPEL HILL — (UPI) — Pickets at a Chapel Hill theater have indicated they were more interested in general desegregation than seeing a movie with a predominantly Negro cast.

Both colored and white pickets paced in front of the Carolina Theater Friday and Saturday after the management refused to allow colored citizens to see the movie "Porgy and Bess," a story of Negro life in Charleston, S. C.

**THEATER** Manager E. Carrington Smith had offered to show the movie to an all-Negro audience but was firm in his refusal to allow mixing of the races in his theater audiences.

But leaders of the demonstrations said they were not even considering Smith's offer for a private showing.

**SEVERAL** white University of North Carolina students and a few professors reportedly joined the Negroes in the picket line in front of the theater. There were no incidents reported. About 60 persons participated in the picketing, with four carrying sign on one-hour shifts. One of the signs read "all-Negro cast, but in Chapel Hill all white audiences." Another sign said "Protest segregation policy of the manager" and a third, which was carried by a colored picketer, read "We enjoy movies too."

**A GROUP** of 11 ministers said they would boycott the theater until the segregation policy was dropped. The ministers were from a local ministerial association which had asked the manager to admit Negroes for one showing of the movie.

## Durham Board Tells White Workers:

# "You Have The Right To Protest Segregation, But Just Don't Do It"

DURHAM, N. C. — The local County Welfare Board does not consider it "consistent with good judgment" for its white employees to join colored persons on picket lines protesting racial segregation at motion picture theatres.

That, in essence, is the upshoot of action taken by the board last week when two white women, one of them a native of Scotland who has not yet been naturalized a US citizen, and the other the wife of a professor at Duke University, were brought before the body.

**THE TWO** had participated in a picketing demonstration before a segregated theatre t Chapel Hill, N. C. where both live.

The board, after hearing what the two had to say in defense of their acton, adopted a resolution which recommended that welfare workers "place the good name of the welfare program foremost and refrain from the exercise of any right which can reasonably be expected to reflect adversely upon the department or the program."

**WELFARE** Supt. W. E. Stanley said that State Atty. Gen T. Wade Bruton had ruled that participation in picket lines by welfare workers "is strictly a matter between employer and employe." Atty. Gen. Bruton said there is no state law which would prohibit such activity.

**THE LOCAL** board acknowleged the right of employees to join in the demonstrations but asserted that "exercise of every individual right is not always consistent with good judgment.

38a 1961

# Funeral Head Doesn't Want Negro Business

The Black Dispatch
Dallas, Texas, Dallas,
7/22/61

CINCINNATI (ANP) — One of the city's largest funeral homes last week disclosed that they won't handle the funeral of a Negro (which wasn't surprising, but that it would prefer not to have the funerals of whites who associate with Negroes.

The Cement Masons' Union No. 524, a mixed local, through it's business agent and financial secretary, Frank Saffel, sent a letter to white and Negro morticians asking them to submit a fixed rate for funerals of the local's membership.

Twelve hours after the letter was sent, one of the biggest white morticians in Cincinnati telephoned Saffel.

Saffel said that the caller was upset over the possibility that his firm would be asked to conduct Negro funerals.

When he was assured this was ont the case, but that the local had white members also, the speaker said that he was not even interested in the white members as "their Negro friends in the local would probably come to view the body . . . and we certainly can't have that."

# Portland League S... Progress In Rights

PORTLAND, Ore. — Although a high degree of residential segregation remains and there are no Negro longshoremen or supermarket clerks Portland, Ore., has struck major blows against housing and job bias, the Portland Urban League reported here last week.

League Director of Community Services John S. Holley stated that Oregon's FEPC, enacted in 1949 and its freedom of residence law passed in 1957 had made the gains possible, but he said much still has to be done in the Portland area. Negroes and Orientals live almost completely in two areas of the city, the League said, adding, however, that public housing is completely unsegregated.

The League report said, "There are no Negro clerks in local branches of the mail-order concerns, and our most famous knitting mill hired Negroes only as charwomen." It also pointed out that job opportunities are "limited" in financial institutions and utility companies.

Due to Oregon's civil rights law banning bias in public accommodations the report stated, discrimination in public places is "extremely rare." However, many barber shops, beauty shops, reducing salons and other "personal service" establishments still discriminate and the 1961 Oregon Legislature is considering an amendment to cover such businesses.

Schools, colleges, hopitals, welfare agencies, and public recreational facilities are operated on a non-segregated basis, the League reported.

38a 1961

PENNSYLVANIA

# Jail Philly 'White' Woman For Walk in Negro Area

PHILADELPHIA — "We don't want white women seen walking in this district," was what two policemen told Mrs. Yvonne Randolph, last week, when they pushed her into a car and bruised her arm while she was strolling through a Negro district on her way home from work.

Mrs. Randolph, who lives at 84 W. Johnson St., happens to be a Negro. She also happens to be a striking, 27-year-old blue-eyed blonde, who has worked for eight years as an IBM operator at the Naval Depot.

Along with the local branch of the NAACP, she is taking action against the two members of the police department, who allegedly grabbed her and placed her in a cell at the Hunting Park Ave. Police Station, where she was not permitted to make a telephone call.

38a 1961

FEB.1961 (COMBINED)
SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE
HIGHLANDER FOLK SCHOOL

REV.MARTIN LUTHER KING
REV. MYLES HORTON

# King group, folk school join in mixing fight

NEW YORK, Feb. 23—(AP)—The Southern Christian Leadership Conference and the Highlander Folk School have joined forces to train Negro leaders for the civil rights struggle, The New York Times said today in a story from Atlanta.

The Times said the program was disclosed in Atlanta by the headquarters of the conference, made up of various antisegregation groups and headed by the Rev. Dr. Martin Luther King Jr.

**A conference spokesman was quoted as saying that 11 Negroes had just completed a week's training course at Highlander, and that another class of 15 or more will be held in about two weeks.**

THE INSTITUTION is in the Cumberland Mountains near Monteagle, Tenn., between Chattanooga and Nashville.

The Times story said:

The school, headed by Myles Horton, has been involved in several controversies because of the political affiliation of persons connected with it. The school's reputation has been defended by Mrs. Franklin D. Roosevelt and other nationally prominent liberals.

**The school's charter was revoked by a state court in February, 1960. But it has continued to operate, pending the outcome of an appeal. The revocation order developed from a legislative investigation during which it was charged that Communists and their sympathizers had visited and lectured at the school. Charges that the school had violated segregation and alcoholic beverage laws were the basis of the legal action.**

SOME OBSERVERS said the affiliation of Dr. King's conference with the school raised serious questions of prestige for the conference. They contended that because of the delicacy of the racial problem and the school's controversial status, it would be difficult now for Southern whites of liberal or moderate leanings to deal with the conference. They also said the affectiveness of the conference on the national scene might be reduced.

Dr. King's administrative assistant, James R. Wood, said the conference is aware of the problem, but he added:

**"We find no reason not to cooperate with any organization that is interested in the development of full citizenship for Americans which cannot be proved to have conducted itself in a manner which is not American or patriotic."**

WOOD SAID THE conference hopes to receive a foundation grant to finance the program.

The Highlander classes are aimed at equipping trainees to set up citizenship schools in which Negroes will be taught how "to help themselves and their neighbors to become first-class citizens. "This includes preparation for registering to vote and for participation in other civic activities.

# Negroes Take New Tack In Sit-In Case

News & Courier 6-B
Tues. 11-14-61
Charleston, S.C.

BY W. D. WORKMAN
A Special Correspondent

COLUMBIA — Negro sit-in demonstrators convicted of breaching South Carolina laws shifted their appeal Monday from constitutional to statutory grounds in arguments before the State Supreme Court.

The new emphasis was made necessary by last week's Supreme Court decision on a Greenville case involving very similar circumstances. The Greenville case (City v. Peterson) dealt with 10 Negro students arrested for trespassing after notice when they refused to leave a variety store lunch-counter after having been asked by the store manager to do so.

The same essentials were present in three cases which came before the Supreme Court Monday. Two of the cases arose in the city of Columbia, the third arose in Charleston, all stemmed from the refusal of Negro students to leave lunch counters after being asked to do so by both management and police officials.

A major argument in the Greenville case was the contention that the arrest and conviction of the defendants violated the 14th amendment of the U. S. Constitution in that the actions were designed to further the custom of racial segregation.

**NO REFERENCE**

The Supreme Court disposed of that argument by saying this:

"The (anti-trespass) act makes no reference to race or color and is clearly for the purpose of protecting the rights of the owners or those in control of private property. Irrespective of the reason for closing the (lunch) counter, the evidence is conclusive that defendants were arrested because they chose to remain upon the premises after being requested to leave by the manager."

Negro attorney Matthew Perry admitted to the Supreme Court Monday that last week's ruling adversely affected the three cases on appeal this week. He made no argument on constitutional grounds, therefore. Instead, he and his associate, Lincoln C. Jenkins Jr., appealed to the court on grounds that no real case of trespass had been made out against their clients. (The two Negro attorneys represented appellants in all three cases Monday as well as in the Greenville case).

**OLD LAW CITED**

They pointed out that in the three current cases, their clients had been charged under an older trespass law which made no reference to having to leave upon being asked to do so. They contended that the statute dealt only with persons who entered upon premises after having been warned not to do so. In their cases, they added, the question was one of remaining on premises which they had entered by implied invitation to the public.

The opposite point of view was advanced by Edward A. Harter Jr., for the city of Columbia, and Morris D. Rosen and Robert L. Clement Jr., for the city of Charleston. They cited earlier cases in which trespass had involved a refusal to leave premises after having been ordered to do so by the owner.

One of the Columbia cases (Columbia v. Bouie) also involved a conviction for resisting arrest.

## Civil Rights Suit Looms

# Deputies Assault Teacher on Allen U Campus

By JOHN H. McCRAY
(Courier's Carolina Editor)

COLUMBIA, S. C. — Three white Richland County deputy sheriffs, out of uniform and riding in an unmarked car, have stirred up civil rights storm here after beating a young junior high school teacher on the edge of the Allen University campus.

The victim, Herman Abel, had to have three stitches in the head after one of the men, allegedly hurling the "n . . ." epithet, struck him in the presence of his wife and several students.

AFTER a conference in the office of Richland Sheriff S. S. Sligh, Mr. Abel was charged with reckless driving, disorderly conduct and resisting arrest.

His trial was continued after a two-hour hearing, Monday afternoon, before Township Magistrate Calvin Lawson. Only the deputies testified. Interestingly, their testimony closely paralleled details Mr. Abel gave The Courier in an exclusive interview.

"I intend to fight this thing as far as I can," he told The Courier. "I could probably get over it myself, but if it happens to me, it can happen to everybody else who tries to be a good citizen and obey our laws."

■

OTHER INFLUENTIAL leaders were preparing appeals to various agencies and sources, including the U. S. Department of Justice.

■

The Richland County Sheriff's office has been under attack from Negroes for several years. It has refused to employ Negro deputies, although a number of less populous and important counties have long since done so. The City of Columbia, itself not involved in the incident, employs Negro policemen.

■

A PUBLIC officer who would not be identified said "I'll bet that had they (deputies) suspected they were messing with this type of citizen, they'd never have done it. They'd like to get out of it, of course, but I hope they don't.

■

"I HOPE THE colored citizens give them just what they deserve. It's people like this who make race relations bad in our city."

38a 1961

SOUTH CAROLINA

# Links To Mix In May

The News and Courier p. 1

## Mayor Gaillard Urges Courtesy, Understanding

Sun. 4-7-61

Mayor J. Palmer Gaillard Jr. last night urged "courtesy and understanding" by all persons using Charelston's court integrated Municipal Golf Course.

His appeal came on the heels of an order from the 4th U. S. Circuit Court of Appeals to desegregate the facility by May 26.

The appeals court directed the golf course be desegregated two months earlier than a date set by U. S. District Court Judge Ashton H. Williams last fall.

The Negro plaintiffs in the case appealed Judge Williams' order on the grounds the eight-month delay was unreasonable.

Handed down yesterday in Richmond, Va., the appeals court ruling said it found no evidence in the record "to explain the postponement of the effective date of integration for what would seem to be an unreasonable period of time."

**UNSIGNED OPINION**

The unsigned opinion, in part, said the record showed nothing to explain why integration "could not have been made immediately effective."

After a long study of other Southern cities with desegregated golf courses, Charleston City Council and the Golf Course Commission agreed to continue operation of the course "rather than lose a first-class recreational facility," Mayor Gaillard said.

The text of his statement follows:

"Legal action was commenced against the city and the golf course commission in July, 1959, approximately six months prior to this administration's taking office. The present legal staff of the city took over the defense of this action when this administration took office.

"The matter came for trial in the United States District Court at Charleston in September, 1960, and in November, Judge Ashton H. Williams, U. S. District Judge, ordered the city to permit use of the Municipal Golf Course by all citizens, with the proviso that this order was to take effect after a delay of eight months, which would have been July 26, 1961.

**'OPEN TO ALL'**

"The plaintiffs appealed to the Fourth Circuit Court of Appeals from that portion of the order which provided for a delay of eight months, and the Circuit Court has now ordered the city to open the Golf Course to all citizens.

"The Ways and Means Committee of City Council and the Golf Course Commission have both met and both have determined to abide by the order of the court.

"The property on which the Municipal Golf Course is located was deeded to the City of Charleston by the Edisto Realty Company in July 1929, with the stipulation that it be used as a municipal golf course, and that if it ever ceased to be used for this purpose it would revert to the Edisto Realty Company.

The News and Courier

"We must, therefore, continue to operate our golf course as the court has directed or deprive our citizens of this recreational facility that they have enjoyed for over 30 years.

Sun. 4-7-61

"In an effort to broaden the possible courses of action which it might take, the city attempted to purchase the reverter rights from Edisto Realty Company, and on August 18, 1960, the city made a cash offer to the realty company for the reverter, which offer was turned down. Following this, meetings were held in an attempt to work out some solution with the Edisto Realty Company, but these efforts were unsuccessful.

"After the decision by the lower court in December of last year, it became evident that the city would have to make a decision as to the future of the golf course before August of this year, and possibly sooner, if the appeal were successful.

"City Council and the Golf Course Commission authorized the sending of certain persons to other Southern cities which have opened their courses to all persons. This was done and we have received reports on the situation in Wilmington, N.C., Atlanta, Ga., and Miami, Fla., which reports show beyond doubt that these Southern cities have operated their municipal courses successfully while open to all citizens.

"In addition, I personally conferred with the mayor of Savannah, which city voluntarily opened its course sometime ago, and have been advised that Savannah has incurred no problems and has suffered no financial loss.

"After considering the information gained from the experience of other Southern cities and the additional reluctance to lose a first-class recreational facility which has been serving citizens of the city and county for over 30 years, City Council and the Golf Course Commission have agreed to continue operating the Municipal Golf Course as a public facility in accordance with the orders of the U. S. District Court and the Fourth Circuit Court of Appeals.

"I urge citizens of all races, and particularly the golfers, to cooperate with courtesy and understanding so that our municipal course may continue to be operated successfully."

# Office Worker Cracks Tough Clarendon Bias

The Courier Pittsburgh, Pa. Sat. 3-4-61

**By JOHN H. McCRAY**

**(Courier's Carolina Editor)**

**SUMMERTON, S. C.—After 15 years of bitter race rattling, during which some of the bitterest aspects of racism flourished, Summerton, focal spot of the 1954 and 1955 U. S. Supreme Court's school rulings affecting Clarendon County, has quietly undergone a bit of integration; not on the school level, of course.**

The integration, now about one month old, is in the office of a motel, one of the largest in this area of South Carolina, where a young Negro woman, Myrtle Maria Richburg, is efficiently working as bookkeeper and secretary.

Formerly, she kept records in the dry cleaning establishment of Wiliam (Mitch) Ragin, Negro. She replaced a young white woman, and her employers, reportedly, have defied any local whites to "tell them how to run their business."

■

**ALSO BACK** on jobs at the same motel are Mrs. Harry E. Briggs Sr., mother of the first listed plaintiff in the celebrated Clarendon County school case of 10 years ago, and Mrs. Robert Georgia.

**Both women, along with hundreds of other Negroes in the county, had been forced out of their jobs by efforts of the White Citizens Council which went into business here in 1955, taking over some of the work previously handled by the Ku Klux Klan and other white supremacy elements, intent on retaining racially segregated schools.**

Thus far, there has been no reaction among whites to Miss Richburg's position.

Negroes, however, regard it happily and suggest that it may mean the ending of their battle against racism, which developed in 1946 under the leadership of a fugitive from South Carolina, the Rev. J. A. DeLaine, now in Brooklyn, N. Y.

■

**A LOOK** at other changes around Summerton reveals that this optimism may not be simply wishful thinking.

Many Negroes who were fired lost the privilege of credit buying, to rent homes or work on sharecropping farms, report things different from even two years ago.

Whites had tossed economic pressures against all plaintiffs in the several court actions Negroes initiated, suspected NAACP members and members of their families and, here and there, also against a few other Negroes who had been too self-contained and independent in their business or work.

Two examples of the new frontier in Summerton are Smith's Grill and Oliver's Cafe.

**Both places, their proprietors were told, had been placed on "the list uptown" by Summerton whites and neither could be serviced by salesmen for any beer distillery, several soft-drink companies, confectionaire enterprises, bread, candy, and other companies.**

Smith's Grill was operated at the time by the late Robert Smith, who took his own life three years ago after he said whites "framed" him and were about to imprison him.

This week, his son, Abraham Smith, admitted to this reporter that several of the white salesmen who had been forced to pass Smith's Grill by under threat of losing all of their white customers, had returned with apologies and offers to trade again. Some he accepted; others, he'll never again do business with.

■

**THE STORY** is the same with Mrs. Mary Oliver Jones of Oliver's Cafe. Today, her busy place is well-stocked and salesmen call on regular rounds.

Some civic leaders credit the change of heart to the showing made by the Clarendon County Improvement Association, headed by Billie S. Fleming of Manning.

CCIA stepped in with crop and any other sound loan where banks and stores balked for racial reasons only. CCIA's loans were cheaper and easier, therefore more satisfactory and profitable.

■

**THERE WAS** some speculation that the U. S. Department of Justice's moves in Fayette and Haywood Counties, Tenn., may have "scared" white boycotters in this area, especially with a new Federal administration, suspected of seeing that Negroes get their rights and protection.

**A third point of explanation was this: "Summerton whites have lost considerable money by following behind the White Citizens Council. With money being short now, these whites realize more than ever the folly of losing good trade."**

William Ragin (not related to the dry cleaner) told The Courier of one white man who undertook to grind corn into grits or meal. Bowing to the Citizens Council, he had instructed his Negro aide to tack up a sign reading "No corn ground here for NAACP members."

■

**SCORES** of farmers arriving at the mill Saturday morning for their weekly grindings read the sign, turned around and gathered, one by one, some distance away, their unground corn in bags.

They sat talking, some trying to figure where to go. Meanwhile, the proprietor, who had been doing the biggest grinding business in the area, noted he

STATE PARK CLOSES

# State Park Closes To Bar Negroes

The News and Courier
P. 8-A
Sept. 17, 1961
Columbia, S.C.

COLUMBIA (AP) — Officials shut down Sesquicentennial State Park near here Friday when about 20 Negroes sought entry to the all-white park. No immediate decision was made on how long it would stay closed.

C. West Jacocks, state parks director, said "We will be pretty much guided by what the law enforcement people recommend."

Jacocks said he planned to meet with agents of the State Law Enforcement Division and Harry Walker, legal aide to Gov. Ernest F. Hollings.

The Rev. I. Dequincy Newman of Columbia, field secretary of the South Carolina branch of the National Association for the Advancement of Colored People, was among those seeking admission.

With Rev. Newman was the Rev. David Carter, also of Columbia. Rev. Carter has been active in integration demonstrations here.

Both Negro ministers took part in a civil rights rally held by the state NAACP here Thursday night.

The Negroes, travelling in three automobiles, were met by state police offficers and Marshall Holder, superintendent of the park. He told them it was closed to Negroes and whites alike.

Carter questioned Holder's right to close the park, saying he thought it took "an act of the legislature" to do so.

Several years ago the General Assembly passed an act closing down Edisto State Park in Charleston County. The legislative action was taken after Negroes had sought admission to the park. Edisto Park is still closed.

Jacocks said officers turned back a group of white women, members of a garden club, after the Negroes had appeared at Sesquicentennial.

Rev. Carter said "We will be back out there again."

He denounced police actions in turning him and the other Negroes away "because they wouldn't tell us why the park was closed and then demanded that we get back in our cars."

ATTY: THURGOOD MARSHALL
COLUMBIA, S.C. -STATE HOUSE MARCHERS

# Marshall to Handle S. C. Appeals

Pittsburgh Courier

COLUMBIA, S. C.—"Thurgood's coming back." Those words echoed over South Carolina as both Thurgood Marshall's beneficiaries as legal foes noted that his name has been added to the roster of attorneys handling the cases of 189 Negro youths convicted after they paraded around the South Carolina (State House) last March.

**The 189 are among more than 900 appeals in sit-ins, etc., the NAACP is handling. At the same time, CORE is estimated at handling more than 100 similar, but additional cases.**

Mr. Marshall, architect of the basic laws by which most Southern Negroes have won court battles for their rights, is highly respected and also feared by South Carolina whites.

Pittsburgh Post

**FOR ONE THING;** he's never lost a single court battle involving South Carolina, dating back to 1944 when the bustling state NAACP Conference made its initial pitch in the civil rights area.

**And, another thing; Thurgood has been critical of sit-ins and most demonstrations connection with them and the protests against segregation, contending that more "guinea pigs" than were necessary were being used.**

His belief was that, ir strictly legal approcahes, not more than two or three persons are necessary to establish a class-action cause. Beyond that number, those fighting the issue were superfluous and, pending court disposal, were at the best costing needless money in fines and other efforts.

His association in this case of the "State House Marchers" has suggested possible victory and involvement of a basic right to assembly and protest and, also a revitalization of the NAACP's future activities in South Carolina.

# Segregation-Integration Row Ending, Wannamaker Says

The News and Courier
Charleston, S.C.
6/28/61

An Orangeburg chemical executive expressed belief here yesterday, "that the 'segregation-integration controversy' is rapidly coming to a close."

D. DeElliott Wannamaker told the Charleston Sertoma Club yesterday he had planned a series of three talks on the race issue, but "the third talk. . .to include a thorough discussion of segregation, integration and the various other institutions so as to provide some assistance in our selection for the future. . will probably never be presented."

"Unfortunately, the controversy is rapidly coming to a close, and perhaps the answer will be forthcoming before the talk is prepared," he said. Dr. Wannamaker, a graduate of The Citadel and Cornell, traced the history of slavery in the United States and said subsequent institution of segregation was needed "as a framework in which the Negro race might receive further schooling, indoctrinating, and disciplining in the ways of our civilization in which they, one day, would become a conscious part."

"Had this social institution called segregation been anything other than provisional, had it been perpetuated with any idea of permanence, then by all our knowledge of truth it would be considered wrong," Dr. Wannamaker said.

Dr. Wannamaker then said "it is interesting to note that it was within the framework of slavery and segregation that they made the greatest strides of any race known to man."

He said that some of the great Negro leaders "recognized that social status in this country is not and should never be legislated — that social acceptance can only be purchased by comformity. . . But, he said, "we in the South have been rudely awakened and shocked by the irrevocable transfer of leadership from the ones we knew to the modern Pied Piper who flutes the tune of quick results."

Dr. Wannamaker called the two controversies which have affected the South—slavery and segregation—a "paralled. . .so striking. . . a better understanding of the parties in each controversy may provide a better solution in our current predicament." He charged that the persons who cry for equality and absolute freedome are repeats of "the radical reformer and . . abolitionist of the earlier era."

He attributed the conflict of philosophies during the 1800's and today to the controversies between the radical reformist churches and the conservative churches which were concentrated in the South. Dr. Wannamaker said the radicals' "process of equating slavery with sin made the two positions irreconcilable" and that the process is being repeated today.

"With the ever tightening noose of school integration by judicial decree—with the sit-in, kneel-in and wade-in, one cannot help but conclude that 'progress' is a non-directional term. . ." he said.

Dr. Wannamaker was introduced by Sertoman A. Edwards Tisdale, program chairman for the weekly luncheon

# Thurmond Says Talk Limit Would Mean Forced Mixing

The News + Courier
Charleston, S.C.

WASHINGTON (AP) — Sen. Strom Thurmond, D-S.C., said Sunday that legislation to force racial integration will be shoved through if the Senate restricts further its rules on debate.

Mon. 1-16-61

In a letter to constituents, the 1948 States Rights candidate for president said:

"Should the radicals win further restriction of debate and speech, the skids will be greased for an unrestrained majority to shove through the Senate legislation to force racial integration and many of the costly, unreasonable and socialistic schemes of the modern-day radicals."

A truce has been declared in the dispute over the Senate's rules on the length of time a debate may go. The fight is expected to be resumed later in the session.

Thurmond said he thinks his side in the dispute will be in a "stronger position to fight at that time since under present rules two thirds of the senators present and voting must vote to shut off debate on a rules change."

# Hodges Criticizes Racial Prejudice

Charleston, S.C.
Thurs. 4-27-61

By JOHN H. MOYE

COLUMBIA — Secretary of Commerce Luther H. Hodges urged South Carolina Democrats attending the Jefferson - Jackson Day fund raising dinner here Wednesday night to "look toward the long range interest of the nation" and bypass sectional interest and racial prejudice.

Sec. Hodges, speaking to an overflow crowd at the 20 dollar a plate affair, said however "I make it a rule never to criticize another state on how to run their business, especially their segregation business."

Sec. Hodges suggested that states handle their affairs so that "we can make progress and change without rancor or hate and let us not in a party or segment of a party play on the passions of minorities."

Sec. Hodges congratulated the South Carolina Democratic leaders — some 750 strong — for their work in putting South Carolina in the Democratic column in the presidential election last fall. Sec. Hodges admitted that he had worked for Lyndon B. Johnson's nomination by the party for president because he wanted to see a Southerner elected to the presidency. He said after John F. Kennedy got the nomination he volunteered to work "mainly for the same reason, to fight prejudice."

Sec. Hodges explained that he believed Northerners were prejudiced against the South in so far as the presidency was concerned and that non-Catholics felt the same way about a Catholic candidate. He said he believed that President Kennedy would have "annihilated" Nixon in the election instead of the narrow margin he got if it had not been for the religious issue.

Sec. Hodges lauded President Kennedy's first 100 days in office portraying him as a man of energy, movement, and decision "even if the decision is wrong." He said he believed that the people of the country "want their problems settled."

Sec. Hodges had some praise for Gov. Hollings and his achievements in the industrial development field in South Carolina. He said "I believe that the case of South Carolina and North Carolina we have achieved a measure of balance between agriculture and industry." He pointed out that South Carolina had increased its income 7 per cent in the last year against the national increase of 5 per cent.

Charleston S.C.

He said if the South was to continue going in the right direction "we need to continue the type of leadership we have now."

He told the South Carolina democrats they should set up a full time democratic organization with a full time director as is done in North Carolina. He urged "fellow democrats of South Carolina to align more closely with neighboring states and the entire nation to work for the common good.

"I don't see that it is inconsistent being a conservative and seeing the nation's need as a whole." He added that "we have strengthened Germany, Japan and Italy financially so that their industrial machine is greater than ours. We have go to think in terms of looking to the needs of our own people as well as the rest of the world."

# No New Bills Due On Segregation

The Atlanta Journal & Constitution

Atlanta, Ga

By S. L. LATIMER JR.
The Columbia State
Special to Atlanta Journal-Constitution

COLUMBIA, S.C., Feb. 4—Though there are signs of restlessness in the General Assembly, in view of developments in Georgia and elsewhere, the Gressette Committee, South Carolina's recognized watch-out against public school integration, has not suggested any changes in this state's status on segregation.

The committee met behind closed doors to consider "top secret tentative recommendations."

But the chairman, Sen. L. Marion Gressette, said his group did not feel "additional anti-integration" measures are needed at the moment. And generally what this committee says is the policy adopted.

However, the "tentative recommendations," the contents of which were not revealed, were referred to a subcommittee and the legal staff "for further consideration and analysis."

The committee said it would make a report to the General Assembly before the end of the present session.

* * *

**ASKED FOR** his views, Gov. E. F. Hollings said he didn't foresee "any school integration in South Carolina at any level."

**He feels South Carolina is on "sound legal ground to keep segregation education," but that recently enacted legislation in Georgia and Louisiana "has got to be studied carefully."**

He has no recommendations in this field for the General Assembly at present.

In the meantime, several bills aimed at strengthening the segregation laws, and criticizing efforts of Northern liberals, were introduced in the House of Representatives.

* * *

**REP. JOHN HART** of Union proposed a tuition plan.

Under his bill parents would get a state grant of about $200 a year per school child.

**The money would come from regular school funds, and would allow parents to choose a private school, or keep their children in the public school. Hart said he didn't want to wait for action until "Yankee liberals are breathing down our necks."**

Rep. Hall Yarborough of Orangeburg, and others, offered a bill to halt free schooling of children left behind by parents who migrate North, "leaving their off-spring to be educated at the expense of this state."

He would require tuition from such boys and girls. He said a number of Negro families are following the practice of leaving younger members of the family here.

* * *

**REP. A. W. BETHEA** of Dillon would create a permanent State Rights Committee to "tell the true story of the South."

**He suggests a budget of $100,000 and hopes other states would join in the movement.**

In both the House and Senate resolutions were offered lashing out at those who would "pack" the rules committee of the national House.

## BRIEFLY . . .

Robert S. Reese of Florence is the **new potentate of Omar Shrine Temple,** and Fitz Hugh Smith of Columbia, the new potentate of Hejaz. . . . Former Secretary of Agriculture Ezra Taft Benson **was a weekend visitor to Columbia** in his role as one of the 12 Apostles of the Morman Church. . . . A portrait of Jean Thurmond, wife **of Sen. Strom Thurmond, who** died last year, **has been presented by him to Winthrop College,** from which Mrs. Thurmond was graduated in 1947. It is in the student activities building.

Sen. John Long of Union **would scrap the South Carolina property tax assessment laws in favor of "a more realistic** tax on income." . . . The Editors: There has been much said recently about what the youth of today will be tomorrow.

It is true they are being told right from wrong. . . . They are told to trust in their Maker . . . conduct guided tours and answer questions from visitors. . . . Winthrop College, Rock Hill, **may change the name of Winthrop Training School,** its elementary and high school auxiliary across the street from the campus, where Winthrop girls for years have been given teacher classroom training. The reason is the word "training" now is associated generally with reformatories, etc.

Because nearly 2,500,000 pounds of soybeans from South Carolina has been seized in recent weeks due to suspicion of the presence of poisonous crotalaria, Sen. Olin Johnston **has launched an investigation** to find out why Southeastern farmers for 40 years have been encouraged to plant the legume. . . . **The new president of the S. C. Veterinary Medical Association** is Dr. R. E. Atkinson of Kingstree.

# Capital Radicals Blasted as Dixie Governors Elect Ellington

NASHVILLE, Tenn., Sept. 27 (AP). Moderates elected Gov. Buford Ellington of Tennessee chairman of the Southern Governors Conference today in a session highlighted by a militant segregationist's blast at "liberals and radicals" in Washington.

A showdown floor fight was averted when Gov. Orval E. Faubus of Arkansas, central figure in the Little Rock high school integration fight in 1957, persuaded backers to withdraw his name from nomination for the chairmanship.

The four-day annual convention then closed on a note of harmony when Ellington was elected by acclamation and Faubus accepted the vice chairmanship, carrying out the recommendations of a nominating committee headed by Gov. J. Lindsay Almond of Virginia.

Faubus had been nominated from the floor by Gov. Jimmie H. Davis of Louisiana and seconded by Gov. John Patterson of Alabama.

**Stand Up and Fight**

Militant segregationist Gov. Ross R. Barnett of Mississippi previously broke the calm of an otherwise routine session on highway programs with a fiery demand for Southern governors to "stand up and fight" to banish the "liberals and radicals" from their posts of "all-powerful central rule in Washington."

Barnett said the "liberal and radical elements" must be shown that the conservatives will not compromise and "join them in their headlong dash to oblivion."

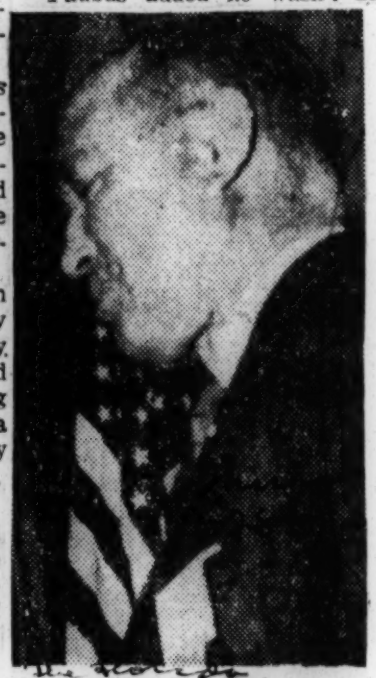
"They have sought to fool the people by stirring up the radical issue and using that as a camouflage for their greedy desires," he declared.

Barnett called for conservative forces to work tirelessly to restore "sanity to government" to save the people he said are beginning to "feel the bruises on their bodies caused by the wild doings of the liberals."

It was Faubus himself, chairmaning the highway discussion, who softened the impact of Barnett's speech when the Mississippi governor sat down.

"Thank you," he told Barnett, as a ripple of laughter flowed over the meeting, "for your comments on road building in Mississippi."

Faubus added he wasn't sure



Wirephoto

**Gov. Buford Ellington**

whether Barnett's talk came under the heading of "free and unlimited or controlled access highways," but said it was "a courageous exposition of your philosophy at the only opportunity afforded you at this conference."

Up until today, leaders of the conference, headed by Gov. Price Daniel of Texas, the retiring chairman, had been able to soft pedal issues like states' rights and segregation, neither of which was on the official agenda. And the critical international situation has provided the background for much of the governors' discussions.

When the nominating committee, made up of Almond and Govs. Farris Bryant of Florida and Ernest F. Hollings of South Carolina, recommended the election of Ellington, with Faubus as vice chairman, Davis put Faubus's name in competition for the top post.

Davis said he knew of few men with "as much courage and intestinal fortitude" as the four-term governor of Arkansas and said "no man has more endeared himself to his people."

Patterson, in seconding Faubus's nomination, commented that the Arkansas governor had served more terms than any governor at the conference.

**Competition Unwanted**

But Faubus, in persuading him to withdraw his name, said the Southern governors "must not allow this conference to become an arena of competition."

Previously, both Daniel and Almond had branded as false a published report that "Washington" was opposed to the election of Faubus. Faubus said he did not believe the report was true, and that "I certainly hope it is not."

It was Davis, who while he said he felt strongly about the issue, moved that Ellington be elected by acclamation.

The conference accepted an invitation from Bryant to meet in Florida next year at a date and city to be determined.

Resolutions adopted unanimously by the governors were topped by demands for the protection of Southern domestic industries from foreign imports.

The Office of Emergency Planning was asked to expedite a decision on the textile industry's appeal for a ruling that imports of textile products "are impairing the national security."

## Dixie Governors To Meet Today

### Vice President Will Speak During 4-Day Meeting In Nashville

From The Commercial Appeal Nashville Bureau

NASHVILLE, Sept. 23.—Southern governors began arriving here Saturday for a four-day conference on a variety of problems common to them all, from law enforcement to highway construction and finance.

Chief executives from 15 states will hold the 27th annual meeting of the Southern Governors Conference, which opens Sunday.

Among main features will be an address Monday night by Vice President Lyndon Johnson.

High on Monday's program is a meeting of the Southern Regional Education Board. Reports are the board may recommend a commission on adult education be established and a study on development of state science and research centers.

Four governors interested in the Southern unity movement are expected to huddle for a discussion in that field. They are Ross Barnett of Mississippi, John Patterson of Alabama, Orval Faubus of Arkansas and Ernest Hollings of South Carolina.

Speculation is that Buford Ellington of Tennessee will be named conference chairman to succeed Gov. Price Daniel of Texas.

## Dixie Governors Choose Ellington As Faubus Bows

### Floor Fight At Conference Is Averted By Arkansas Chief's Withdrawal

By WILLIAM BENNETT

From The Commercial Appeal Nashville Bureau

NASHVILLE, Sept. 27.—Gov. Buford Ellington was named chairman of the Southern Governors Conference Wednesday after a floor fight, which for a moment appeared inevitable, was short-circuited by Arkansas Gov. Orval Faubus.

The Arkansas chief executive, some felt, might have been able to command enough strength to win over Governor Ellington if the selection of a chairman had been allowed to reach a showdown.

And it was said, too, that Governor Ellington might have asked that his name be withdrawn if the movement in favor of Governor Faubus had gained steam.

**Asked To Withdraw**

As it was, Governor Faubus—after his floor nomination by Louisiana Gov. Jimmy Davis which was seconded by Alabama Gov. John Patterson—asked that his name be withdrawn to keep the conference from being "an arena of competition."

After that, the governors voted unanimously to accept the decision of the conference nominating committee and elect Governor Ellington chairman and Governor Faubus co-chairman.

Governor Ellington, who succeeds Texas Gov. Price Daniel as conference leader, accepted his new role of leadership with a pledge to work closely with his fellow governors on problems common to them all.

Gov. Lindsay Almond of Virginia, chairman of the nominating committee, strongly resented published suggestions that the Kennedy Administration had indicated any governor would be acceptable as chairman except Governor Faubus. He said no outside influence whatever was exerted on the nominating committee.

**Faubus Comments**

Governor Faubus, in asking that his name be withdrawn from nomination, also mentioned the outside influence reports and said he thought Washington would have the "good judgment" to find acceptable anyone selected by the conference.

In nominating Governor Faubus, Governor Davis said he didn't "know many men in the United States who have as much courage" as the Arkansas chief.

The Southern governors closed their four-day meeting here shortly after agreeing to hold next year's conference at a city in Florida to be chosen later.

(Additional Stories on Page 8)

PULLING TOGETHER — Gov. Buford Ellington (left) of Tennessee was named chairman of the Southern Governors Conference yesterday after a floor fight was averted by withdrawal as a candidate by Gov. Orval Faubus (center) of Arkansas. Governor Faubus became vice chairman. Retiring chairman is Gov. Price Daniel of Texas (right).

—UPI Telephoto

# Southern Governors Deny Leadership to Faubus

## Move to Name Him Chairman Is Blocked by Moderates

By CLAUDE SITTON

Special to The New York Times.

NASHVILLE, Tenn., Sept. 27 —Moderates at the Southern Governors Conference blocked a move today to name Gov. Orval E. Faubus of Arkansas as chairman.

They were supported by Governor Faubus himself. Apparently he realized that he could not win and wanted to avert the Conference disunity, and the political embarrassment to his colleagues, that could have resulted from a showdown.

The post went to Tennessee's Gov. Buford Ellington, the nominating committee's choice, but only after a floor fight by the Deep South pro-Faubus bloc.

Mr. Faubus was chosen to succeed Gov. S. Ernest Vandiver of Georgia as vice chairman. Mr. Vandiver had been regarded as a candidate for the chairmanship. He reportedly stepped aside to clear the way for the compromise.

### White House Role Denied

Governors Price Daniel of Texas, the outgoing chairman, and J. Lindsay Almond Jr. of Virginia, who headed the nominating committee, denied that the Kennedy Administration had sought to influence the choice.

Governor Almond asserted that no suggestion had come "covertly, overtly or otherwise" from any "outside influences."

There were published reports that a message had been relayed from Washington that anyone but Mr. Faubus would be acceptable to the Administration.

Mr. Faubus had been passed over three times before for the chairmanship, which usually goes to the senior Governor. This was attributed to his controversial role in the Little Rock school desegregation dispute. He fought unsuccessfully against integration.

Mr. Faubus was said to want the chairmanship as a matter of vindication. Nevertheless, he cooperated with the moderates in a series of political maneuvers that preceded the closing session of the three-day conference at the Hermitage Hotel.

### Davis Backs Faubus

These moves set the stage for the events that followed after Governor Almond presented a report nominating Governor Ellington as chairman and Mr. Faubus as vice chairman.

Gov. Jimmie H. Davis of Louisiana was then given the floor. He pointed out that Mr. Faubus was the senior member of the conference and asked that the order in which the two had been nominated be reversed. Gov. John Patterson of Alabama seconded the Faubus nomination.

Governor Faubus asked immediately that his name be withdrawn from consideration. "I do not think it wise at this time to allow our conference to become an arena of political competition," he said.

After Mr. Ellington had been chosen by acclamation, one Governor commented, with obvious relief, "To make an omelet you've got to break some eggs. It was the only way to come out of it alive."

Gov. Orval E. Faubus

### Textile Quotas Urged

In a series of resolutions, the Governors, for the second year, urged that the executive and legislative branches of the Federal Government establish import quotas for textiles and other products.

Another resolution called for stepped-up vocational training and increased efforts to provide adequate financing for construction of new industry. But a precautionary not was sounded in this area.

The Governors suggested that the Southern states "cease 'shooting with a shotgun' to bag any and all enterprises" and, instead, "use the 'rifle approach' in order to interest industries paying high wages."

## Johnson warns Soviets—

Birmingham News

# Dixie governors back JFK's pronouncements

BY GAVIN SCOTT

NASHVILLE, Tenn., Sept. 26— Southern governors put aside sectional problems today and stood united behind the Kennedy administration's promise to work for peace but never surrender to blackmail.

Vice President Lyndon B. Johnson, substitute at the Southern Governors Conference last night for President Kennedy, warned the Soviets not to misjudge the character and strength of this nation, lest the world be pushed into nuclear war.

"We seek peace but we shun appeasement because we have learned appeaseemnt is surrender on the installment plan and the signal for ultimate war," the vice president said.

JOHNSON SPOKE slowly and at times rather grimly. He drew his biggest applause from the 17 governors present when he declared the U. S.Z would never desert West Berlin or Nationalist China.

He joined the governors in praising the President's speech yesterday to the United Nations in which Kennedy told the world the U. S. has both the will and the weapons to defend the free world.

**"We challenge no one," Johnson told the governors at a black tie state dinner. ". . . The path of reason, of diplomacy, of negotiation, of honorable settlement is open. We want to take it."**

The governors applauded again when Johnson added:

"The quiet, enduring, patient, invincible strength of demoracy is ready. It will never be used except in a just cause, and in such a cause it can never be broken or defeated by any Communist dictatorship."

THE VICE PRESIDENT said the difference between Soviet and American policies are fundamental and profound.

"The Soviet Union seems to talk of negotiations solely as a form of certifying the gains already won in Berlin and East Germany and registering new gains," he said. "The United States wants only genuine negotaitions which will protect the vital interests of all concerned.

"False negotiations are a waste of time."

**The governors interrupted the first business session of their annual meeting to listen with solemn approval to the president's televised address to the U.N. After the talk, they stood as one man to give a ringing, unanimous endorsement.**

Orval Faubus of Arkansas, was adopted in which Kennedy's speech was termed "a magnificant address."

Gov. Wesley Powell, New Hampshire Republican, called Kennedy's address "one of the great documents of history and the utterance of one of the great leaders of the world." Powell is attending the conference, which ends tomorrow, as chairman of the National Governors Conference.

IMMEDIATELY following his speech, the vice president left by plane for Texas to meet today with that state's county judges. He said he would leave Thursday for Sweden to attend the funeral of the late Dag Hammarskjold.

Today's session of the 27th annual meeting of Southern gover-

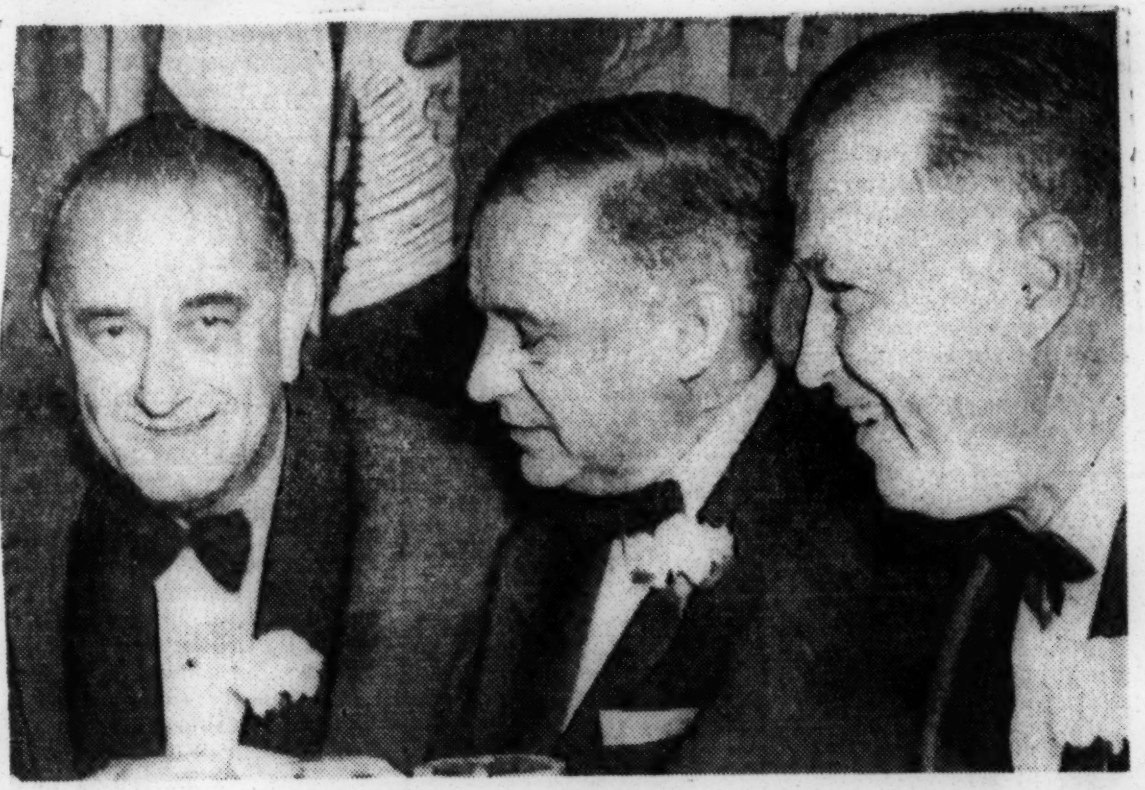
A resolution, submitted by Gov. Lindsay Almond of Virginia and nors was devoted to law enforcement, highway safety and industrial development.

Gov. J. Howard Edmondson of Oklahoma made the report of the conference committee on highway safety of which he is chairman. Boiled down, the report urges the Southern states to work harder for gretaer uniformity in highway rules, regulations and safety requirements.

The report said the construction of the high speed, interstate superhighway system makes it imperative that the drive toward uniformity be pushed.

**The goal to be sought, Edmondson's report added, is "that of facilitating the maximum flow of traffic among and between our states, with minimum intereference attributable to unnecessary departure from reasonable limitations and adjustments."**

Integrationist demonstrators, including one white youth, picketed the conference yesterday. They carried signs which read "Are the Southern states part of the United States?" "Gov. Barnett, release freedom riders," and "Gov. Patterson, why support mob action?" Ross Barnett of Mississippi and John Patterson of Alabama were among the chief executives attending the conference.



Associated Press wirephoto

**SOUTHERNERS CHAT AT CONFERENCE**
**. . Vice President Johnson, Texas Gov. Price Daniel, center, and Tennessee's Buford Ellington, right, talk**

# Ticket Fixing Discussed by Southern Governors

The Times-Picayune
P. 20

## Executives Steer Around Racial Issue

By W. F. MINOR
(Times-Picayune Staff Correspondent)

NASHVILLE, Tenn. — Southern governors talked about topics ranging from ticket fixing to industrialization here Tuesday as they continued to steer around the racial issue.

Wed. 2-27-57

**Several governors chimed in to give testimonials against gubernatorial traffic ticket-fixing during a discussion on highway safety programs.**

Gov. Jimmie Davis of Louisiana, attending his first business session, got the discussion going when he asked Gov. Elbert N. Carvel of Delaware if "You have any ticket fixing in your state."

Carvel, who had just told of reducing traffic fatalities 40 per cent in his state, declared: "I haven't fixed one ticket, and I don't know of any being fixed."

### FAUBUS SPEAKS

Gov. Orval Faubus of Arkansas, speaking out strongly against intervention by governors in traffic violations, said: "I've never personally fixed a ticket in seven years I've been in office. The worst thing you can do is let a highway patrolman go out and risk his life and then not back him up. It has a demoralizing effect."

Faubus said, "You are always going to find people who think they have special privileges because they are close to the administration. They have had no comfort from me."

Also speaking against fixing tickets by governors, Gov. Lindsey Almond of Virginia, charged, "No person has a right to operate a motor vehicle on the highways of a sovereign state. It is a privilege which a state may condition."

Gov. Price Daniel of Texas, commended the work of his state police in giving Texas a high rating in traffic safety.

**Credit for reducing the traffic fatality score in Mississippi this year was given by Gov. Ross Barnett to the head of the state's highway patrol, Col. T. B. Birdson. Barnett added that the number of highway patrolmen in Mississippi has not been increased since 1950.**

Gov. Howard Edmonson of Oklahoma, who presided over the traffic safety discussions, observed: "Where we find centralization toward Washington, we find often that it is the failure of the state to move with imagination into an area where we have responsibilities."

The conference was told by Gov. Ernest Vandiver of Georgia that the region has begun—but certainly not completed—the challenging task of diversifying the economy on which we depend and by which we grow."

### 'MORE SELECTIVE'

Vandiver, head of the committee on industrial development, called on each governor to be "more selective" in the types of industries being established.

State and local agencies working in vocational education, he said, must be encouraged to adopt a wider outlook on future job opportunities.

Vandiver said Southern state governments are becoming concerned over the "unrelenting federal encroachment of states' rights in the field of water — its uses and its conservation."

He said his committee urged caution on the administration bills to establish a water resources council, river basin water resource commissions, and grants for water resources planning.

**"Specifically, the committee is concerned over a provision which would let the President create a river basin commission for any region upon request of only one governor of that region," he said. "We feel a majority of the governors of the affected states must make the request."**

Wayland L. Speer, assistant to the commissioner of the Federal Bureau of Narcotics, told the conference that the Daniel-Boggs narcotic control act of 1956 has been an effective weapon against unlawful narcotic sellers.

The mandatory penalities for sale offenses with no probation, no suspended sentence and no parole have proved prohibitive," he said. "No longer is there profit in the unlawful sale of narcotics.

"This is particularly true in those jurisdictions in which the courts have moved from the minimum mandatory penalities toward the maximum confiment possible under the statue."

He said that some groups over the nation have launched a concerted drive to repeal the Daniel-Boggs act "lashing it as being too ferocious and placing emphases on federal government presecution of the drug addict."

Speer said the act to the contrary "attacks the trafficker with this legislation and turns the unfortunate addict who does not peddle drugs to local authorities."

38a 1961

SOUTHERN GOVERNORS CONFERENCE

# NAACP Asks Governors To End Segregation

NASHVILLE, Tenn., Sept. 24 (UPI)—Negro leaders called on delegates to the 27th annual Southern Governors' Conference today to lift the Southern economy by eliminating racial barriers in education, employment, voting and politics.

The local chapter of the National Association for the Advancement of Colored People (NAACP) delivered its appeal to Gov. Price Daniel of Texas, chairman of the Southern Governor's Conference, and sent a copy to Vice President Lyndon B. Johnson, who will be the main speaker Monday night. Early arrivals among the 16 chief executives of Southern and border states declined any immediate comment.

Daniel, who said he has not seen the NAACP statement, told a news conference that "civil rights, as far as I am concerned, is not on the program."

The formal business of the conference does not begin until tomorrow. It was preceded by a reception tonight at the residence of Tennessee Gov. Buford Ellington.

The conference traditionally avoids matters of controversy and limits its discussions to such items as law enforcement, highways, nuclear energy and industrial development.

The NAACP appeal was tied directly to the question of industrial development, a question dear to the heart of all Dixie governors who consider new industry the answer to Southern economic problems.

"It is a fact that good race relations is good business, and the removal of racial barriers in such areas as education and employment will pay significant dividends to the economy of the South and the nation by creating more manpower potential which is so vitally needed," the NAACP statement said. "This, at the same time, would help eliminate poverty and the burden of low income dependents, such having been characteristics of the South for too long."

**Plans Meeting**

Gov. Ernest F. Hollings of South Carolina declined comment on the NAACP statement, but said he "definitely" plans to meet informally with Barnett and Govs. Orval Faubus of Arkansas and John Patterson of Alabama to discuss plans for Southern Unity.

Patterson plans to call a Unity meeting at Montgomery, Ala., sometime next month.

Early arrivals at the conference included New Hampshire Gov. Wesley Powell, chairman of the National Governors' Conference, who was invited to the Southern conclave to "be advised of the region's problems." Powell said, however, he did not consider Southern economic problems unique and pointed to the fact that New Hampshire only recently has enacted an anti-discrimination law for the first time in its history.

# Governor's Meet To Eye Adult Education Question

NASHVILLE, Tenn. (AP) — Southern Governors will be asked at their annual meeting here next week to take steps to improve adult education in their home states.

Dr. Winfred L. Godwin, director of the Southern Regional Education Board (SREB), said Saturday he will propose to the governors that they establish a regional commission on adult education. This agency would offer advice to states on how best to improve their programs, he said.

"We are approaching the time when we may have to establish general extension services for urban areas," Godwin added, similar to those provided rural areas through the agricultural extension service.

Godwin will make his report Monday to the SREB, which is meeting in conjunction with its parent organization, the Southern Governors' Conference.

The 27th annual Southern Governors' Conference opens with a reception given by Tennessee Gov. Buford Ellington Sunday night. During the three days that follow the 15 member governors will talk shop at informal gatherings, exchange ideas on common problems at official sessions and discuss politics the rest of the time.

Traditionally, items that might stir up a controversy are not brought up. Instead the governors will discuss such subjects as education, highways, law enforcement, industrial development, atomic energy and freight rates.

**"STATE DINNER"**

Vice President Lyndon B. Johnson will address the governors and their wives at the "state dinner" Monday night.

There probably will be a good deal of backstage maneuvering over selection of a conference chairman to succeed Gov. Price Daniel of Texas Reportedly either Ellington, as host, or Georgia Gov. Ernest Vandiver, the conference vice chairman, will get the job.

Godwin said the adult education commission he will recommend to SREB would advise state institutions on coordination and improvement of adult education. The southern states, he continued, must coordinate more carefully their plans for extension programs, evening colleges and televised instruction.

He said he also will report to the SREB that over 900 students attended colleges outside their home states under the board's contract program. The cost of this program for the year was $1,469,692, he said.

Ellington, retiring SREB Chairman, said he will ask the board to recommend that a special conference be held later this year for the purpose of making public the report of the Commission on Goals for Higher Education in the South.

The commission was created by SREB last year to study and recommend long-range goals for educational development in the south. Its chairman, former Virginia Gov. Colgate W. Darden Jr., will address the SREB meeting Monday.

Two meetings are scheduled for Sunday afternoon ahead of the formal start of the conference. The first will be briefing session of the Conference of Appalachian Governors.

This group, formed at Lexington, Ky., last year to study the economic ills common to the mountain region, is headed by Gov. Bert Combs of Kentucky. The group plans a business session Wednesday.

The regional advisory council on nuclear energy, headed by Gov. Ernest Hollins of South Carolina, also meets Sunday afternoon.

Fifteen southern governors, all Democrats, are expected to attend the conference. They represent Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Mississippi, North and South Carolina, Oklahoma, Tennessee, Texas, Virginia and West Virginia.

Gov. Millard Tawes of Maryland, another conference member, will not be present because of illness in his family. Also to be present as guests will be Govs. Wesley Powell of New Hampshire and John M. Dalton of Missouri. Powell is chairman of the National Governors' Conference.

# Gov. Faubus Bypassed by Dixie Group

NASHVILLE, Tenn. — Moderates at the Southern Governors Conference this week by-passed Governor Orval E. Faubus of Arkansas as chairman, and named instead Tennessee's Gov. Buford Ellington.

As senior Governor of the conference, the chairmanship normally should have gone to Faubus. He was by-passed, however, only after a stiff floor fight by the Deep South pro-Faubus bloc. He had been passed over three times.

■

• **CONFERENCE LEADERS** denied that Faubus was put aside due to an Administration hint that his choice would be embarrassing because of his role in the Little Rock school desegregation rumpus of several years ago.

**Faubus did step aside following his nomination, and the controversy, for sake of unity in the conference held at the Hermitage Hotel. He said to have wanted the chairmanship as a matter of "vindication."**

Faubus was chosen to succeed Georgia's Gov. S. Ernest Vandiver as vice chairman of the body. He was strongly backed as chairman by Louisiana's Gov. Jimmie H. Davis.

# Governors Give Rights Back Seat

NASHVILLE, Tenn. (AP)—The international crisis relegated civil rights controversies into the background Sunday night as chief executives from 15 states assembled here for a four - day Southern governor's conference.

Gov. Price Daniel of Texas, the chairman, outlined a program in which civil defense, including fallout shelters, was an eleventh hour addition, and pointed out that civil rights has no place on the official agenda for the 27th annual conference.

Both he and Gov. Buford Ellington of Tennessee, the conference host, said it should not be brought up at all.

High on the program is the growing worry in the South over inroads of foreign imports or oil, textiles and other Southern manufactured goods.

Daniel told a news conference he thinks Southern governors will support an extension of the reciprocal trades agreement program, due to expire next June, if it puts limits on "excessive imports which endanger the domestic economy."

"There should be some restrictions on any foreign imports that supplants rather than supplements our industries," he declared.

Daniel, like Ellington who met with newsmen earlier, showed little disposition even to discuss civil rights, which, while never on an official agenda of the conferences, frequently has overshadowed official conference business in past years.

"I know of no emotional problems that are in the wind," he declared.

Ellington said that on race relations, "We are moving faster toward solutions" than any of the northern and eastern states.

Vice President Lyndon Johnson will deliver an address at the governors' state dinner Monday night.

Daniel wouldn't comment on President Kennedy's nomination [illegible]od Marshall, Negro in[illegible]t leader, to the U.S. [illegible]it Court of Appeals in [illegible]

[illegible]lington said that he is [illegible] a position to tell the [illegible] what he can do and what he can't do.

Nor would Gov. Ernest F. Hollings of South Carolina comment when asked for his reaction.

**NEED QUICK ACTION**

Both Daniel and Ellington stressed the importance of moving as fast as the South can to meet the needs of civil defense.

Daniel announced that Thomas Goodman, regional director of the new office for emergency planning, will be here Monday to answer questions on mass evacuations, fallout shelters and other precautions.

The Texas governor said the experience of his own state with Hurricane Carla "demonstrated what can be done with elaborate plans are made for mass evacuation."

Daniel said the program, in addition to civil defense and foreign imports, would lay heavy emphasis on cooperative plans for the application of peaceful uses of atomic energy to the expanding Southern industry, higher education, highway improvement and allegedly discriminatory freight rates.

**INFORMAL TALKS**

As for civil rights, he said, "I wouldn't have the subject mentioned, insofar as I'm concerned."

Meanwhile, Hollings said he would get together informally with interested governors from a number of other Southern states for further discussions of a campaign originated in Jackson, Miss., last July to strenghthen their states rights stands in the wake of moves against their segregated social patterns.

Attending the Jackson meeting were Hollings, Govs. Ross Barnett of Mississippi, John Patterson of Alabama and Orval Faubus of Arkansas and representatives of governors of a number of other states.

## SECTIONAL WOES FORGOTTEN

# Dixie Governors Rally Behind Kennedy Stands

NASHVILLE, Tenn. (AP)—Sectional problems were temporarily forgotten Monday as the Southern governors conference rallied behind President Kennedy in an unanimous demonstration of support in an hour of crisis.

The governors recessed their business meeting to listen with solemn approval to the President's televised address to the United Nations. Then, in an impressive display of national unity the governors stood as one man to give it a ringing, unanimous endorsement.

They acted on a resolution submitted from the floor from Govs. Lindsay Almond of Virginia and Orval Faubus of Arkansas congratulating Kennedy for "a magnificent address" and "unanimously expressing our support" for its peaceful aims.

Gov. Wesley Powell, New Hampshire Republican, the visiting chairman of the National Governors' Conference, speaking later, called Kennedy's message "one of the great documents of history and the utterance of one of the great leaders of the world."

**GREAT COUNTDOWN**

Even before the President spoke, Gov. Buford Ellington of Tennessee, the conference host welcoming the delegates to the 17-state conference—Missouri was admitted Monday—said that in these "moments of the great countdown" the problems of the South "jump far beyond the boundary lines of our states."

He said the countdown in New York "will determine the future power and influence of the United Nations."

Gov. Price Daniel of Texas, the conference chairman, also emphasized the "world tension," and called for a stepped-up program of civil defense, including preparations for fallout shelters and mass evacuations. The conference heard Thomas Goodman, regional director of the new Office of Emergency Planning, tell of the government's civil defense planning.

Monday, Gov. Ross Barnett of Mississippi, a strong advocate of segregation, spent most of his news conference telling of his state's efforts to attract outside industries.

Under questioning, he told reporters he felt "more strongly than ever" that governors of similar turn of mind should pursue their "Southern unity" movement initiated at Jackson, Miss. last July.

But he stressed that this movement was not being interjected into the conference discussion and will await further meeting in Alabama this fall and in South Carolina later.

The business session Monday placed emphasis on an expanding program for higher education in the South under a regional compact which has been in existence for more than a decade.

# Two Governors See No Need For 'Unity'

NASHVILLE, Sept. 24 (UPI)—Two leaders in the Southern Governors Conference indicated today they see no need for a "Southern Unity" group proposed by Mississippi Gov. Ross Barnett.

Gov. Price Daniel of Texas, conference chairman, shrugged off all civil rights questions at a news conference with a curt "no comment." Daniel said he thought the present conference structure is the best way of advancing the progress of each Southern state.

The host governor, Buford Ellington of Tennessee, said he felt that all of the problems of the South that could be solved best be "solved within the conference."

Barnett, South Carolina Gov. Fritz Hollings, Alabama Gov. John Patterson, Arkansas Gov. Orval Faubus, and Louisiana Gov. Jimmie Davis plan to meet informally during the conference to discuss Barnett's Unity proposal. A full-scale meeting on the Unity theme is expected next month at Montgomery, Ala.

Both Daniel and Ellington had no comment on President Kennedy's appointment of Negro leader Thurgood Marshall to the Second U. S. Circuit Court of Appeals.

He said he thought the conference would adopt a strong resolution calling for a limitation on imports which "put the domestic economy in danger." He said he thought oil imports would be added to a list of imports in a similar resolution adopted last year which mentioned chiefly textiles and shrimp.

"We should not do anything to prejudice our dealings with other countries, but we should not let it get out of control," Daniel said.

Ellington said he thought the South was making more progress than some other sections of the country in solving civil rights problems, and both Daniel and Ellington said they do not believe the new Interstate Commerce Commission ruling against segregated bus facilities will have any effect in their states.

# Patterson Takes Kennedys On Painful Ride Over Coals

From The Commercial Appeal Nashville Bureau

NASHVILLE, Sept. 25.—Alabama Gov. John Patterson raked the Kennedy Administration painfully over the coals here Monday and accused the President's brother of actively aiding so-called "freedom riders" in their Southern travels.

He said that, chiefly because of Federal interference in civil rights matters in his state, President Kennedy "would have a very difficult time carrying Alabama" if he were running again.

Not long after the Alabama executive made his comments, a group of Negroes displeased by the treatment of protest riders began picketing the Hermitage Hotel, headquarters of the Southern Governors Conference.

Governor Patterson told newsmen there is evidence Atty. Gen. Robert Kennedy helped plan protest riders' routes and arranged transportation for them in their demonstrations.

**'Sued Once A Week'**

Getting down to some of the reasons why he feels President Kennedy has lost strength in Alabama, Governor Patterson said his state is "being sued about once a week" by Robert Kennedy.

Additionally, he said, agents of the Federal Bureau of Investigation have been "spying and snooping" there and violating the constitutional rights of citizens.

He said the Justice Department in filing a multitude of civil rights suits in the South is trying to "knock off our states" one at a time.

The Kennedy Administration during the past six months has done more to hurt race relations than in any other similar period in his lifetime, he declared.

Governor Patterson indicated the President spends much of his time with foreign affairs and mostly blamed close Kennedy advisers for civil rights trouble in the South, saying they "are not giving him sound advice" on domestic matters.

**Bus Owners 'Won't Integrate'**

The Interstate Commerce Commission's order last week that racial segregation in interstate bus travel be ended was, according to Governor Patterson, politically inspired and unnecessary and will lead to "serious consequences."

Pointing out that bus terminals generally are owned and operated by private individuals, the Governor said that in Alabama, at least, those owners "won't, I'm certain, under any circumstances operate integrated facilities."

The ICC order, he added, may lead to bus lines having to take on and discharge passengers 'out on the highway under the trees."

He defended the "Southern unity" movement begun at Jackson, Miss., last summer and said he felt it was a sound idea for chief executives to meet and exchange ideas and plan co-operative action on matters peculiar to the South.

Litigation in connection with civil rights is one area where such co-operation is called for, he said.

Less than two hours after the Governor answered reporters' questions, nine Negro college students began picketing the hotel in what they termed a "poster walk."

**Urge Release of Prisoners**

Among the posters they carried were those saying, "Southern Governors, what God do you serve?" and "Governor Barnett, the ICC rules against segregation. Will you?"

The picketing group said in prepared statements they were urging the release of persons who now are serving prison terms because of their protest ride and sit-in activities.

They asked the conference leaders to consider putting the matter of integration on their formal agenda and again called on Gov. Buford Ellington to help reinstate 14 Negro students who were dismissed from Tennessee A & I University because of their convictions in connections with protest riding at Jackson, Miss.

PRO-KENNEDY—Among the chief executives attending the Southern Governors Conference yesterday in Nashville were (from left) Governors J. Lindsay Almond of Virginia, Bert Combs of Kentucky, Ross Barnett of Mississippi and Orval Faubus of Arkansas. After listening to President Kennedy's televised speech to the United Nations, Governors Almond and Faubus offered a resolution, passed unanimously, expressing the governors' support of Kennedy.

SMILING QUARTET—Mississippi Gov. Ross Barnett and Mrs. Barnett (left) were greeted yesterday by Gov. and Mrs. Buford Ellington of Tennessee. Governor Ellington is host governor for the Nashville meeting. —UPI Telephot

# South's 'Unity Governors' Run Into Stone Wall at Conference

The News and Observer P-1 Raleigh N.C.

Mon, 9-25-61

By RAY PARKER JR.

NASHVILLE, Tenn. — A small band of deep south governors bent on turning the Southern Governors Conference into a sounding board for State's Rights Extremism found themselves in a familiar posture as the three-day gathering got under way.

They were boxed in before they started, as the conference opened here Sunday afternoon.

Mississippi Gov. Ross Barnett had sounded the call for a new grouping of chief executives based on "southern unity." He called a meeting in late July to form the organization. Govs. Ernest Hollings of South Carolina, John Patterson of Alabama, and Orval Faubus of Arkansas turned out for the meeting in Jackon, Miss.

They vowed to carry their fight to this 16-state gathering.

But as the governors gathered, the "Unity Governors" ran against a stone wall of opposition from the moderates who have controlled the Southern Governors Conference since its inception.

Gov. Buford Ellington of Tennessee, the host governor, told a press conference he hadn't been party to the Barnett thinking and said he thought "we can work out any problems we have in this conference."

Asked if he wasn't for "southern unity," Ellington said: "Not that kind of unity."

To emphasize that this conference, made up completely of Democratic chief executives, is not interested in any "unity" movement that would split the party, Ellington was instrumental in getting Vice President Lyndon Johnson to be the main speaker. Johnson will speak Monday night at the big state dinner.

Gov. Price Daniel of Texas, chairman of this year's conference, said he didn't know anything about Barnett's plans, and said he didn't think there was "any room" on the busy conference schedule for talk about civil rights.

Govs. Hollings and Faubus both indicated in press conferences they didn't intend to make the "unity" question an issue at the conference.

Hollings said he would talk informally with other governors but would not join in any strictly southern grouping.

Faubus said he had no further indications of "unity" plans other than the board discussions at Jackson.

Barnett did not arrive for the conference until later in the evening, and was not available for comment about his plans for pushing his "unity" ideas.

Gov. Hollins told reporters he would meet with the Mississippian for "informal talks."

But so far, the only concrete move planned by any member of the group was literary.

Hollings announced he was going to distribute especially-bound copies of a political speech by famous South Carolinian John C. Calhoun, the 19th century philosopher of southern conservatism.

The Calhoun speech advocates the long-outmoded theory of the "concurrent majority," a political philosophy which claims the states are supreme in American government.

Hollings has already pulled back some from full support of Barnett's idea for a strictly southern grouping of conservatives. The young South Carolina chief executive has issued a call for a national organization of governors who "have the conservative philosophy."

With the State's Rights issue laid in the shade—as it always has been in the past—the governors prepared to turn to a program packed with discussions of bread and butter issues.

Education, foreign imports, highways, industrial development, law enforcement, and civil defense are on the agenda.

Gov. Terry Sanford led the North Carolina delegation to the conference, arriving early in the evening with Mrs. Sanford, House Speaker and Mrs. Joe Hunt, and Democratic party Chairman Bert Bennett Jr. and Mrs. Bennett.

Also in the Tar Heel party are several gubernatorial aides, including assistant to the governor Hugh Cannon, press secretary Graham Jones, Highway Patrol Lt. Lloyd Burchette, economic development assistant George Stephens Jr., and Dr. George Simpson, UNC sociologist who is Sanford's representative on the staff of the Appalachian Governors Conference.

**Terry To Asheville.**

Sanford takes off from the conference today to fly to Asheville to attend the 50th anniversary celebration of the National Parks Forests System.

He will attend the Appalachian Governors meeting Wednesday afternoon as soon as the southern group ends its work, and fly to Chattanooga to speak at an educational rally Wednesday night.

Sanford is on the program Tuesday, taking part in a roundtable discussion of law enforcement.

# Dixie Governors Shun Mix Issue

Jackson Daily News

Mon, 9-25-61

P. 1

NASHVILLE, Tenn. (AP) —A threat to push the states rights-segregation issue to the forefront of the southern governors' conference collapsed today as the chief executives of 15 states stuck to less controversial topics.

The moderates, led by conference chairman Price Daniel of Texas, said the subject of civil rights ought not to be brought up at all. Several "Deep South" governors agreed this wasn't the time nor place.

Instead the governors, at the first business session of the four-day meeting — which opened with a gala reception Sunday night — took up mutual problems in the fields of education and atomic energy.

**TO HEAR LYNDON**

Tonight vice president Lyndon B. Johnson addresses the governors' State Dinner.

Before the 27th annual conference began, there was talk Gov. Ross Barnett of Mississippi and several other governors would bring up their "Southern Unity" plan, which they developed at a meeting last July at Jackson, Miss.

But Barnett announced on his arrival that the matter wouldn't come up, except in informal talks with individual governors. He said a meeting would be held later at Montgomery, Ala., to continue discussions of forming a bloc of conservative governors to "defend" states rights.

Barnett, like most of the governors, shied away from comment on the segregation issue. Alabama's John Patterson was an exception.

He said the purpose of the "Southern Unity" movement is to allow the governors and attorneys general of the Southern states to plot a mutual defense against what he called the Kennedy administration's "South baiting."

Patterson said the issue wouldn't be brought up at the conference because meetings of this type always shy away from controversy.

"I deal in controversy," he added.

**RFK UNDER FIRE**

The Alabama governor bitterly condemned Atty. Gen. Robert Kennedy for supporting the "Freedom Riders" and for "harassing and intimidating" voting registrars in his state.

Patterson, the first southern governor to endorse John Kennedy for President, told newsmen he hadn't had much time to look over the President's record.

"I've had to spend too much time defending myself against suits brought by his brother (the attorney general)," he said. Asked if President Kennedy could carry Alabama in an election now, he replied:

"He can't get enough votes in Alabama to wad a shotgun."

Gov. Buford Ellington of Tennessee, the conference host, gave just the opposite answer. Ellington said he feels Tennessee now would vote for Kennedy. Tennesseans have found, he said, that the religious issue wasn't what they feared it would be.

Daniel and Ellington, at separate news conferences, expressed hope that the governors' once again would go on record as favoring tariff restrictions on imports that are driving domestic industry out of business. They listed oil, textiles and other manufactured goods as being in this category.

# NAACP Makes Racial Appeal To Governors' Conference

Atlanta Daily World P. 1. Sun. 9-26-61

Atlanta, Ga.

By LOWRY BOWMAN

NASHVILLE, Tenn. — (UPI) — Negro leaders called on the annual southern governors' conference Sunday to lift the southern economy by eliminating racial barriers in education, employment, voting and politics.

The local chapter of the NAACP delivered its appeal to Gov. Price Daniel of Texas, chairman of the Southern Governors' Conference and sent a copy to Vice President Lyndon B. Johnson, who was the main speaker Monday night.

Early arrivals among the 16 chief executives of southern and border states declined any immediate comment.

Daniel, who said he has not seen the NAACP statement, told a news conference that "civil rights, as far as I am concerned, is not on the program."

The formal business of the conference did not begin until Monday. It was preceded by a reception Sunday night at the residence of Tennessee Gov. Buford Ellington.

The conference traditionally avoids matters of controversy and limits its discussions to such items as law enforcement, highways, nuclear energy and industrial dvelopment.

The NAACP appeal was tied directly to the question of industrial development, a question dear to the heart of all Dixie governors who consider new industry the answer to southern economic problems.

"It is a fact that good race relations is good business, and the removal of racial barriers in such areas as education and employment will pay significant dividends to the economy of the South and the nation by creating more manpower potential which is so vitally needed," the NAACP statement said.

"On the other hand, poor race relations, tensions, conflict and reassistance to chang eis bad business and not good for the economy of the South ..... The South, under your leadership, must meet the challenge of progressive race relations if it is to prosper and catch up with the rest of the nation in socia-economic standards," the statement said.

Mississippi Gov. Ross Barnett, leader of a "Southern Unity" movement to oppose all forms of racial integration, said last week that Mississippi's segregation policies attract industry.

He pointed specifically to location of a new $125 million Standard Oil Company refinery at Pascagoula, Miss. Standard Oil, however, replied the new plant was established strictly for economy reasons.

Gov. Ernest F. Hollings of South Carolina declined comment on the NAACP statement.

# Back Seat For Rights Issue Hinted As Governors Meet

The Commercial Appeal P. 1

By WILLIAM BENNETT
Staff Writer

NASHVILLE, Sept. 24.—The Southern Governors Conference opened here Sunday with early indications the civil rights issue may be pushed into the background by other matters more directly affecting progress and development of the South.

It appeared, for example, the governors will interest themselves in additional tariff protection for the Southern manufacturing industry during their four-day meeting.

The probable need for more such protection was suggested by the same two chief executives who indicated to newsmen they will have little to do with "emotional problems" relative to civil rights—Gov. Price Daniel of Texas and Gov. Buford Ellington of Tennessee.

Governor Daniel, in fact, had this to say after civil rights had been mentioned, "I wouldn't have the subject mentioned for anything." The Texas Chief Executive is conference chairman.

Mon. 9-25-61

**Unity Move Ignored**

Both the Texan and Governor Ellington evidenced little interest in the so-caled "Southern unity" movement which has commanded the attention of Govs. Ross Barnett of Mississippi, Orval Faubus of Arkansas, John Patterson of Alabama, and Ernest Hollings of South Carolina.

Governor Ellington said, "We have Southern unity now. All our problems can be solved within the Southern Governors Conference."

He added the problems of civil rights are reaching solution faster in the South than in the North and East.

Neither Governor Ellington nor Governor Daniel felt the Interstate Commerce Commission's order last week to desegregate interstate bus travel will have much effect on their states.

The two governors expressed concern about the effect growing foreign imports are having on the domestic economy and indicated the conference may produce a strengthened resolution calling for increased import restrictions.

Governor Ellington said Tennessee industry has "definitely" suffered and indicated he would like to see stiffer restrictions on foreign bicycles, since one Tennessee plant furnishes a large share of the national production.

**Formal Address Is Today**

Governor Daniel made it clear that in his formal address to the conference Monday he will stress civil defense and disaster relief. Disaster relief played a huge role in his state when hurricane Carla struck this month.

The governors, representing 15 states, will get down to main business Monday with reports by the Committee on the Regional Advisory Council on Nuclear Energy and the Southern Regional Education Board. Monday night they will hear Vice President Lyndon Johnson.

Sunday night the governors were guests of the Ellingtons at a reception in the executive residence.

# Governors avoid rights debate

NASHVILLE, Tenn., Sept. 25 — (AP) — A therat to push the states' rights-segregation issue to the forefront o fthe Southern Governors' Conference collapsed today as the chief executives of 15 states stuck to less controversial topics.

The moderates, led by conference Chairman Price Daniel of Texas, said the subject of civil rights ought not to be brought up at all. Several "Deep South" governors agreed this wasn't the time or place.

Instead, the governors, at the frist business session of the four-day meeting—which opened with a gala reception last night—took up mutual problems in the fields of education and atomic energy.

**Tonight, Vice President Lyndon B. Johnson will address the governors state dinner.**

BEFORE THE 27th annual conference began, there was talk Gov. Ross Barnett of Mississippi and several other governors would bring up their "Southern unity" plan, which they developed at a meeting last July at Jackson, Miss.

But Barnett announced on his arrival last night that the matter wouldn't come up, except in informal talks with individual governors. He said a meeting would be held at Montgomery, Ala., to continue discussions of forming a bloc of conservative governors to "defend" states' rights.

**Barnett, like most of the governors, shied away from comment on the segregation issue. Alabama's John Patterson was an exception.**

He said the purpose of the "Southern unity" movement is to allow the governors and attorneys general of the Southern states to plot a mutual defense against what he called the Kennedy administration's "South baiting."

PATTERSON SAID the issue wouldn't be brought up at the conference because meetings of this type always shy away from controversy.

"I deal in controversy," he added.

The Alabama governor bitterly condemned Atty. Gen. Robert Kennedy for supporting "freedom riders" and for "harassing and intimidating" voting registrars in his state.

Patterson, the first Southern governor to endorse John Kennedy for president, told newsmen he hadn't had much time to look over the president's record.

**"I've had to spend too much time defending myself against suits brought by his brother (the attorney general)," he said. Asked if President Kennedy could carry Alabama in an election now, he replied:**

"He can't get enough votes in Alabama to wad a shotgun."

Gov. Buford Ellington of Tennessee, conference host, gave the opposite answer. Ellington said he feels Tennessee now would vote for Kennedy. Tennesseans have found, he said, that the religious issue wasn't what they feared it would be.

DANIEL AND Ellington, at separate news conferences, expressed hope that the governors once again would go on record as favoring tariff restrictions on imports that are worrying industry. They listed oil, textiles and other manufactured goods as being in this category.

**Most of the governors declined to comment on President Kennedy's nomination of Thurgood Marshall, a Negro integration leader, to the Second U. S. Circuit Court of Appeals. But South Carolina's Ernest Hollings gave this reaction:**

"I just hope (the Rev.) Martin Luther King doesn't decide to get a law degree."

Two meetings were held yesterday preliminary to the offic[ial] start of the conference. The Conference of Appalachian Governors, headed by Kentucky's Bert Combs, called for faster action in getting a redevelopment program started in the region.

"PEOPLE ARE starving in our area," Combs said. "We need to plow through the talk and get some work started."

**In a second meeting, eight Southern states formally created the Southern Interstate Nuclear Board to plan for regional development of atomic industries. The board promptly called for the Atomic Energy Commission to drop its insistence on regulating firms which use nuclear products.**

The board said AEC, in its stand, violated the intent of Congress which has called for the states to take over the licensing of users of nuclear materials.

## 15 GOVERNORS MEET TONIGHT

### Group to Be Asked to Aid Adult Education

By GAVIN SCOTT

NASHVILLE, Tenn. (AP) — Southern governors will be asked at their annual meeting here this week to take steps to improve adult education in their home states.

Dr. Winfred L. Godwin, director of the Southern regional education board (SREB), said Saturday he will propose to the governors that they establish a regional commission on adult education. This agency would offer advice to states on how best to improve their programs, he said.

"We are approaching the time when we may have to establish general extension services for urban areas," Godwin added, similar to those provided rural areas through the agricultural extension service.

Godwin will make his report Monday to the SREB, which is meeting in conjunction with its parent organization, the Southern Governors' Conference.

**MEETING TO OPEN**

The 27th annual Southern Governors' Conference will open with a reception given by Tennessee Gov. Buford Ellington Sunday night. During the three days that follow, the 15 member governors will talk shop at informal gatherings, exchange ideas on common problems at official sessions and discuss politics the rest of the time.

Traditionally, items that might stir up a controversy are not brought up. Instead governors will discuss such subjects as education, highways, law enforcement, industrial development, atomic energy and freight rates.

Vice-President Lyndon B. Johnson will address the governors and their wives at a "state dinner" Monday night.

There probably will be a good deal of backstage maneuvering over selection of a conference chairman to succeed Gov. Price Daniel of Texas. Reportedly either Ellington, as host, or Georgia Gov. Ernest Vandiver, the conference vice-chairman, will get the job.

**TO ADVISE GROUPS**

Godwin said the adult education commission he will recommend to SREB would advise state institutions on co-ordination and improvement of adult education. The Southern states, he continued, must co-ordinate more carefully their plans for extension programs, evening colleges and televised instruction.

He said he also will report to the SREB that more than 900 students attended colleges outside their home states under the board's contract program. The cost of this program for the year was $1,469,692, he said.

Ellington, retiring SREB chairman, said he will ask the board to recommend that a special conference be held later this year for the purpose of making public the report of the commission on goals for higher education in the South.

The commission was created by SREB last year to study and recommend long-range goals for educational development in the South. Its chairman, former Virginia Gov. Colgate W. Darden Jr., will address the SREB meeting Monday.

Two meetings are scheduled for Sunday afternoon ahead of the formal start of the conference. The first will be a briefing session of the Conference of Appalachian Governors.

**ALL DEMOCRATS**

This group, formed at Lexington, Ky., last year to study economic ills common to the mountain region, is headed by Gov. Bert Combs of Kentucky. The group plans a business session Wednesday.

The regional advisory council on nuclear energy, headed by Gov. Ernest Hollins of South Carolina, also will meet Sunday afternoon.

Fifteen Southern governors, all Democrats, are expected to attend the conference. They represent Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Mississippi, North and South Carolina, Oklahoma, Tennessee, Texas, Virginia and West Virginia.

Gov. Millard Tawes of Maryland, another conference member, will not be present because of illness in his family. Also to be present as guests will be Govs. Wesley Powell of New Hampshire and John M. Dalton of Missouri. Powell is chairman of the National Governors' Conference.

# Dixie Governors Gather for Meet

*Party Unity Not an Issue at Meet Editorial, ..... Page 6*

NASHVILLE, Tenn., Sept. 24 (AP)—The international crisis relegated civil rights controversies into the background tonight as chief executives from 15 states assembled here for a four-day Southern governors' conference.

Gov. Price Daniel of Texas, the chairman, outlined a program in which civil defense, including fallout shelters, was an eleventh-hour addition, and pointed out that civil rights has no place on the official agenda for the 27th annual conference.

Both he and Gov. Buford Ellington of Tennessee, the conference host, said it should not be brought up at all.

High on the program is the growing worry in the South over inroads of foreign imports on oil, textiles and other southern manufactured goods.

Daniel told a news conference he thinks Southern governors will support an extension of the reciprical trades agreement program, due to expire next June, if it puts limits on "excessive imports which endanger the domestic economy."

"There should be some restrictions on any foreign imports that supplant rather than supplement our industries," he declared.

Daniel, like Ellington who met with newsmen earlier, showed little disposition even to discuss civil rights, which, while never on an official agenda of the conferences, frequently has overshadowed official conference business in past years.

"I know of no emotional problems that are in the wind," he declared.

Ellington said that on race relations, "we are moving faster toward solutions" than are many of the Northern and Eastern states.

Vice President Lyndon Johnson will deliver an address at the governors' state dinner tomorrow night.

Daniel wouldn't comment on President Kennedy's nomination of Thurgood Marshall, Negro integrationist leader, to the U.S. 2nd Circuit Court of Appeals in New York.

Nor would Gov. Ernest F. Hollings of South Carolina comment when asked for his reaction.

Both Daniel and Ellington stressed the importance of moving as fast as the South can to meet the needs of civil defense.

Daniel announced that Thomas Goodman, regional director of the new office for emergency planning, will be here tomorrow to answer questions on mass evacuations, fallout shelters and other precautions.

As for civil rights, he said, "I wouldn't have the subject mentioned, insofar as I'm concerned."

Meanwhile, Hollings said he would get together informally with interested governors from a number of other Southern states for further discussions of a campaign originated in Jackson, Miss., last July to strengthen their states rights' stands in the wake of moves against their segregated social patterns.

Attending the Jackson meeting were Hollings, Govs. Ross Barnett of Mississippi, John Patterson of Alabama and Orval Faubus of Arkansas and representatives of governors of a number of other states.

Faubus told reporters tonight that he knew of "no further plans" for another such meeting.

He was asked if "it would be fair to say the movement has collapsed."

"I wouldn't go so far as to say that," Faubus replied.

The newly created Southern Interstate Nuclear Board urged the Atomic Energy Commission tonight to drop its insistance on regulating firms which manufacture, use or dispose of atomic materials.

The board voted to ask the governors' conference tomorrow to support this position, which it said expressed the intent of Congress.

Gov. Ellington (right) greets Texas Gov. Daniel

# Ellington Leads Dixie's Governors

The Atlanta Constitution

By ERNEST B. VACCARO

NASHVILLE, Tenn. (AP)—Moderates elected Gov. Buford Ellington of Tennessee chairman of the Southern Governors Conference Wednesday in a session highlighted by a militant segregationist's blast at "liberals and radicals" in Washington.

A showdown floor fight was averted when Gov. Orval E. Faubus of Arkansas, central figure in the Little Rock high school integration fight in 1957, persuaded backers to withdraw his name from nomination for the chairmanship.

The four-day annual convention then closed on a note of harmony when Ellington was elected by acclamation and Faubus accepted the vice chairmanship, carrying out the recommendations of a nominating committee headed by Gov. J. Lindsay Almond of Virginia.

Faubus had been nominated from the floor by Gov. Jimmie H. Davis of Louisiana and seconded by Gov. John Patterson of Alabama.

(Georgia's Gov. Ernest Vandiver, mentioned in some speculation as a candidate for the chairmanship, asked not to be considered.)

**BARNETT BROKE CALM**

Militant segregationist Gov. Ross B. Barnett of Mississippi broke the calm of an otherwise routine session on highway programs with a fiery demand for Southern governors to "stand up and fight" to banish the "liberals and radicals" from their posts of "all-powerful central rule in Washington."

Barnett said the "liberal and radical elements" must be shown that the conservatives will not compromise and "join them in their headlong dash to oblivion."

"They have sought to fool the people by stirring up the racial issue and using that as a camouflage for their greedy desires," he declared.

Barnett called for conservative forces to work tirelessly to restore "sanity to government" to save the people he said are beginning to "feel the bruises on their bodies caused by the wild doings of the liberals."

It was Faubus himself, chairmaning the highway discussion, who softened the impact of Barnett's speech when the Mississippi governor sat down.

**RIPPLE OF LAUGHTER**

"Thank you," he told Barnett, as a ripple of laughter flowed over the meeting, "for your comments on road building in Mississippi."

Faubus added he wasn't sure whether Barnett's talk came under the heading of "free and unlimited or controlled access highways," but said it was "a courageous exposition of your philosophy at the only opportunity afforded you at this conference."

Up until Wednesday leaders of the conference, headed by Gov. Price Daniel of Texas, the retiring chairman, had been able to soft pedal issues like states' rights and segregation, neither of which was on the official agenda. And the critical international situation provided the background for much of the governors' discussions.

# Governors Back Kennedy

P. 5 The News and Courier

NASHVILLE, Tenn.—Governors from the South, a region that in the past has emphasized its separateness from the rest of the nation, emphasized national purpose and participation in the mainstream of American life as the Southern Governors Conference continued its 27th meeting Monday.

Thurs 9-28-61

At the opening business session, the Governors pledged their support to President Kennedy's foreign policy goals expressed in his speech to the United Nations General Assembly.

Television sets were wheeled into the conference meeting room and the opening meeting took time out to listen to President Kennedy.

Immediately afterwards, the governors adopted a resolution praising the speech and pledging their support to the President's quest for peace.

Several times, the 17 governors (Missouri became the 17th member of the conference just before the speech) applauded Kennedy. All the governors are Democrats.

Emphasizing the national unity theme further, New Hampshire Gov. Wesley Powell, a Republican who is chairman of the National Governors Conference, told the gathering the states have an increasingly vital role as governmental units that can help strengthen America for her world struggle.

Thurs 9-28-61

He praised Kennedy's speech as "one of the great documents of human history."

Gov. Buford Ellington of Tennessee set the theme in his remarks opening the first session of the three-day meeting.

"In the past," said Ellington, "we have at these conferences been able to confine our discussions and actions principally to domestic affairs."

Now, he said, "our problems jump far beyond the boundary lines our our states."

Referring to the present "moments of countdown," the Tennessee Governor told his colleagues: "The states must now join the Federal Government in taking the initiative in reaching those decisions that control the future of the world."

State leaders, he said, must take part in the responsibility to provide "the things that we in America want for ourselves and for all the people of the world." He said these things are "freedom without fear, liberty without limitations, and survival without suspense."

Gov. Price Daniel of Texas, chairman of this year's conference, told his colleagues one of the most vital programs that should be undertaken for state governments is adequate attention to civil defense and disaster planning.

He pointed out that the evacuation of 400,000 Texans from the path of Hurricane Carla proved disaster plans are valuable. He urged all exchange among governors on ideas and plans for civil defense.

Education, economic development, peaceful uses of atomic energy, law enforcement, and highway construction will be topics for sessions Tuesday and Wednesday.

Even in the field of foreign import restrictions, a field in which the South has become increasingly insular, the conference is expected to steer a middle-of-the-road course.

Gov. Daniel, longtime advocate of import restrictions to reduce overseas competition with oil and textiles, told a press conference he felt "we must have trade in order to strengthenen our international friendships" and said the conference should support continuation of the Reciprocal Trade Act, which comes up for re-enactment in Congress next.

At the same time, he said he thought adequate safeguards could be agreed on to curtail imports that might cause loss of jobs in domestic industry.

# Moderates' Entry Wins Dixie Helm

Montgomery Advertiser

Thurs 9-28-61

NASHVILLE, Tenn. (AP)—Moderates elected Gov. Buford Ellington of Tennessee chairman of the Southern Governors Conference Wednesday in a session high lighted by a militant segregationist's blast at "liberals and radicals" in Washington.

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SEE PICTURES ON PAGE 12A

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**NOMINATED BY DAVIS**

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**SOFT PEDAL ISSUES**

Up until Wednesday, leaders of the conference, headed by Gov. Price Daniel of Texas, the retiring chairman, had been able to soft pedal issues like states' rights and segregation, neither of which was on the official agenda. And the critical international situation has provided the background for much of the governors' discussions.

When the nominating committee, made up of Almond and Govs. Farris Bryant of Florida and Ernest F. Hollings of South Carolian, recommended the election of Ellington, with Faubus as vice chairman, Davis put Faubus's name in competition for the top post.

Davis said he knew of few men with "as much courage and intestinal fortitude" as the four-term governor of Arkansas and said, "No man has more endeared himself to his people."

Patterson, in seconding Faubus' nomination, commented that the Arkansas governor had served more terms than any governor at the conference.

But Faubus, in persuading him to withdraw his name, said the southern governors "must not allow this conference to become an arena of competition."

Previously, both Daniel and Almond had branded as false a published report that "Washington" was opposed to the election of Faubus. Faubus said he did not believe the report was true, and that "I certainly hope it is not."

It was Davis, who while he said he felt strongly about the issue, moved that Ellington be elected by acclamation.

The conference accepted an invitation from Bryant to meet in Florida next year at a date and city to be determined.

Resolutions adopted unanimously by the governors were topped

by demands for the protection of southern domestic industries from foreign imports.

The office of emergency planning was asked to expedite a decision on the textile industry's appeal for a ruling that imports of textile products "are impairing the national security."

# Governors Ignore Rights Discussion

The News and Courier
C&B

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7-25-61

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Charleston, S. C.

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Meanwhile, Gov. Ernest Hollings of South Carolina said he would get together informally with interested governors from a number of other Southern states for further discussions of a campaign originated in Jackson, Miss., last July to strengthen their states rights stand in the wake of moves against their segregated social patterns.

Attending the Jackson meeting were Hollings, Govs. Ross Barnett of Mississippi, John Patterson of Alabama and Orval Faubus of Arkansas and representatives of a number of other states.

Faubus told reporters he knew of no further plans for another such meeting.

Later, at a news conference, Hollings said there was a feeling "we shouldn't superimpose an additional conference" on the Southern governors' meeting.

But he said the Jackson group, which he described as a conservative one, would delay its second meeting and gather then in Montgomery, Ala.

"A followup conference has no yet been held," he declared. He said he wants to talk with Gov Patterson of Alabama and others individually about plans for the meeting.

The South Carolina governor said he hoped the group would find an appeal to conservatives in states outside the South.

# Faubus In Line For Leadership

The News and Observer
Dem. 9-26-61
P 1

By ROY PARKER JR.

NASHVILLE, TENN.—Gov. Orval Faubus of Arkansas, whose name is linked with the bitter Little Rock school desegregation crisis, is reportedly the first choice of his colleagues for the 1961-62 chairmanship of the Southern Governors Conference.

The election of Faubus to the post would signal the fact that

*Related Stories, Pages 5-22*

Raleigh, N. C.

Dixie governors have finally reached agreement that this conference is no place to air the dirty linen of the region's racial problems.

It would indicate too, that Faubus has now gotten back on a track many of his colleagues feel he temporarily jumped when he precipitated the 1957 Little Rock crisis by calling out the Arkansas National Guard to halt integration of that city's schools.

This year's conference opened as many have, with a small band of Deep South governors toying with the idea of turning it into a sounding board for extremist views on the racial situation. By mutual agreement, all the revolters tossed in the towel.

This action set the stage for the selection of Faubus as chairman, a post that had been denied to him twice by the moderates who control the conference.

He would replace Gov. Buford Ellington of Tennessee. The election of new officers will be held Wednesday.

Mississippi Gov. Ross Barnett, who sought last summer to precipitate a revolt of racial extremists from the conference, himself tossed in the towel at a press conference Monday morning.

Barnett, known in the past for inflammatory remarks on the racial question, spent the time talking about industrial development in his state, and even refused newsman's bait when asked his opinion of a recent Interstate Commerce Commission order banning segregated transportation terminal facilities. He said he hadn't read the report and had no immediate comment.

He said the "Southern unity" movement he promoted by calling a summer meeting at Jackson, Miss., was aimed mainly at a discussion of industrial development.

Faubus, at a news conference Sunday night, brushed aside the Barnett-inspired movement although he attended the Jackson meeting.

Faubus even disagreed with a reporter who classified him as a "conservative." Said Faubus: "I have never classified myself as a conservative."

He, too, stressed the need for industrial development and improvements in education and economic opportunity.

**Resolution Backs Kennedy.**

The four-term Arkansas governor was chosen, along with Gov. Lindsay Almond of Virginia, to co-sponsor a resolution in which the conference pledged its support to President Kennedy's foreign policy goals expressed in his speech to the United Nations.

Almond and former North Carolina Gov. Luther Hodges had been instrumental during several conference sessions in denying Faubus the chairmanship because of the extremist stigma attached to him as a result of the Little Rock action.

As late as last year, when the conference met in Arkansas, Faubus had been turned aside by the moderate leadership of Almond and Hodges.

But as one governor put it, "The feeling is he has now done his penance, and deserves the chairmanship."

Faubus was an active supporter of the Democratic national ticket in the 1960 elections, although wooed by Southern extremists to be a third party candidate.

Faubus has been in the conference since 1955, longer than any of the 16 members. He has taken an active part in the programs of all the conferences, and is personally popular with his colleagues who nevertheless had denied him the chairmanship because of the Little Rock stigma.

# Loeb Outlines Aims On Patriotism, Race Issues

Commercial Appeal

The text of Mayor Henry Loeb's speech before the Memphis Rotary Club yesterday:

Mayor Loeb

A week ago today, Tuesday, July 25, will, in my judgment, be a day to be remembered by free people everywhere. On that day, Jack Kennedy, President of the United States, reminded all tyrants that Americans have the courage to fight with whatever weapons may be necessary to preserve America and the free world.

Wed 8-2-61

Our Commander-in-Chief truly expressed the will of the American people. We want no more compromises with communism! We want no retreat before the Soviet slaves! This struggle may again call for our "blood, sweat and tears." If it must be, then let it be. As the President said: "We have fought before! We can fight again."

All of us who are here today had America handed to us on a silver platter. We must remember, however, that the blessings of this land came to us out of the agonizing struggle of our forefathers who wrote into the cornerstone of America these words:

**Mustn't Sit Idly**

"And to this cause we dedicate our lives, our fortunes and our sacred honor." If we are to safeguard America for our children, we must be willing to do the same. The only way we can repay our debt to the past is to make the future indebted to us because we preserved this land with our lives, our fortunes and our sacred honor. This we intend to do!"

I wish that President Kennedy had also and will also more clearly spell out and call for what he promised in the campaign—not the false panaceas of cradle to grave security but a spelling out of what each of us can do FOR our country on the new frontier. He will find when he does so, Americans waiting to participate.

In the meantime, we must not sit idly waiting. In the community where we live we must perform our duty with courage and honesty. It is reported that during the "Battle of the Bulge" an American GI who became lost from his outfit ran up to an officer, saluted, and said: "Sir, where can I be of help?" The officer replied: "Fall in anywhere; There's fighting all along the line." In the struggle to preserve and advance America, there's fighting all along the line.

For the present, at least, a large part of your duty and mine is in the City of Memphis. The finest contribution we can make to America is to see to it that our city has clean, progressive, honest government.

**Mayor Of All**

I think every fair-minded citizen of this city knows how I am trying to practice what I preach. No matter what demigogs may say, I am mayor of all the people; with malice toward none, I am striving for the welfare of all.

Some intemperate people of both races are attempting to hang the tag of racial prejudice around my neck. The vast majority of the citizens of both races will not be taken in by this falsehood. My whole heritage places me on the side of those who struggle for freedom and for a better way of life for all of us.

But I know, as does every intelligent Negro citizen of Memphis, that full citizenship never comes to any minority group through the hands of politicians, attempting to use the minority group. It does not come from always asking and never giving: It does not come from continuously pushing and not pulling in the whole community's interest: It does not come from political chicanery of shrewd leaders of Negroes whose talents could be better used in leading their constituents down the road of responsibility.

Full citizenship comes from the toil of the level-headed people of common sense and moderation. It comes primarily from education over a long period of time, and a desire for something stable and better.

**Other Sources**

It comes from a desire to put something into the community instead of taking out from the community. It comes from the leadership spiritually and materially of a community's leaders. It comes from a leaving behind of "shade tree" philosophy of welfare roles and a determination to work towards economic stability. It comes from a resolve to improve and lift up the morals and mores of a people and the carrying out thereof. It comes finally—and this has not been done and this is the challenge—with an assumption of responsibility by the Negro community meeting the white community half way on what is best for all of us.

Following the Civil War men known as "Carpetbaggers" came down from the North. Posing as friends of the rights of the Negro they placed the Negro in places of political responsibility for which he was not prepared. It did not take the Negro long to discover that he was being used. He discovered that his real friends were not the politicians black or white trying to use him, but those vast numbers of Southern white people who began the struggle to give him better schools and better economic opportunities.

Surely our Negro citizens will not forget that lesson of history so soon. Again the real friends of the Negro are those vast numbers of whites who strive not to elevate a few, but to elevate all the race to new heights of educational and economic opportunity.

**Outlines Choices**

I choose to be with these moderate, decent, level-headed people who desire to elevate all of the races. When we choose this road, we know that we shall have to endure the slander of the lunatic fringe of both races. To this way I am committed because I believe that it is right, that it is the American way and that it will win. While Mayor of this city, I believe that the greatest service I can render to all races, colors and creeds is to strive to have in places of highest trust those who by their qualifications and efficiency are best prepared to lead and thereby to serve. Those who know me best know that I will not budge one inch in doing my duty. In the end it may not be said of me that I was popular, but I hope it may be said of me as it was said of Henry Hudson, the explorer of this new world—

He kept the courage of a certain aim,
Amid the peril of uncertain ways,
And sailed ahead, and left the rest to God.

I have covered the phase of appointments. There are many other facets of the problem and many other problems. To each I promise the course of moderation with diligence and determination for Memphis and all of us.

Throughout his talk, he dealt with race relations and civic responsibility without going into the details of the incident which prompted the statements. He did not refer to the appointment of A. W. Willis Jr. to the Memphis Transit Authority, an appointment later rescinded on a legal technicality after it brought a flood of protests to the City Commission.

In a question and answer session after the 10-minute talk, Mayor Loeb made these points:

In the 18 months he has observed them from his office, the various private and governmental agencies in the county have failed to make a unified effort to attract industry.

**Reaffirms Support**

Present talks should lead to setting up a Charter Commission which, the Mayor hopes, will produce a plan for consolidation tailored to the needs of Memphis and Shelby County. He reaffirmed his support for a strong mayor plan.

Those opposing consolidation apparently are interested in holding on to jobs they have or to tax advantages they have obtained under the present form of government.

# Mayor Chides Negro Leaders

Commercial Appeal

Wed 8-2-61

## Have Failed To Assume Their Responsibilities, Loeb Declares

Mayor Henry Loeb called on Memphis' Negro community yesterday to meet its white neighbors half way on the road to what is best for the entire city.

Memphis Press

Staking himself but solidly for moderation in race relations, he said Negro leadership has failed to assume its responsibilities to the city as a whole.

"Full citizenship comes from the toil of the level-headed people of common sense and moderation," the Mayor told a luncheon meeting of the Memphis Rotary Club at the Peabody.

**Avoids Incident**

# 39 Negroes, 11 Whites Held In Memphis Case

Jackson News
Wed 8-30-61

MEMPHIS, Tenn. (UPI)—Thirty-nine Negroes from Fayette County, Tenn., and 11 whites were arrested for a taunting, name-calling dispute at a hamburger drive-in here Tuesday night.

Jackson, Miss.

Police Inspector J. A. Brasher said "apparently no blows were struck, but it could have been serious." Brasher said police confiscated knives, blank pistols and clubs from the school bus which had brought the Negroes here for a day at the fairgrounds. Whites claimed some Negroes had knives in their hands at the drive-in.

Brasher said the whites apparently resented the presence of the Negroes in the drive-in, and began to exchange words with them.

Eleven Negroes and four whites were charged with disorderly conduct. The other Negroes on the bus were sent to juvenile court. The Negro bus driver, Leo Reed, 45, also was charged with carrying a dangerous weapon after police found a knife under his seat.

Seven whites were arrested on the drive-in lot when they refused to obey officers' orders to get back in their cars.

Police said two carloads of whites followed the bus from the drive-in and stopped it a few blocks away, but police arrived on the scene before any blows could be struck.

# Police Stop Race Clash In Memphis

Montgomery Advertiser
Fri 9-1-61
Montgomery, Ala.

MEMPHIS (AP) — A narrowly averted racial clash resulted in 11 Negroes and three whites being held to the grand jury Wednesday on charges of "attempting to commit a common affray."

In addition, 22 Negro youths and one white were turned over to juvenile court. Officers said several carloads of whites got away from the scene before police arrived.

Special officer Horace Fry said it started when a school bus loaded with Negro students from Brownsville, Tenn., stopped at a hamburger drive-in last night.

**BUY SANDWICHES**

Fry said about 15 boys and girls got off to buy sandwiches to take back aboard the bus and white youths crowded around and cursed them.

Fry said he blocked trouble by getting the Negroes to board the bus and move on, but five carloads of white youths followed. Police were called.

Lt. W. O. Crumby said one carload of whites forced the bus to the curb and others stopped around it. He said driver Leo Reed, 45, threw the bus in reverse and crashed into one of the cars behind. Police arrived soon after.

**ALL NABBED**

All Negroes on the bus were arrested, and all of the whites in the damaged auto, the only one remaining on the scene.

Reed was fined $51 for carrying a dangerous weapon because a knife was found under his seat, plus $11 for "improper backing."

Acting City Court Judge Carlton Barnes dropped disorderly conduct charges against all defendants in favor of the state charge.

Common affray, an old English term, means a fight which causes public terror. The Negroes were here to visit an amusement park.

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P 1 B

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# High court review of airport bias sought

NEW YORK — The U.S. Supreme Court was asked Friday to review the case of bank executive Jesse Turner against the Dobbs Houses Restaurant in the Memphis Municipal Airport which refuses to serve colored persons in its main dining room.

Mr. Turner, executive vice president and cashier of the Tri - State Bank in Memphis, and the first colored person elected to the Shelby County, Tennessee Democratic Executive Committee since Reconstruction, was, in 1959, twice refused service in the Dobbs Houses Restaurant in the Memphis airport.

He was barred on the grounds that the state law prohibits service of colored persons with whites. The manager offered to serve Mr. Turner in a small room reserved for colored persons.

MR. TURNER first brought his suit in the federal district court in Memphis in April, 1960.

In January, 1961, the court, consisting of three judges — Sixth Circuit Judge John D. Martin of Memphis, District Judge Marion S. Boyd of Memphis and District Judge William E. Miller of Nashville — refused to enjoin segregation.

The court ruled that before Mr. Turner continues his case in the federal court, he should first initiate suit in the state court for construction of the statutes and a state regulation issued by the State Division of Hotel and Restaurant Inspection permitting segregation.

# Restaurant To Bar Group Of Mixers

SEWANEE, Tenn. (AP)—The doors of a segregated restaurant on the Episcopal-operated University of the South campus will be barred to a group of white and Negro Episcopal clergymen if they try to eat there.

This was the word Thursday from Mrs. Clara Shoemate, who operates Sewanee Inn and Claramont Restaurant on the campus under contract with the university. The contract gives Mrs. Shoemate the right to refuse service at will and she previously has refused to serve Negroes.

The six white and one Negro ministers arrived in the area this morning as part of a South-wide "prayer pilgrimage" and said they did, indeed, intend to seek service at the restaurant as a group.

**STAGE SIT-IN**

"If we are denied service as a group," said the Rev. Malcolm Boyd, of Detroit, "I can assure you that we not only will stage a sit-in but also go on a hunger strike until we are served as a group."

The seven are part of a group of 28 Episcopal ministers who left New Orleans Tuesday on the pilgrimage, en route to the church's 60th general convention in Detroit. They arrived in Chattanooga by plane after 15 of their number had been arrested in Jackson, Miss., for trying to desegregate a bus terminal.

Those arrested in Mississippi included New York Gov. Nelson Rockefeller's son-in-law, the Rev. Robert L. Pierson.

**TEST SEGREGATION**

The Rev. Mr. Boyd, chaplain of Wayne State University, said the seven who arrived in Chattanooga planned firs to drive to nearby Monteagle, where Tennessee's Episcopal clergy are in conference with Bishop John Vander Horst.

From there, he said, they planned to go to Sewanee and test segregation at the Sewanee Inn and its restaurant.

He said they already had accepted the invitation of Dr. Edward N. McCrady, vice chancellor of the University, to sleep in the school gymnasium. The dormitories, he said, are full.

Dr. McCrady has said on previous occasions that Claramont Restaurant, while on university property, "is not a university facility" because it is leased to Mrs. Shoemate.

# Integration Suit Sent Back to State

MEMPHIS (AP)—A Memphis Negro banker seeking desegregated facilities at a municipal airport restaurant must proceed through state courts, a three-judge federal court panel ruled Monday.

The judges said Jesse Turner, an officer of the Tri-States Savings Bank, must test a state segregation statute before a ruling is made in his suit against a Dobbs House restaurant.

The judges said the case would be stayed pending a declaratory judgment suit "to be brought by the plaintiff in the courts of Tennessee." To be clarified is an 1875 state law requiring segregated public facilities.

The decision was made by District Judges Marion S. Boyd of Memphis and William E. Miller of Nashville, and Appeals Court Judge John D. Martin of Cincinnati.

The judges cited a U.S. Supreme Court ruling that deferred to the "doctrine of abstention" in these words:

"This now well-established procedure is aimed at the avoidance of unnecessary interference by the federal courts with proper and validly administered state concerns, a course so essential to the balanced working of our federal system."

# Priest Slugged, Old Woman Injured In Racial Clashes

CHATTANOOGA, Tenn. (AP)—A white man slugged a Negro Episcopal Priest and an elderly white woman was injured Thursday as an aftermath of Chattanooga's latest theater stand-in demonstration.

In addition, nine young Negroes who tried to buy tickets to a movie theater which patronizes only whites were arrested on charges of disorderly conduct.

The outbreak of racial friction was by far the most serious since Negroes began their stand-in movement here five weeks ago, although tension as a result of the stand-ins has been building up all week.

Harry (Nub) Light, 34, an ex-convict, was charged with assault and battery after police said he slugged the Rev. Robert Hunter, rector of St. Mary's Episcopal Church — a Negro parish. Light has a long police record here and once served a Michigan prison term for armed robbery. The Rev. Mr. Hunter, who was observing the stand-in, was not seriously hurt.

But Miss Lillie Trotter, 88, a white woman, was hospitalized after she was bowled over by a group of Negroes fleeing from a pursuing band of white youths. The whites, some armed with knives, hurled rocks, stones and garbage cans at the Negroes, and Negroes returned in kind. None of the youths was injured, but Miss Trotter suffered cuts, head bruises and other injuries. Her condition was not believed serious.

The Negro arrests brought the total of disorderly conduct charges placed against the stand-in demonstrators in the past five weeks to 25. At least one of the 25, Willie Ricks, 18, has been arrested and fined three times.

The nine were arrested Thursday after the theater manager reported they were blocking the entrance to his establishment. He said they each had tried 14 times —and were refused each time— to buy tickets, he decided to prefer charges.

The incidents came less than 24 hours after a cross was burned on the front lawn of the home of the family of young Ricks, the Negro youth who has been fined $50 on three different occasions.

His father said the boy's life had been threatened by a telephone caller who identified himself as "the grand dragon of the KKK." Police were investigating the threats.

OCTOBER
KNOXVILLE, TENN. - 51 COLLEGE STUDENTS ARRESTED
PICKETING THEATER

# 51 Students Arrested For Picketing

KNOXVILLE, Tenn. — (UPI) — Fifty-one college students arrested for picketing two downtown white movie theaters refused bond Monday and filled the city jail with a choral rendition of Negro spirituals.

One white man, identified as Clarence Edward Riggs, also was arrested when the Negroes appeared in front of the theaters Monday night and blocked traffic on Gay street, Knoxville's main business thoroughfare.

There was no violence. Police said the mass picketing attracted sightseers and white boys—some of them itching to start something."

The students listed their home address as Knoxville college. Dr. James Colston, president of the college, said he knew in advance of the students' action and approved of it.

"They are young people trying to secure their rights, and they went about it the way they felt would be best," Colston said.

Knoxville college is a private institution with 585 students. It is affiliated with the Presbyterian church.

Knoxville and Knox county schools were desegregated a year ago under a grade-a-year plan, and most downtown lunch counters and variety stores were desegregated last year after sit-in demonstrations. The motion picture houses, however, remained segregated, and Negroes have picketed them several times in the past.

# 55 Theater Pickets Arrested in Knoxville

KNOXVILLE, Tenn., Oct. 10 (AP).—Police arrested 54 young Negroes and one white girl on disorderly conduct charges last night as they were picketing three motion picture theaters.

The integrationists, all of whom police said were Knoxville College students, gathered at the Tennessee, Bijou and Riveria Theaters.

The group then attempted to purchase tickets. When refused tickets, they formed a circle and marched by the window chanting, "Tickets please," police said.

Police said the circle march continued for nearly two hours before officers asked the groups to disperse. When the group refused, a paddy wagon was called.

"The situation had gotten to the point where there was a high possibility that trouble was going to erupt. We asked both the marchers and spectators to move n. Most of the spectators did but the marchers remained," Patrol Capt. Neal Long said.

### One Act of Violence

Police said there was only one act of violence. A white youth, Clarence Edward Riggs, 19, tossed a stink bomb into the group standing in front of one of the theaters, according to officers. Young Riggs, like the students, was charged with disorderly conduct.

Police identified the white girl arrested as Mary Todd, 20, a student at predominantly Negro Knoxville College.

Bond was set at $15, but the entire group decided to spend the night in jail prior to City court hearing today.

At Jackson, Miss., yesterday, the son-in-law of New York Gov. Nelson Rockefeller was among 14 Episcopal ministers who pleaded not guilty during an appeal hearing in connection with an attempt to desegregate a Jackson bus station during last month's "prayer pilgrimage."

The Rev. Robert L. Pierson of New York and Evanston, Ill., and the other ministers made their pleas during arraignment before Hinds County Judge Russell Moore on appeals from breach of peace convictions in City Court. The judge set trial dates at two a day from May 7 to May 15.

### Freedom Riders Fined

In another case, 26 Freedom Riders declined to contest their breach of peace conviction appeals in Hinds County Court and were sentenced to $200 fines and suspended jail terms.

A field secretary of the National Association for the Advancement of Colored People protested sending a 16-year-old Negro girl to a reform school after her arrest during a sit-in attempt at a McComb, Miss., bus station on August 30.

More than 100 demonstrators were arrested in McComb last Wednesday for protesting her suspension from high school.

The field secretary, Medgar Evers, said he sent telegrams to President Kennedy and Attorney General Robert F. Kennedy asking for an investigation. However, Sheriff Clyde Simmons said she was committed as a rountine case because of her previous police record. He did not detail the record.

In Anniston, Ala., eight of nine men charged in the burning of a Freedom Rider bus last May pleaded not guilty in United States District Court. They will be tried together the week of October 30. The ninth man was unable to appear because of injuries suffered in an accident and will be tried separately.

At Nashville, Tenn., Southern School News reported a survey of 17 Southern and border States showed 31 more school districts were desegregated this fall with 392 Negroes enrolled in the districts.

The survey showed that schools opened without violence in any of the Dixie or border States. The report said that only Alabama, Mississippi and South Carolina maintained segregated policies.

Georgia Gov. Ernest Vandiver said the Legislature next January may change the legal age for execution in Georgia which now is 14.

He said he will grant a stay of execution to a 15-year-old Negro boy, Preston Cobb, jr., under death sentence for murder, if his motion for a new trial is rejected prior to or during the legislative session. This would be done to give the lawmakers an opportunity to change the lagal age.

Young Cobb's appeal for a new trial is pending. He was convicted of killing a white farmer for whom he worked.

# Movie Theaters To Run Despite Negro Pickets

KNOXVILLE, Oct. 11 (UPI) — Managers of Knoxville's downtown movie theaters said today they will continue business as usual despite a drive by Negro college students to desegregate the theaters.

"When, or if, we decide to make a move it will not be because of any pressure groups," Manager William Coury of the Tennessee and Bijou Theaters said. "As long as they demonstrate in an orderly manner we don't intend to do anything about it."

About 90 young Negroes from Knoxville college picketed the downtown theaters last night for the second consecutive night. Three white persons and lone Negro were arrested on disorderly conduct charges when a crowd of 200 to 300 persons, mostly white teen-agers, gathered to watch.

French Harris, 47, a towering police veteran just completing his first year as police chief in this mountain city of 112,000, personally drove off a crowd of white youths who tried to jostle a line of 30 Negro students at the Tennessee Theater on Knoxville's main street.

Harris said the Negroes would not be molested so long as they were orderly and stayed in line at the theater box offices. Fifty-one demonstrators were arrested Monday night when they stepped out of line and blocked traffic.

# Negroes in Clarksville

Pittsburgh-Courier P14 Sat 12-9-61

# At Bottom of the Pile

Pittsburgh, Pa 1

By FRANCIS L. YOUNG

CLARKSVILLE, Tenn.—Negroes share so little of what this burgeoning middle Tennessee county seat has to offer for the not-so-simple reason that they "have not asked for anything."

Of course this has nothing to do with registration and voting rights. The expressed opinion on the matter is that of some leading whites recently interviewed.

■

**CLARKSVILLE,** the seat of Montgomery County, acccording to last census has a total population of some 22,021 Negroes and whites. Negroes, approximately 5,630, comprise roughly one-fourth of the populace.

**Economically they are at the bottom of the heap. Most, according to whites interviewed for The Courier, do not get equal pay with whites for doing the same work — where permitted, and rarely are they paid for overtime.**

No Negro is, nor has one ever been, a member of the law enforcement department here; no Negro delivers mail in this city, and none works as a clerk in the post office.

■

**IN THIS DEPARTMENT,** also, it is known that Negro war veterans have passed the qualifying tests only to be overlooked by whatever postmaster is in office at the time. Negroes have no voice whatsoever in power-structure committees in this community's life.

**There are whites and Negroes who feel the need for a functioning interracial committee to establish communications between the races. No Negro has been a member of the Clarksville Chamber of Commerce since the death of Dr. R. T. Burt, some years ago.**

Negroes and whites in Clarksville are so far apart that colored are excluded entirely from planning committees for civic affairs. This applies to Veterans Day, Red Cross, Cancer Drives, March of Dimes and the UGF Campaign.

**NO NEGROES** in Clarksville serve in any government post. The last was the late Nace Dixon, alderman from the Ninth Ward. That was some 40 years ago.

It goes without saying that no Negro is on either a Democratic or Republican committee in this town, the buses are still segregated, and the local newspapers rarely mention a Negro except as related to some crime.

**MARRIED OR SINGLE,** Negro women are never referred to in the local paper with the common courtesy of Miss or Mrs. It just isn't done here, and Negro is spelled with a small "n."

**In a roundup on Clarksville, it should be borne in mind that it was in the outlying county areas that Negroes were evicted from tenant farms for having attempted to register and vote.**

It is also at nearby Somerville that Tennessee's famed "Tent City" for displaced Negroes still exists, and at Tipton. Mid-Tennessee counties run from 25 to 30 per cent Negro population. What do they want, and what can they get by merely asking. They can't vote!

■

**IT HAS BEEN** the same here since Reconstruction Days. No change is in sight, not even for the run-down Cobb Elementary School in the heart of one of the worse slum areas in any Tennessee city of comparable size.

Articulate Clarksville Negroes sum things up in this manner:

We don't want to be the white man's brother-in-law. We only want a rightful place in the family of man, and to live with digniy of freedom, and opportunity."

38a 1961

TENNESSEE

NOVEMBER
WHITE MINISTER FASTS FOR RACIAL JUSTICE
REV. MAURICE McCRACKIN

# White Minister Fasts For Racial Justice

The Courier-Journal 3/3
Fri 11-3-61

## He's In Jail In Tennessee

Louisville Ky
Fri 11-3-61

Brownsville, Tenn., Nov. 2 (AP)—A white minister from Cincinnati, here to help a Negro civil rights drive, was on a jail cell "fast for justice" today.

Sheriff S. T. Hunter said the Rev. Maurice McCrackin, 55, has ignored food since his arrest last Sunday.

The United Presbyterian minister was carried back to his cell yesterday after refusing to pay a $50 fine imposed on a charge of loitering.

Officers had to carry him every step of the way to the courtroom and back. He adopted an attitude of passive resistance that included rejection of legal counsel.

**Served Tax-Case Term**

Asked by Judge Sam Lewis how he would plead, the minister replied: "I am pleading for justice, in Africa, India, Cincinnati, Brownsville and everywhere."

Mr. McCrackin is treasurer of "Operation Freedom," formed last year to help Negro sharecroppers who said whites were trying to squeeze them out of the area because they registered to vote.

He served a six-month federal prison term in 1959 after refusing to pay income taxes because part of the money goes to buy armaments. Officers had to carry him in for that trial, too.

# Nashville Civil Rights Lawyer Victim Of Planned Harassments

NASHVILLE. — (ANP) — Foes and champions of civil rights have employed many unique techniques in their long struggle prompted by young, militant college students here.

But Avon Williams, an attorney who has been active in many of the cases growing out of the student demonstrations, is the victim of a long series of harassments. With his law partner, Z. Alexander Looby, he represented the plaintiffs in a federal court suit which resulted in the school desegregation case several years ago.

Looby's home has been bombed. While Williams has received only bomb threats, he has been the target of a series of annoying and sometimes costly "jokes" since the beginning of the year.

The most recent occurred when he entered his office one morning last week to find 12 men waiting in response to an ad for truck drivers inserted in the local daily paper giving his name and office address.

**"Fooled Many Times"**

Williams hadn't placed the ad, in fact he had no knowledge of it and had to explain to the men that they had been cruelly fooled as he has many times before.

**Here are some of the things that have happened to Williams recently:**

Three or four times a day he has received anonymous telephone calls. Sometimes the callers say nothing. Sometimes they curse or threaten Williams.

A four-foot funeral wreath with the message "In Loving Memory Of Avon" was delivered, COD, to Williams at his office.

**Food For 25 Persons**

A caterer arrived at the office one afternoon with a butler and food for 25 persons, sent by someone who identified himself to the caterer as Williams.

Loads of concrete, fertilizer and sand have been delivered to his home, none of it ordered by Williams but all of it to his account.

At least a dozen ambulances have been summoned to his home by unidentified persons.

Taxicab drivers, not called by Williams pound on his door in the middle of the night.

Fire engines and police have rushed to his house after receiving calls in Williams' name.

**Water Turned Off**

His water was turned off after someone called to say Williams was moving out of town. A real estate agent returned a call Williams never made about selling the house. Nashville Electric Service inquired about turning off the electricity.

A florist sent a bill for a $20 arrangement sent in Williams' name to Police Chief D. E. Hosse when Hosse was hospitalized recently. A fruit shop sent a bill for a "sunshine basket" for the chief.

"This is very embarrassing to have to call all these merchants and tell them what's happening," Williams said. "And it's surprising to me they would be so gullible to send these things on just a telephone call."

**"Blessing In Disguise"**

"The only thing I've kept is the fertilizer. My wife had been after me for a year to get some. This was dumped in the back yard. They settled for half price."

Williams said he has informed Sidney Ritter, Nashville detective chief, about some of the pranks and about all threats.

But Ritter said he hasn't investigated because "there's no way to find out who orders these things."

"We've turned it all over to the FBI," Ritter said.

Clarence Kelly of Memphis, chief FBI agent in Tennessee, declined comment.

# Chattanooga race tension at high point

CHATTANOOGA, Tenn., March 17—(AP)—Racial tension gripped Chattanooga today after the worst outbreak of Negro-white friction in the five-week history of the theater stand-in movement here.

A white man slugged a Negro minister and an elderly woman was injured when a group of Negroes fled a missile-throwing band of white youths in an aftermath of the latest stand-in last night.

THE WHITE MAN, nine Negro demonstrators and a Negro juvenile were arrested on various charges, and police mobilized for more trouble as roving groups of white and Negro teen-agers gathered in various parts of the city.

No further trouble was reported, however.

**It all started as nine Negroes sought, unsuccessfully, to buy tickets—as they have intermittently for the past five weeks—to a movie house which admits only white patrons.**

The Rev. Robert Hunter, rector of St. Mary's Episcopal Church—a Negro parish, watched the demonstration. Suddenly, police said, Harry Light, 34, a white man, slugged Hunter above the eye.

Light, who once served a Michigan prison term for armed robbery, was arrested on assault and battery charges.

WITNESSES SAID that minutes after the incident between Light and the Rev. Hunter, about three white youths pounded the minister across the shoulder with their fists and fled when police arrived.

The Negro rector was not seriously injured.

**The nine demonstrators were arrested on disorderly conduct charges after the theater manager reported they were blocking the entrance to his establishment.**

Police officials said the city attorney has ruled if Negroes make repeated efforts to buy tickets and are turned away, they are an annoyance.

SHORTLY AFTER the arrests, some 12 Negroes walked up a [illegible] street when six white boys [illegible] out of a car and words were [illegible]nged. Several in each group [illegible]dished knives and sticks and [illegible] throwing garbage cans and [illegible] objects.

[illegible] the Negroes fled, one of [illegible] accidentally knocked down [illegible] Lillie Trotter, 88, a white [illegible]. She suffered cuts, head [illegible] and other injuries, but [illegible]ndition was not believed [illegible].

**[illegible]ce said a band of white [illegible] armed with sticks, were [illegible]ng the downtown streets [illegible] in the night. They fled [illegible] officers tried to question [illegible].**

A patrolman caught a 15-year-old Negro armed with a steel ratchet wrench "because somebody might jump me." He was released.

# Police Halt Racial Melee At Nashville

NASHVILLE, Tenn. (AP) — Taunting white youths, throwing punches and eggs, charged an integrationist picket line here Saturday night. Club-swinging police broke up the melee, arresting 15 Negroes and white persons.

Two youths—one white, one Negro—were treated at a hospital for bumps and bruises.

The racial outburst occurred outside a supermarket chain store just before closing time. The predominantly Negro picket line, which had grown during the night to about 40 demonstrators, accused the store of discrimination by refusing to hire Negroes as clerks.

Two hours later, a singing, chanting crowd of about 75 Negroes demanding to be jailed marched on city police headquarters but no further arrests were made.

Negro leaders called a mass meeting at a Baptist church Sunday afternoon and declared another march would be made on police headquarters where one picket remained in custody by her own choice.

A crowd of about 500 filled every pew of the church and flowed into the lobby. Most were Negroes but a few were white.

In two hours of speech-making, the leaders asserted the number of pickets at four target stores of the grocery chain would be doubled and tripled. "We must stand together and we must march together," one speaker said.

About a third of the audience walked to the police station where they sang and prayed. The marchers drifted away quietly after the sidewalk demonstration.

Police Inspector Carney Patterson said 10 of the 15 arrested had been members of the sign-carrying picket line. All but Diane Nash, 21, coordinating secretary of the Nashville Student Non-Violent Movement, posted $5 bond on disorderly conduct charges and gained release.

The Negro woman, police said, had insisted that she be arrested along with the others and refused to leave the jail.

Patterson said the clash was touched off by about half a dozen teen-age white boys who said they happened to be driving by and spotted the pickets. They were armed with eggs, tomatoes and other missiles.

"We found tire tools, chains and lug wrenches inside their car," the inspector said. He said the boys were from various sections of the city.

# 15 Arrested In Nashville Racial Fight

NASHVILLE, Aug. 6 (AP)—Taunting white youths, throwing punches and eggs, charged a desegregationist picket line here last night. Club-swinging police broke up the melee, arresting 15 Negroes and whites.

Two youths—one white, one Negro—were treated at a hospital for bumps and bruises.

The racial outburst occurred outside a supermarket chain store just before closing time, about 9:45 p. m. The predominantly Negro picket line, which had grown during the night to about 40 demonstrators, accused the store of discrimination by refusing to hire Negroes as clerks.

Two hours later, a singing, chanting crowd of about 75 Negroes demanding to be jailed marched on city police headquarters but no further arrests were made.

Today "appalled" Negro leadres called a mass meeting at a Baptist church and said another march would be made on police headquarters where one picket remained in custody by her own choice.

Police inspector Carney Patterson said 10 of the 15 arrested had been members of the sign-carrying picket line. All but Diane Nash, coordinating secretary of the Nashville student Non-violent movement, posted $5 bond on disorderly cnduct charges and were released.

The 21-year-old Negro woman, police said, had insisted that she be arrested along with the others and refused to leave the jail.

SEPTEMBER
DALLAS, TEXAS- DR. CLIFTON O. DUMMETT

# Dentist Bias Suit Winner

By SAM YETTE

TUSKEGEE, Ala.—The refusal of a Dallas, Tex., hotel to honor the reservation of a Negro dentist resulted in a $500 out-of-court settlement for Dr. Clifton O. Dummett, chief of Dental Service of the Tuskegee Veterans Administration hospital.

Dr. Dummett revealed this week how, upon advice of counsel, he had agreed to the settlement from the Dallas Stateler-Hilton, which, he said, refused him room accommodations in 1958, although he presented a bona fide reservation card he had obtained through the mail.

According to Dr. Dummett, he had made reservations to stay at the Statler-Hilton with other delegates attending the national meeting of the American Dental Association. He was to present an exhibit on "Oral Pigmentation" (gum discoloration).

**THE HOTEL**, he said, offered to make him reservations in some other hotel in Dallas, and honor his Statler-Hilton courtesy card if he would attend meetings and dine at the Statler-Hilton, but sleep elsewhere.

His exhibit was presented as scheduled at the Dallas Coliseum, but Dr. Dummett attended some branch meetings (with meals) at the Statler-Hilton. He roomed, however, at "a nice colored motel."

The Tuskegee dentist, who is editor of the Quarterly of the National Dental Association, said he attempted to sue the hotel on grounds that his civil rights had been violated.

The charge, carried to court by Dallas attorney Fred J. Finch Jr. was dismissed on grounds that breach of contract—rather than civil rights—was involved.

■

**FINCH RETURNED** to court with breach-of-contract charges, but the hotel asked the out-of-court settlement, Dr. Dummett said.

In a letter to Dr. Dummett announcing the settlement this week, Finch said that Dallas, in recent months, has voluntarily desegregated 41 restaurants, and that Negroes are saying in heretofore white motels.

## Tuskegee Dentist Wins $500 Out-of Court Argument

TUSKEGEE, Ala. — (ANP) — The refusal of a Dallas, Texas hotel to honor the reservation of a Negro dentist resulted in a $500 out-of-court settlement for Dr. Clifton O. Dummett, chief of Dental Service of the Tuskegee Veterans Administration hospital.

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# Buys Mink Stole; Denied Cup of Coffee

DALLAS, Tex. — To sell a customer a $1,000 mink stole as one of the stand-in participants did, and then be refused a diligent cup of coffee is an un-Godly lack of recognition of moral and business ethics.

The above statement came from the Dallas Committee on Appeal for Human Rights regarding the 'sit-ins currently being staged at Titche-Goettinger Department Store.

The group said white sympathizers are calling in daily, asking what they can do so that their moral intentions can be heard and felt, and many are volunteering to close their accounts at all stores which seek to lower human dignity and human rights.

The Rev. H. Rhett James led a group of four women and a man to the lunch room. Upon entry one lady was able to gain admittance before the management and guards placed a velvet rope in the path of the others.

38a 1961

TEXAS

# Plan Times Ad To Help Mix Movies

Chicago Defender
April 4 - 1961
p. 1

AUSTIN, Tex. — (UPI) — The leader of a University of Texas group seeking to integrate movie houses said they plan to advertise their cause 2,000 miles away in New York City.

Chandler Davidson of El Paso, Tex., chairman of the Students for Direct Action, said funds are being raised to purchase a full-page ad in the New York Times in an attempt to reach the president of the ABC-Paramount theater chain with their plea.

Davidson said his group would ask college students and "famous personalities" throughout the country to contribute to their cause.

"There is little doubt that the Times will run the ad," Davidson said.

SDA has held stand-ins and picket lines at Austin theaters since mid-November trying to change segregation policies.

38a 1961

# Dr Nabrit To Attend Conference In Africa

Dr S. M. Nabrit, president of Texas Southern University, will attend a ten day conference on University Adult Education in Africa at the University of Ghana, Lagon Hill, Ghana, Africa, January 2nd to January 10, 1962.

This conference is being co-sponsored by the Carnegie Corporation, New York and will include a series of joint meetings including a Symposium on University Adult Education in North America. Twenty African and twenty North American University adult educators will participate.

The Conference purpose is threefold, viz. (1) to provide an opportunity for a comprehensive review and discussion of adult education in Africa by those mainly responsible for this increasingly important work in the new Universities; (2) to provide a number of leading North American adult educators with a better understanding of the progress and problems of University educators in Africa, and at the same time to provide those in Africa with a perspective of what is happening in North America; (3) to facilitate an interchange of ideas and experiences between the two groups and especially to plan towards meeting the needs of Africa in the most effective fashion.

The conference will last ten days and will consist of six to seven days of talk and three to four days of field excursions.

Dr Nabrit is scheduled to make a 40 minute speech on "The characteristics of Adult Students in America" at one of the several sessions.

# White minister wife win fight for colored daughter

The Afro-American
Sat. 11-4-61

RUTLAND, Vt. — Christians should be willing to adopt human beings who require it, said the Rev. Mr. and Mrs. Frederick P. Miller of this city.

P. 10

And because they were willing to fight for their belief, a little brown girl will have an opportunity for a normal and happy life.

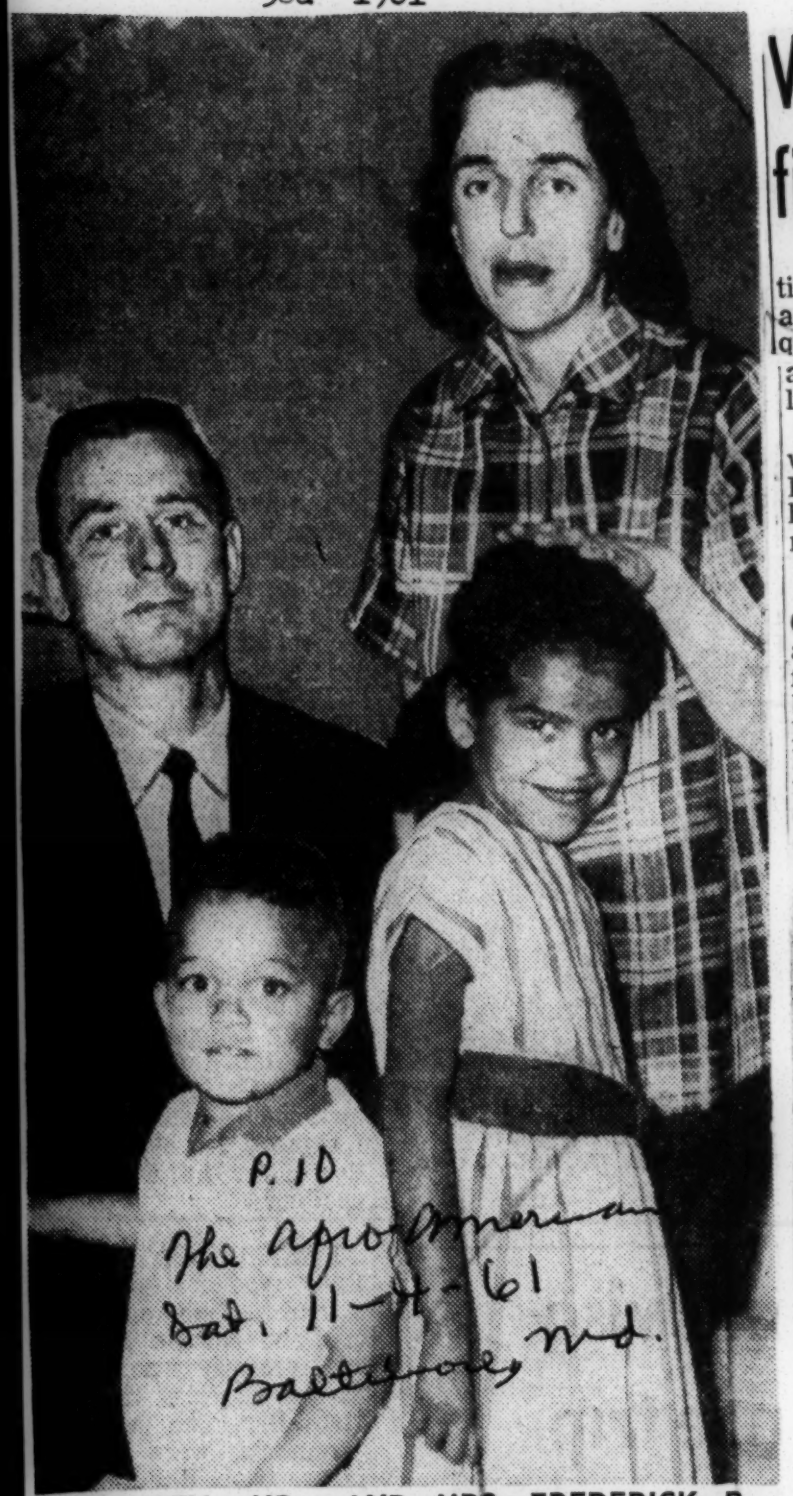
Baltimore Md.

THURSDAY SUPERIOR Court Judge William C. Hill approved the adoption of five - year - old Katharine by the white couple. Judge Hill, in effect, rebuked a lower court that had refused to let the couple adopt the child because of the difference in race.

The Millers have had custody of the child since 1958. When they petitioned for adoption recently, Judge George F. Jones refused to let them adopt the child because, said he, he did not want the records to show a colored child with white parents.

THE MILLERS' plans for an adopted family began in 1957, according to the wife. She said that she and her husband considered accepting to a child of mixed race.

She added that they de-




**THE REV. MR. AND MRS. FREDERICK P. MILLER** of Rutland, Vt. took their fight to higher court and won the right to adopt five -year - old Katharine, shown with them above. Their son, Van, 2, also adopted, is of Puerto Rican background. The Millers are white.

# Police Probe Racial Clash In Virginia

BLACKSTONE, Va. (AP) —The police chief of this southside Virginia town said Friday he was still investigating an interracial clash in which two white boys were peppered with shotgun pellets.

Until that investigation is complete, said Chief Bruce Farley, it is impossible to say whether—or if—any charges might be brought.

The battle between white and Negro youths broke out about 8:30 p.m. Wednesday, and Farley said, "by the time police got there it was completely over."

He said the combatants were confined to about 10 or 12 Negro youths and about the same number of white youths.

"There was no big fight. . .no fists. . .no fighting, no rioting."

Some bottles were thrown, the chief said, and a shotgun was fired.

"We don't know which side fired it (the shotgun), or who fired it, at this time," he said.

He said he believed the two white boys were struck by riccocheting pellets and added that neither was hurt seriously. It was doubtful, he said, whether either even required any treatment.

Reports Wednesday night contended the clash was a result of a feud which had smouldered for several days between the white and Negro youths. According to these reports, the fight began when about 50 white youths arrived by car to accept a challenge brought to them by two small boys.

Farley said police "don't know whether they (reports of the challenge) are correct. The colored boys say they did not do it (send the two boys)."

The Negro youths and the white boys accused each other of throwing bottles.

The Wednesday night reports said volunteer firemen armed with hoses broke up the battle. But Farley said the firemen were summoned merely to wash broken glass from the street.

He said the incident was "not of a serious nature. . .with just a few involved on each side."

As far as the reports of a feud are concerned, Farley said, "there was a slight argument the night before between one white boy and a couple of colored boys."

# Va. Trespassing Case Dropped; Cafe Closed

## Arrest of NAACP official protested

LYNCHBURG, Va. —A trespassing charge against W. Lester Banks, executive secretary of the Virginia conference of NAACP Branches, was nolle prossed in Municipal Court, here, Thursday.

Commonwealth Attorney Royston Jester III, requested that the charge not be prosecuted and Judge Earl W. Wingo granted the motion. Jester said he based his action on a U. S. Supreme Court case involving an interstate passenger refused service in a bus terminal.

Banks was arrested on Oct. 16 in the Lynchburg station of the Norfolk and Western Railway. He had entered the station to purchase a ticket to Bluefield W. Va., after which he sought service in the "white" restaurat. He was refused servie and told to go around to the "colored" lunch counter. He told the waitress that he was comfortable" where he was and wished service there.

* * *

**THE NAACP** representative then left the station to inform the Association's national office and Washington bureau of what was happening. When he returned to the restaurant he was met by police officers who "politely but firmly" ordered him to leave. When he refused he was placed under arrest for violating Virginia's anti-tresspass law. He was released in $1,000 bond for the hearing.

Witnessing the denial of service and arrest was the Rev. Jack Teeter, a white clergyman who is vice president of the Lynchburg NAACP branch.

Complaints against the restaurant were filed by Clarence Mitchell, director, NAACP Washington bureau, with the Interstate Commerce Commission and the Department of Justice which is investigating the incident.

* * *

**MEANWHILE, THE** station restaurant has been closed. The closing was ordered after Mrs. Margaretha Newcomb, proprietor, failed to guarantee equal service to all travelers.

Stuart Saunders, N. and W. president, said in New York City, the "regrettable incident" was "clearly a case of failure to carry out company policy since we do not designate or maintain segregated facilities either abroad our trains or in our stations."

Saunders added; "Even though we were not connected directly with the incident and no N. and W. employes were involved, we are sorry it occurred and we are taking steps to see it doesn't happen again."

* * *

**W. R. JOHNSON** president of the Lynchburg NAACP petitioned Mayor William C. Vauhan for an apology "for the arrest of a nationally known figure who organized a convention in Lynchburg." Mr. Banks had attended the NAACP state convention held in Lynchburg for three days over last weekend.

The Mayor said he regretted the incident and "sincerely hopes the legislative branch, judicial and community customs will not continue at odds." He said "when he (Banks) violated a state law he took any action I might take out of my hands and put it in the legal profession."

## White Cleric Claims Bias In Va. Court

LYNCHBURG, Va., Nov. 8 (UPI)—A white minister said today he was ordered from the "Negro side" of a segregated courtroom when he attempted to take a glass of water to the mother of one of his Negro parishioners.

"Justice has become fantastic when a minister cannot give a cup of cold water to a sick woman and sit beside a member of his parish in a courtroom in the United States," said the Rev. John H. Teeter, 36.

Teeter, who is a vice president of the Lynchburg branch of the NAACP, is vicar of the Episcopal Church of the Good Shepherd here. He said he was asked to get water for a material witness during a preliminary hearing and when he came back with the water he was asked by a bailiff to move to the white side of the court room.

"I refused to comply and left," he said.

(Mr. Teeter said he thereupon asked the Justice Department to investigate segregated Lynchburg courtrooms and quoted a Justice Department aide as saying the Government would "look into it.")

## AFTER ARREST OF NAACP OFFICIAL:

# N & W President Acts Swiftly To End Jim Crow At Restaurant

Journal and Guide 01 Sat 10-28-61

Norfolk, Va.

## Lester Banks Held For 'Trespass'

### Convention Visitors Sample Lynchburg's "Hospitality"

Special Correspondence

LYNCHBURG, Va. — The ar-arrests of two Norfolk anch NAACP officials for requesting service in the "white" section of the Norfolk and Western Railway terminal restaurant set off a chain of events which resulted in:

- Arrest of the executive secretary of the Virginia State Conference of NAACP Branches on "trespass" charges.
- A statement by the president of the Norfolk and Western lines deploring segregation in terminals and ordering its end;
- Protests to the Mayor of Lynchburg, railway officials and U. S. Attorney General Robert F. Kennedy, and
- Request for an "apology" from Lynchburg officials.

**THIS SERIES** of events was launched early Saturday afternoon when the Rev. W. L. Hamilton, vice-president, and Mrs. H. W. B. Walker, board member of the Norfolk branch NAACP, went into the restaurant at the Lynchburg N & W station and asked for service. Rev. Dr. Hamilton was enroute to Norfolk via train, Mrs. Walker was returning to State NAACP convention sessions then underway.

After they were seated, they were approached by a waiter who told them that they would have to "move to the other side." Rev. Dr. Hamilton told the waiter he was "comfortable" where he was and explained that he had purchased a ticket to Norfolk and preferred having lunch at the terminal to dining on the train.

**REV. DR.** Hamilton said he also explained recently-enacted ICC and other ordinances to the waiter who, at that time, had been joined by a woman later identified as Mrs. Margaretha Newcomb, manager of the terminal restaurant. Mrs. Newcomb said that the facility was a "private" one and that usual regulations did not apply.

Two police officers arrived and Rev. Dr. Hamilton again reiterated the fact that he and his party were "comfortable."

The officers explained that they had been sent to the terminal by "higher ups" and it was not their desire to make any arrests. Several minutes later, Rev. Dr. Hamilton's train arrived and he and his party left.

**ON MONDAY,** the arrest of the State NAACP conference's executive secretary took place in the same restaurant.

W. Lester Banks, who had handled arrangements for the convention which ended Sunday, went to the terminal and purchased a ticket to Bluefield, W. Va. While awaiting arrival of his train, Mr. Banks saw a white friend, the Rev. John H. Teeter, vicar of the Church of the Good Shepherd and vice-president of the Lynchburg branch NAACP, and joined him.

**WHEN MR. BANKS** asked for coffee and pie, he was told by a waitress to go to the other side.

"I told her I was comfortable," Mr. Banks said. Refused service, he asked for the manager. The waitress said that she was the manager.

**MR. BANKS** left momentarily to make a telephone call and police officers were waiting his return. He again asked for coffee and pie and was directed "politely but firmly" by police officers to leave. When he refused to do so, Mr. Banks was taken into custody on charges of violating the state's anti-trespass laws. The arresting officers were Lt. W. N. Smith and Capt. W. E. Gilliam.

Within an hour, Mr. Banks was released on $1,000 bond furnished by Dr. Walter "Whirlwind" Johnson of Lynchburg.

Mr. Banks said that he would file a complaint with the Federal Bureau of Investigation at Lynchburg and explained that during his absence from the restaurant he had made a telephone call to the Washington branch NAACP asking that office to contact the Justice Department.

**MR. BANKS** said "As an authorized interstate passenger, I was shocked at the restaurant's refusal to serve me. It was particularly shocking after the conclusion of such a peaceful NAACP meeting here."

The operator of the restaurant, who swore out the complaint, Mrs. Newcomb, is a German war bride who became an American citizen in 1955 "It is a strange world when a former German can have a native-born American arrested when he seeks only civil rights guaranteed under the United States Constitution," said Mr. Banks.

**DEVELOPMENTS** continued Tuesday when the president of the N & W Railway said steps would be taken to eliminate segregation at the Lynchburg terminal restaurant.

Stuart Saunders, N&W head, said that the treatment of Mr. Banks was "clearly a case of failure to carry out company policy since we do not designate or maintain segregated facilities either aboard our trains or in our stations."

**THE RESTAURANT** here has doors labeled "white" and "colored."

Mr. Saunders said that "Even though we were not connected directly with the incident and no N&W employees were involved we are sorry it occurred and we are taking steps to see that it doesn't happen again."

On Thursday, the restaurant was not open for business.

**IN THE MEANTIME,** W. T. Johnson Jr., president of the Lynchburg NAACP, had sent letters of protest to Mr. Saunders, to Lynchburg's Mayor William C. Vaughan, to Burk Marshall, Assistant U. S. Attorney General, Civil Rights Division, and to Attorney General Kenendy.

The branch asked that the Justice Department make a "full-scale, on-the-scene investigation . . . so that all facilities of interstate railroads be open to all persons."

**IT ALSO** asked that city officials apologize for the incident. "Already the news story of Mr. Banks' arrest has reached the people of Africa and Asia with whom the United States government wishes to maintain cordial relations," a letter to Mayor Vaughan said, adding, "Certainly this arrest tarnishes the reputation of Virginia, Lynchburg, and the nation."

Mr. Banks is to be tried Oct. 26 at 9 a. m. in Municipal Court on trespass charges.

Mr. Banks' case is a result of the anti-trespass laws which were unanimously passed in the last session of the Virginia General Assembly.

W. LESTER BANKS
Charge: Trespass

VIRGINIA

NOVEMBER
LYNCHBURG- UNION STATION
RESTAURANT

**Virginia-Maryland Briefs**

# Restaurant Owner Won't Reopen on Integrated Basis

LYNCHBURG, Va., Nov. 5 (AP)—An offer by the Norfolk and Western Railway to Mr. and Mrs. Maurice E. Newcomb to reopen their closed restaurant in Lynchburg's Union Station has been rejected, Mrs. Newcomb has disclosed.

The restaurant was closed Oct. 17, two days after NAACP Virginia Conference executive secretary W. Lester Banks was arrested there and charged with trespassing. He had sought service in the white section of the restaurant.

The case against Banks was subsequently dropped.

Mrs. Newcomb said Clark Hale, superintendent of the Norfolk division of the Norfolk and Western Railway, told her the restaurant could be reopened if she would permit desegregation.

She said she had a letter dated Nov. 2 from Railway President Stuart Saunders saying the company was "willing to permit you to reopen this restaurant provided you are willing to comply with requirement of the law which prohibits discrimination between patrons on the basis of race."

The letter added: "I understand . . . that you were not willing to do this . . . I take it . . . this is your final decision."

Mrs. Newcomb, German-born war bride of a former United States Airman, said Friday that her attorney had arranged with a railway lawyer for cancellation of the lease, allowing her and her husband 90 days to remove approximately $7500 worth of equipment from the building.

She said she had "too much pride" to reopen the restaurant now.

SEPTEMBER

VIRGINIA LEGISLATIVE COMMITTEE ORDERED LAWYERS AND CIVIL RIGHTS LEADERS IN 4 CITIES TO PRODUCE RECORDS ON THEIR DESEGREGATION ACTIVITIES.

**Negro Law Firm Raided in Norfolk**

The Washington Post

# Virginia Civil Rights Leaders Told To Produce Desegregation Records

p. 9

Fri. 9-8-61

Wash. Star, D.C.

By Laurence Stern
Staff Reporter

A Virginia legislative committee ordered lawyers and civil rights leaders in four cities yesterday to produce records on their desegregation activities.

Committee agents unsuccessfully raided the office of a Negro law firm in Norfolk and subpoenaed clergymen in Hopewell, Lynchburg and Petersburg for the suspected evidence.

The forays by the Committee on Offenses Against the Administration of Justice marked the opening of a wide-ranging investigation of seven groups seeking to break down segregation barriers in the Old Dominion.

These groups are the Congress on Racial Equality (CORE), Southern Christian Leadership Conference, Inc.; Virginia Christian Leadership Conference and the Hopewell, Lynchburg, Petersburg and Portsmouth Improvement associations.

The Committee also is seeking a court order which would compel the NAACP to divulge the names of contributors. This case is pending in Richmond Hustings Court.

In the Norfolk raid, three city sergeants and two representatives of the Committee tried to attach records and correspondence in the office of Jordan, Dawley and Holt, a Negro firm.

They left empty-handed after a half-hour meeting with two of the partners, E. Armistead Dawley Jr. and Leonard W. Holt Jr. "We took the position that we had no records that would be of interest to them," Dawley said.

Dawley and Holt said the legislative committee also demanded records within 24 hours from the Rev. Virgil Wood in Lynchburg, the Rev. Milton Reid in Petersburg and another clergyman in Hopewell. All are leaders of local improvement associations.

A committee spokesman said his group is looking into possible violation of the Commonwealth's 1958 barratry act.

Barratry—the improper solicitation of clients and excitement of litigation—is a common-law offense in Virginia.

Dawley and Holt said they are planning to take legal counter-action against the committee.

# Bias Case In Appeals Court

The Defender
Chicago, Ill.

WASHINGTON — (ANP) — The full nine-member bench of the U. S. Court of Appeals was asked last week to reinstate a claim against Hot Shoppes, Inc., for refusing to serve a Negro in Alexandria.

Charles E. Williams, said he could prove, if given chance, that a restaurant manager acted "under color of Virginia law" when excluding him in November, 1959.

Williams, a Treasury department attorney arguing his own case, said it made no difference that State Atty. Gen. Albertis S. Harris, jr., later declared that Virginia's segregation laws did not apply to restaurants. The point is that the manager thought the law applied, Williams said.

Williams complaint for $5000 damages, which was dismissed in District court, stated that the manager disavowed personal prejudice but cited the Virginia law.

This kind of discrimination, Williams said, is a form of "state action" barred by the 14th amendment and the Civil Rights Act of 1875.

Atty. Charles J. Steele said the manager was obeying the law as he understood it, not enforcing on behalf of the State. Hot Shoppes and other corporations desegregated their Virginia restaurants after last summer's sit-in demonstrations.

## Signs gone in wake of protests

The Afro American
Baltimore, Md.

NORFOLK, Va. — Officials of the city of Norfolk said Thursday that there are no signs in the new public Safety Building to segregate restroom facilities on a racial basis.

The statement was made after Joseph Jordan, a Norfolk attorney, began circulation of petitions urging that Norfolk, recently designated an "all-American City," be requested to remove the signs which were in evidence during dedication of the new building on Feb. 18.

The signs were taken down shortly after the dedication, officials said, but declined comment on who ordered the signs taken down or had authorized them to be put up in the first place.

Mr. Jordan said that he would check the building again, and that if the signs were no longer in evidence, he would withdraw his petitions.

# U.S. Apologizes For Racial Snub

The Defender.
Chicago, Ill.

WASHINGTON — (ANP) — The Department of State this week expressed regrets to the Nigerian Embassy for the embarrassing incident of segregation which the second secretary, C. C. Uchuno, was recently subjected to in Charlottesville, Va.

The department also asked the mayor of that city, Louie L. Scribner, to furnish information on the refusal by a restaurant there to serve an African diplomat. This request was made by assistant secretary for African affairs, Joseph C. Satterthwaite, after the Nigerian embassy had entered a formal protest on the incident.

The incident came to public attention last week-end when the Nigerian secretary reported that he had been given food in a paper bag at a restaurant and told to eat outside.

**DIPLOMATIC IDENTITY**

Although Uchuno showed his diplomatic identity card he was still told to leave the premises.

"There was no place to eat outside so I sat down in the restaurant and ate my breakfast," Uchuno said. But when he asked for a second cup of coffee, he was refused.

The Nigerian diplomat had boarded a train in Washington enroute to Charleston, West Virginia, where he was scheduled to address a forum at West Virginia college. He took advantage of a 30-minute layover in Charlottesville to get off the train and have breakfast at a nearby restaurant.

Dorothy Kilby, the restaurant owner at the station is reported as having said that the restaurant had a long standing policy of giving Negro patrons their orders in a bag so that they could eat elsewhere.

The mayor of Charlottesville told reporters that he was not investigating this matter even though he had been requested to do so by a telegram from the state department.

He claimed that he knew of no official action that could be taken since this took place in a private eating establishment, but added that he regreted the incident.

Mayor Robert F. Wagner said he would call a meeting of Manhattan councilmen "within a reasonable" time to select another Borough president.

The post is expected to go to another Negro.

## N.Y. Kicks Out Insurance Bias

Chicago Defender

ALBANY, N. Y. — (UPI — Gov. Nelson A. Rockefeller Thursday took a major step in ending a form of discrimination in the state by approving a bill prohibiting distinction because of race, color, creed or national origin in the writing of insurance policies.

Present law prohibits discrimination only in connection with the writing of life insurance. The bill which became the law bans any distinction in premiums or rates for policies or in any other insurance matters.

# Church Racial Duty Stressed

The Washington Post
Washington, D. C.

By Kenneth Dole
Staff Reporter

The minister of Walker Chapel (Methodist) told his congregation yesterday that there is no more important task before them "as representatives of Jesus Christ in Arlington, in Virginia, in the South, in America in 1961" than helping to solve the race problem.

Though, as Christians, "we must be impatient to be about the job of reaching a Christian solution, we must also"—Negroes and whites alike—"be patient enough not to push too hard doors that are opening slowly," said the Rev. Dr. Garland Evans Hopkins.

He said he believed that the "intelligent and farsighted leadership in both races" can get together on methods and means.

Sometimes ministers and churches, the minister said, "have stood with the most reactionary movements in American life, staunchly defending the status quo and refusing to face the fact that we are caught in a tide that will not go back because we command it to."

Nevertheless, he said, "the most fearless and hopeful leadership in the crisis has come from the churches and particularly from the clergy."

## Richmond Groups Fight City Court Biased Seating

Atlanta Daily World
Atlanta, Ga.

RICHMOND, Va. — (ANP) — A plea for desegregation of spectator seating facilities in Petersburg Municipal Court was taken under advisement here last week by U. S. Dist. Judge Oren R. Lewis.

The judge advised Len Holt, counsel for three Petersburg Negroes who are complainants in the suit, that because of a crowded court docket a decision may not be handed down until next month.

The Negroes seek a federal court injunction to restrain Petersburg Municipal Judge Herbert A. Gilliam from enforcing segregation in courtroom.

Walter E. Rogers, counsel for Judge Gilliam, said the purpose of segregation of the races in the court is to prevent friction.

Holt replied that segregated seatings is not necessary to preserve order in the court.

Holt said, and Rogers agreed, that the practice of segregation of spectators in Virginia's state courtrooms is not universal some do, some don't. The Negro complaint, Holt added, is that they are being classified according to race in the Petersburg court and Negroes find this "repugnant."

"It seems that the courts of the land should lead in integration," Holt, a Norfolk attorney, told Judge Lewis.

# Colored Patrons Denied Service At Norfolk Store

Management of the W. G. Swartz department store was apologetic but firm in its policy not to allow colored patrons use of its dining facilities when three prominent citizens sought and were denied service Thursday morning. One of the group, Mrs. W. T. Mason, told the store management that as a consequence, "a hundred or more charge accounts will be withdrawn" by colored patrons.

That is the upshoot of action taken Thursday at noon when the three persons, representing the NAACP, the local Women's Committee of 100, and the National Council of Negro Women sought service in the Swartz dining room.

**THE THREE** were the Rev. W. L. Hamilton, board chairman of the local NAACP; Mrs. Mason and Mrs. H. W. B. Walker. Both Mrs. Mason and Mrs. Walker are affiliated with the two women's groups. Mrs. Mason is president-emeritus of the national organization.

When the three arrived at the Swartz dining facility, the official hostess refused to admit them and asked them to await arrival of the store manager.

**SWARTZ** Manager John A. Watts told the group that store policy made it necessary for him to ask them to leave without service. When asked by Rev. Dr. Hamilton to give an official statement of store policy, Mr. Watts declined to do so, but said that the management of Swartz felt that this was "not the proper time to integrate" the dining facility.

Mrs. Mason stated that the members of the National Council of Negro Women and the Committee of 100 Women had authorized the three to state that they (the members) would withdraw their accounts with the Swartz firm unless the delegation was served. Mr. Watts replied "That's your privilege" but said he was "sorry that (closing accounts) is necessary."

**MRS. MASON**, then went to the Accounts Department where she announced the accounts withdraway plan. She said that open accounts would be paid up and then closed.

Mr. Watts said that the Swartz firm had been ready to make a policy statement during recent meetings between representatives of uptown groups and representatives of other local department stores which have since desegregated their dining facilities. He said that he had not been allowed to make the statement during the meetings.

**PERSONS WHO** took part in those sessions, including Dr. Hamilton, Mrs. Mason, R. D. Robertson and others, refuted the charge, saying that at no time was the privilege to make a policy statement denied any of the participants.

Three other department stores, Smith and Welton, Ames and Brownley and Rice's, as result of the conference, voluntarily opened their dining facilities to all customers on Feb. 3.

# Some Of Lynchburgh's Political Background

THE CURRENT RACIAL crisis in Lynchburg which resulted last week in two Negro ministers, among others, being sentenced to jail for 60 days each, has had our editorial department looking into the political background of the quiet, and apparently placid city in the foothills of Virginia.

After reading some chapters in Volume I of the Debates of the Constitutional Convention of 1901-02, we reached the conclusion that Lynchburg is largely a reflection of the mind of the late Senator CARTER GLASS—as that keen, politically astute mind worked around the turn of the century.

Mr. GLASS was a great power in the Constitutional Convention of 1901-02. He was a spokesman—not for racists in that convention — but for a small group that stood between the racists and the more reasonable and moderate delegates, such as the late Gov. JOHN GARLAND POLLARD. He was agreeable to Virginia adopting a constitution which would withhold from Negro children all except a primary education, operating a maximum of five months a year. But he opposed a plan which would use only taxes paid by Negroes for the education of Negro children. However, he would not stand for education beyond the primary grades for members of the Negro race.

On one occasion when the convention was debating a report of its committee on public education, which had set up a very restricted system academically, Mr. GLASS believed that the restrictions were too rigid. A curious paradox of his championship of colored children's right to a primary education was the language which he used during these debates in defense of his position.

Speaking on one occasion of the loopholes in the education committee's report which would have allowed localities in south-side Virginia to provide *no education al all* for Negroes, Mr. GLASS said, "it might be that in any white community in this state, *not afflicted with the presence of Negroes,* that sort of sentiment would largely prevail, in this district, or another, and it is against that we stand here to protest."

Then Mr. GLASS went on to say that as matters stood a concession had been made "to the very desire of the people *who are afflicted with the Negro—as my own town is, by the way—*"

The concession which Mr. GLASS referred to and which he was defending was the constitutional right of white citizens to provide schools for white children that would take up where the primary schools for Negroes and whites left off, but would use none of the public funds to provide similar education for Negro children of the state.

This attitude which was general throughout Virginia, and particularly in the Southside and Southwest. left its impact on Lynchburg, which was the home town of Mr. GLASS.

He felt there were counties and cities in the state which were "afflicted" with the presence of the Negro and these places *included Lynchburg.* At that time he looked upon Negroes as a social and political *affliction.* Looking upon Lynchburg today and the power which Mr. GLASS and his colleagues exerted over Lynchburg we do not know which was the city's greatest affliction, the colored citizens, or Mr. GLASS.

It is a paradox however. that as CARTER GLASS went on to rise from one position of responsibilty to another—State Senator, Representative in the House, Secretary of the U. S. Treasury and U. S. Senator—his attitude toward colored people softened. There were times in the experience of Howard University when the institution's annual appropriations were being held up by recalcitrant Congressmen, the president of the University could go to Senator GLASS and get the appropriations moving.

In the afternoon of his life Senator CARTER GLASS was a good friend to education for all people, but we believe that his beginning years in politics had an impact on Lynchburg which remains to this day, when pastors of churches, college students of mature age, and a 16-year-old female juvenile are put in jail for trying to impress the city in a non-violent manner with the dignity of the whole human race.

The Lynchburg crisis, from latest reports, is relaying, due to the intervention of both white and colored citizens of good will.

38a 1961

VIRGINIA

C O R E- CONGRESS OF RACIAL EQUALITY

# Fairfax County Orders Halt Of CORE Classes

Fairfax County yesterday issued formal notices charging that an institute for racial demonstration is violating the zoning ordinance and must be ended by 8 a. m, Monday.

The notices went out to six trustees of the Mt. Vernon Unitarian Church on whose hilltop estate the Congress of Racial Equality (CORE) is holding classes on anti-segregation protest.

The church's trustees, talking informally, have decided to refuse the County's ultimatum, Board Chairman Joseph J. Remington said yesterday. The trustees do not feel the ordinance is being violated, he added.

County officials charged that the residential neighborhood site is being used as a school without a permit and that the buildings are occupied by more than one family in a zone restricted to single-family dwellings.

The notices warned that the County would "institute such action as may be necessary to terminate the violation" if the Monday deadline is not met. They were issued after County Executive Carlton C. Massey met with Commonwealth's Attorney Robert C. Fitzgerald and Asst. Zoning Administrator William T. Mooreland.

About 35 CORE students are attending the workshop sit-ins and other demonstrations and have lived in two buildings on the estate. The institute is scheduled to conclude on Thursday.

# Negro's Counsel Charges Frameup

RICHMOND, April 25 (AP) Counsel for an Alexandria Negro attorney charged today that Warern county officials had framed his client "to put (him) into a difficult position."

The charge was made to the State Supreme Court by Samuel W. Tucker of Emporia, representing his brother, Otto L. Tucker of Alexandria.

Otto Tucker appeared before a special Warren County Circuit Court in 1959 following a 7th district bar committee's charge of unprofessional conduct.

The Alexandria attorney was charged with improper solicitation of business. The case resulted from an assault case in Warren county in which the Negro attorney represented one of several defendants.

The misconduct charge stemmed from Otto Tucker's representation of a white teenager.

Samuel Tucker told the high court the entire case against Otto Tucker is built upon an affidavit sworn to by his brother's white client "most of which was refuted by its maker in sworn testimony upon the stand."

Francis C. Lee, assistant state attorney general, representing the Commonwealth, countered that he would be willing to "dismiss the affidavit and rely solely on the testimony in this case."

Lee said Otto Tucker, for whom a reprimand was ordered, should be "very happy that the court treated him so leniently."

He said that for the Supreme Court to reverse the lower court's verdict would "put the seal of approval" on the alleged misconduct "thereby lowering the standards of the bar."

# Fairfax Stand Asked In Desegregation Plan

Fairfax County Supervisors have been asked to take a stand on racial desegregation in places of recreation and public accommodation in the County.

The request came from the County Council on Human Relations which recently made plans to seek desegregation of bowling alleys, theaters and motels.

A resolution was requested "expressing the sense of the Board that there is no obstacle in the law or in community sentiment to the adoption of non-discriminatory practices by all places of public entertainment, recreation and accommodation in the County."

The Council also asked Commonwealth's Attorney Robert C. Fitzgerald for opinions whether Virginia's segregated assembly laws apply to bowling alleys, theaters, and motels.

The Supervisors took no action on the request yesterday.

## K to Visit Morocco

Reuters

RABAT, Morocco, April 26 Soviet Premier Nikita S. Khrushchev has accepted an invitation by King Hassan to make an official visit to Morocco, at an unspecified date, the Foreign Ministry here announced today.

# Priest Prays For Arrested Fighters Of Bias

MIDDLEBURG, Va. — UPI — President Kennedy heard his priest offer a special prayer Sunday for efforts to desegregate public eating places in this Virginia community near the Chief Executive's country retreat.

The Rev. Albert F. Pereira, pastor of St. John's Roman Catholic parish, pronounced the prayer at the Mass which the President and Mrs. Kennedy attended at the Community center here.

"With the eyes of the world on this little town of Middleburg, we should be ashamed that we did not correct this injustice until we were pressured by outsiders, local custom notwithstanding," the priest added in a strongly worded parish bulletin.

"Jesus was a Samaritan lover, which is equivalent to being a nigger lover today," he added.

Fr. Pereira and local Protestant clergyman persuaded lunch counter and restaurant operators last week to allow Negroes to eat in the formerly white-only establishments.

The clergyman wanted to avoid any embarrassment for the President whose rented Glen Ora estate is just outside town.

A Negro couple was served without incident Sunday at the Red Fox Tavern where the presidential press corps is staying, Several other Negroes were served at the [redacted] street.

The President and First Lady were accompanied to Mass by Kennedy's sister, Jean, and her husband Stephen Smith. The Smiths flew to Glen Ora with the President by helicopter Saturday.

Kennedy planned to fly back to the White House by helicopter on Monday morning, if the weather permits. His schedule will be devoted to diplomatic matters, starting with a 10 a.m. (EST) visit from Anthony J. Drexel Biddle, new U. S. Ambassador to Spain.

# Says Africans need passes in Virginia

RICHMOND

If African diplomatic personnel carry papers proving they are not colored American citizens, they stand a fair chance of being treated courteously in Virginia — that is, if they make prior arrangements and if local businessmen are so inclined.

This is the reply of Virginia Gov. J. Lindsay Almond to President Kennedy's request (sent to the governors of all states) that foreign diplomatic personnel, especially Africans, be courteously treated.

Citing the fact that new African embassies will substantially increase the number of diplomatic personnel, the President wrote:

"Unfortunately, there have been incidents which have brought complaints to the Department of State and received adverse attention in the world's press.

"Although most of these incidents have not been the subject of formal protests, they understandably still rankle and are a disservice to the individuals involved, our own nation and the cause of international understanding."

* * *

REPLYING THAT he would be pleased to cooperate, Gov. Almond said: "The operation of private business ... is under the control of the owners and proprietors."

He further said: "Specifically, would it not be well to suggest to the representatives of other nations that they clearly identify themselves when seeking service in any establishment ...?" and "I suggest, also, where possible, travel and other arrangements be made in advance, in order that proper hospitality may be assured."

The governor sent copies of the two letters to mayors and trade associations of various Virginia cities saying "I know I can count on your support in bringing the President's message to the attention of those individuals and businesses that may be directly concerned."

'Unforgivable insult'—

# Negroes protest Reb flag on tag

SPOTSYLVANIA, Va., April 17 —(AP)—The Confederate flag on the license tag that Spotsylvania County sells to motorists apparently will stay there despite the outraged protest of Negro leaders.

**"I don't see that anything can be done about it now," says A. Miller Arritt, chairman of the County Board of Supervisors. "It's just something to call attention to the Civil War Centennial."**

The National Association for the Advancement of Colored People, however, see the flag-on-the-tag affair in a radically different light.

"AN UNFORGIVABLE insult to every colored citizen of the country." The executive secretary of the Virginia NAACP conference, W. Lester Banks, calls the presence of the Rebel battle flag on the county license.

The NAACP'S Spotsylvania County branch officially protested the license early last week. It said its protest was ignored by the supervisors. Last Saturday, the state NAACP joined in the fray.

**With the help of the state organization's legal counsel, the county NAACP fired off a brand new letter to the supervisors which said Negroes feel "personally degraded" by having to carry the license on their cars.**

The letter said Negroes are being compelled "to imply that we thank the Confederacy for doing its best to keep us in physical bondage."

ARRITT DIDN'T say yesterday that the supervisors would grant a hearing the NAACP has demanded on the flag-on-the-tag issue, but he remaked that the matter was brought up awfully late in the game.

The county already has sold more than 4000 tags—or 90 per cent of all it has—the supervisors' chairman said. They've been on sale since March 15 and the deadline for buying them was last Saturday.

MONTICELLO HOTEL, NORFOLK, VA.
VICE MAYOR JAMES B. SIMMONS, JR.

# No Room For The Vice Mayor

Vice Mayor James B. Simmons Jr. (rear) is shown leaving the Monticello Hotel in Norfolk on Sunday after being informed that his room reservation had been cancelled because of his race.

Preceding him is William Mercer, instructor of music at Norfolk Division of Virginia State College. Mr. Simmons was an official delegate to the International Municipal Workshop on Parking at the hotel. Mr. Simmons said the manager was apologetic, and that he was permitted to use all of the hotel's other facilities for delegates (including dining).

# Reservation Cancelled In Norfolk

Journal + Guide
Norfolk, Va
Apr. 5-6-61

## Virginia Jim Crow Greets Negro Solon At Parking Parley

Denied a room along with other delegates to the International Municipal Workshop on Parking at the Monticello Hotel in Norfolk on Sunday, Vice Mayor James B. Simmons Jr. of Toledo, Ohio, told the Guide on Monday that he received every other courtesy the hotel could offer. The meetings will end Wednesday.

Mr. Simmons said that when he arrived at the hotel the clerk on the registration desk informed him that his reservation, made by Toledo officials, had been cancelled.

**HE ASKED TO** see the manager, Jack Armory, who apologized and stated that Virginia law does not permit the hotel to offer lodging to both white and colored guests. Mr. Simmons said he was told the hotel would lose its license if it housed whites and Negroes at the same time.

Mr. Simmons said his reservations were made by the city of Toledo and the required $25 fee was paid by the city.

**THE MONTICELLO** sent reservations by mail to Mr. Simmons for a room with twin beds and extended a welcome to him and his wife as guests of the hotel and the city of Norfolk. He acknowledged the reservations, but informed the hotel that his wife would not attend the workshop.

He said that since the Sunday incident he had received every courtesy from city officials and from the hotel manager including use of the dining room.

"I have received more attention here than at any similar meetings I attended in the North," he said.

**MR. SIMMONS**, who is stopping at the home of his former Lincoln University (Pa.) classmates, William Mercer and Dr. Edward R. Archer, said he was aware of conditions in the South and did not wish to create an incident.

**"HOWEVER**, I felt that as a representative of my city, I should seek the same services that were made available to delegates from other cities," he said.

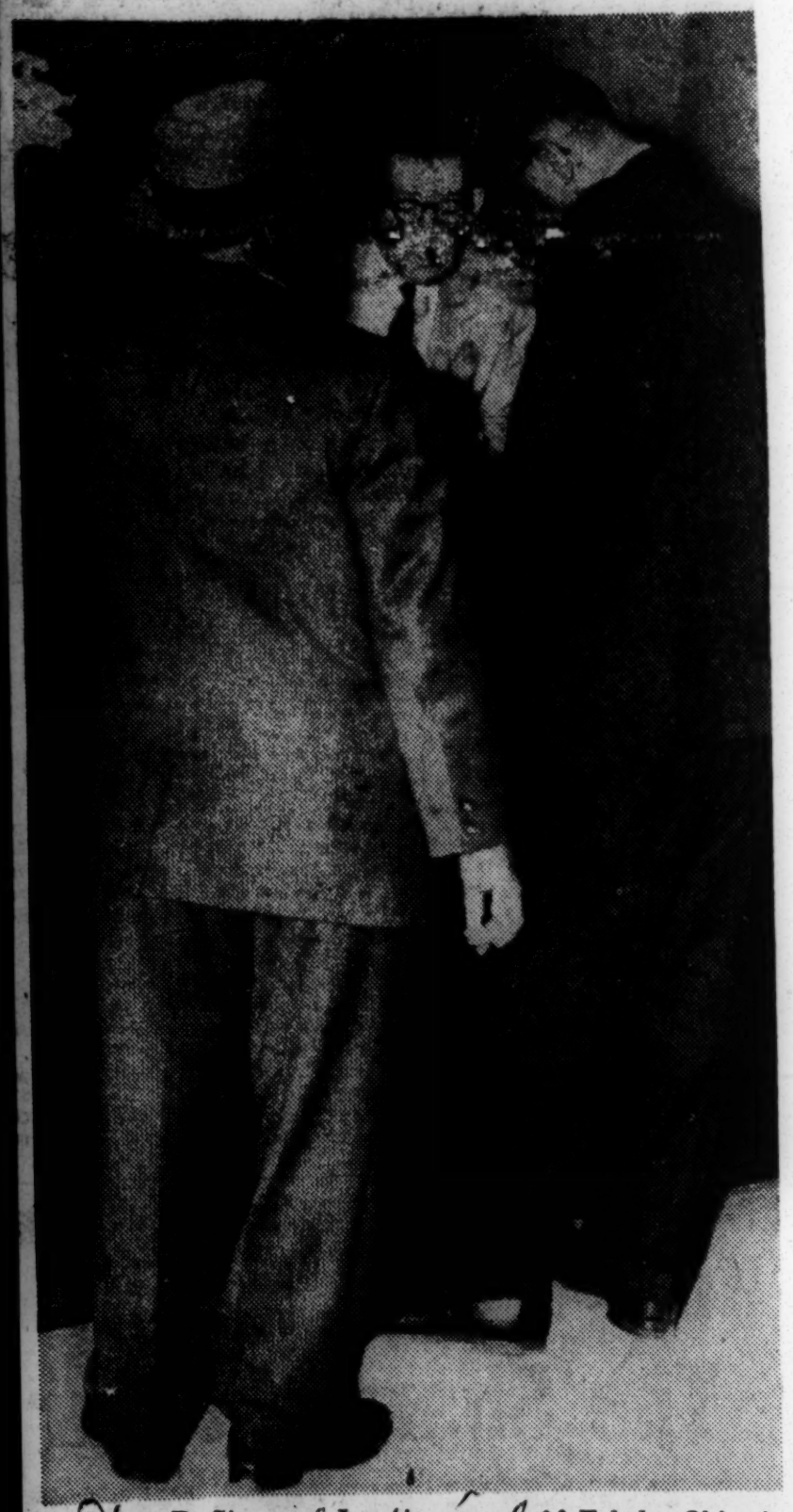
"I came here to deal with parking problems, and I intend to do my job with dignity," he continued.

Mr. Simmons is a member of the off street parking committee in Toledo.

He will remain in Norfolk until May 4.

The workshop is being sponsored by the American Municipal Parking Association, of which Norfolk is a member. This is the seventh annual workshop sponsored by the group.

# Dine? Yes--Sleep? No



James B. Simmons Jr., vice mayor of Toledo, Ohio, is shown at the right with his back to the camera as he showed reservations for a room at the Monticello Hotel in Norfolk on Sunday.

The clerk told him that the reservation had been cancelled, and the manager said Virginia's segregation laws were to blame. At the left is William Mercer, music instructor at Norfolk Division of Virginia State College. Mr. Simmons was in Norfolk for a meeting of the International Municipal Workshop on Parking at the hotel.

# Segregated Virginia Theater Is Picketed

The Washington Post
Washington, DC
p. 1, 3-26-61
1, 3-A

CHARLOTTESVILLE, Va., March 25 (Special)—Nine University of Virginia students demonstrated in front of the privately owned University Theater here today in the first instance of picketing in protest of the segregation policy of a Charlottesville business.

Seven white and two Negro students carried placards urging the theater's management to admit Negroes.

A spokesman for the group, Peter H. Wiernik, a fourth year pre-medical student, said the picketing stemmed from a breakdown in negotiations in Richmond on Wednesday when the students met with Morton G. Thalheimer, president of the board of Neighborhood Theaters, Inc., owners of the University Theater.

Wiernik said the picketing will be resumed Sunday.

On March 1, six Negro students, backed by 15 white students and faculty members were turned away from the theater's ticket window. The manager told them he had been instructed to abide by Virginia law requiring segregated seating, and that he had no separate facilities for Negroes.

Subsequently, a group of students and faculty members at the University drew up a petition calling on the citizens of Charlottesville to protest by refusing to attend the theater until its policy was changed.

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VIRGINIA

THE REV. JOHN H. TEETER, VICAR
GOOD SHEPPERD EPISCOPAL CHURCH
AND
VICE PRESIDENT OF THE LYNCHBURG NAACP GROUP

The Montgomery Advertiser

## VICAR GETS BOUNCED

The Rev. John H. Teeter, vicar of the Episcopal Church of the Good Shepherd in Lynchburg, Va., and vice president of the Lynchburg NAACP group, was forcibly ejected from a courtroom Monday for refusing to abide by court-ordered segregation.—**AP Wirephoto**

"WALK IN MY SHOES"
TELEVISION SERIES CALLED "CLOSEUP"



# Racial Program On TV Sets Off Louisiana Storm

SHREVEPORT, La. (AP) — A storm of protest arose here Wednesday over a racial program carried on a local television station.

Sheriff J. Howell Flournoy of Caddo Parish said the program —"Walk in My Shoes"—could bring about "conditions which could bring bloodshed."

Television station KTBS, an affiliate of American Broadcasting Co., carried the program Tuesday night. It was part of a network series called "Closeup."

One Negro speaker on the program said the white man's way "would be buried" while another said, "The white man's way is running out on him. He's got to go. The whole white man's empire is about to crumble. I hope he'll be able to cope with it and be as humble as we were when we were on the bottom."

SIT- INS
NEGROES LOSE BIRMINGHAM SIT-In APPEAL



*RULING FAVORS MERCHANTS*

# Court Upholds Conviction Of 12 Arrested In Sit-Ins

Ruling that a merchant can serve which customer he sees fit, the Alabama Court of Appeals Tuesday upheld the conviction of 12 Negroes arrested in a series of sit-ins.

Ten Negro students were taken into custody after trying to eat at white lunch counters in five downtown Birmingham stores March 31, 1960.

Two Negro leaders, the Rev. F. L. Shuttlesworth and the Rev. Charles Billups, were charged with inciting the students to violate the law.

The students were fined $100 and costs each and sentenced to 30 days in jail under a city ordinance which makes it unlawful to remain on the property of another after being warned to leave.

Presiding Judge Robert B. Harwood, writing the controlling opinion in 10 student cases, said no segregation law involved; only trespassing.

He pointed out that the stores involved are private interprises with "no connection with any governmental agency, federal, state, county or city."

The Judge's finding was based on a sit-in at Pizitz Department Store, but the rule was applied to all 10 students who visited the downtown store in pairs.

Harwood said the store, "Being the owner of its premises, had a full right to limit the use of its own premises as it saw fit. By its own choice it could limit the use of any part of its premises. It exercised this right to limit the use of its restaurant."

Continuing, the judge wrote: "The right to operate a restaurant on its own premises under such conditions as it saw fit was an inalienable property right . . . the appellant (the students) would destroy this property right by attempting to misapply the 14th amendment, ignoring the provision in that amendment that grants the right to a private property owner the full use of his property."

The court said each Negro entered the downtown stores "as a licensee by implied invitation. He had no interest in the premises." And, the decision added, "it is fundamental . . . that the grantor of a license, which has not become coupled with an interest, may revoke the license at will."

When the Negroes were asked to leave and refused, Harwood concluded, their status as licensees "was destroyed" and they automatically became trespassers.

Shuttlesworth and Billups were convicted of organizing the sit-in demonstrations. Shuttlesworth was fined $100 and sentenced to 180 days in jail; the other minister fined $25 and 30 days in jail.

The students arrested were James Gober, Robert L. Parker Jr., Jessie Walker, Willie J. Willis, Roy Hutchinson, Robert D. Sanders, William West, James Albert Davis, Robert J. King and Roosevelt Westmoreland.

# Negroes Lose Birmingham Sit-In Appeal

MONTGOMERY, Ala. (AP)—Ruling that a merchant can serve which customers he sees fit, the Alabama Court of Appeals Tuesday upheld the conviction of 12 Negroes arrested in a series of sit-ins.

Ten Negro students were taken into custody after trying to eat at white lunch counters in five downtown Birmingham stores March 31, 1960.

Two Negro leaders, the Rev. F. L. Shuttlesworth and the Rev.

# Set Student Fund as Topic At Conference on 'Sit-Ins'

WASHINGTON, D. C. (ACNS) — When members of the American Council on Human Rights meet here March 4 to discuss 1960 activities and avenues opened for future action, they are sure to discuss the importance and effect of the Student Emergency Fund on the current "sit-in" demonstrations.

Since its inception in early 1960, the fund has received the support of the national member organizations of ACHR and has received more than $7,300 in contributions from Alpha Kappa Alpha, Sigma Gamma Rho, Zeta Phi Beta and Delta Sigma Theta sororities and individuals.

To date, $3,884 has been donated to several organizations to help continue the fight against racial discrimination in America.

■

**FINANCIAL SUPPORT** from the fund has gone to the National Association for the Advancement of Colored People, the Greater New York Students' Association, the Atlanta Student Defense Fund, The Pittsburgh Courier's "Dollars for Dignity," the Women's Steering Committee of Atlanta, and the D. C. Area Non-Violent Group.

In keeping with its primary function, the fund also has helped several college students who have suffered financial difficulties because of "peaceful protest demonstrations against America's caste system."

The first grant of $1,120 went to four students at North Carolina's A. and T. College who started the protest movement in February, 1960.

■

**COMMENTING ON** the aid, Dr. Samuel D. Proctor, president of A. and T. said: "This will encourage them as they seek to complete their education. Neither young man had personal glory or monetary return in mind and I have found them to be very grateful for the response that you have made to their schools' needs."

**Ezell A. Blair Jr., and A. and T. student wrote the council a letter in which he said: "The finances will aid me considerably in the continuance of my quest for knowledge. May God's blessing continue to be yours for the rewarding tasks you are doing to rid our nation of discrimination based upon race, religion or creed."**

John R. Lewis, an American Baptist Seminary student in Nashville, Tenn., says: "This was an opportunity for me to do something about a system which I have always hated. As a ministerial student I felt that it was my moral and Christian duty to put my Christian faith into action. I view racial injustice as one of the greatest evils of our times and I feel that I must play a part in bringing it to an end." Lewis also received aid from the Student Emergency Fund.

■

**A HOWARD** University student, Henry Thomas, who received a ACHR award for risking his educational opportunities said: "I saw the movement as the once-in-a-lifetime opportunity for me to do something about a situation that has long troubled me. I had reached that stage in life when the issue of racial discrimination could no longer be thought of as something that would eventually pass away. I felt that this type of thing only passes away when we work for its end."

According to Dr. Barrington D Parker, national president of ACHR, the council is still accepting applications for award to students suffering reprisals because of peaceful protest demonstrations.

Students seeking ACHR aid should address their applications to the Student Emergency Fund of ACHR, 1130 Sixth St., N. W., Washington, D. C.

# ACHR Votes $1,000 to Aid Broke Sit-Ins

WASHINGTON — The forgotten class of 1959 was remembered when members of the American Council on Human Rights' Board of Directors voted to contribute $1,000 to the Prince Edward County Christian Association to aid its efforts in providing guidance to Negro students who have not attended public school for more than two years.

The Association is headed by the Rev. L. Francis Griffin, a Farmville, Va., minister who has been active in the organization since the state's massive resistance laws turned 1,700 Negro pupils out of their classrooms in 1959.

The $1,000 contribution which was made in answer to an appeal by Miss Dorothy I. Height a representative of Delta Sigma Theta Sorority, came from ACHR's Student Emergency Fund.

The Student Emergency Fund was started early in 1960 to aid college students who have suffered financial difficulties because of "peaceful protest demonstrations against America's caste system." This marks the first time that ACHR has extended financial support to public school students.

# Negroes stage jail sit-down, riot follows

FOLSOM, Calif., March 4 (AP)—Ten convicts were injured at Folsom Prison Friday night in a race riot that broke out in a mess hall. Some were hit by flying trays and plates, others by lead ricocheting from the ceiling when guards fired warning shots.

Six Negroes and four whites were injured, none critically. Warden Robert Heinze said the outburst erupted from tension over the black supremacy Muslim sect at the huge penitentiary near Sacramento.

Heinze described the situation today as "incendiary," with a serious threat of new outbreaks between Negro and white prisoners.

**A white convict, Joe C. Croffland, of Alameda County, tossed his mess tray into a group of seated Negroes in dining Hall No. 1, Friday night and touched off a free-for-all involving scores of prisoners, Heinze said.**

Guards fired their revolvers toward the ceiling in warning, and the melee broke up with prisoners scurrying under dining tables. Two men were wounded.

EARLIER IN THE DAY 24 Negroes, including 11 Muslim leaders, were transferred to Soledad Prison in what officials called a security move to break tension at this maxium security facility.

Warden Heinze traced the flare-up in part to "sit-ins" by Muslims in dining areas which white prisoners considered theirs by tradition. He said the Muslims aggressively sought to create incidents.

**Heinze said there is no racial segregation at the prison, but added it works out that way in the dining hall where prisoners are allowed to select their own tables and meal companions.**

"The Muslims definitely do not have the support of the majority of the Negroes here. As a matter of fact, many actively oppose the movement," the warden said.

HEINZE ESTIMATED there still are about 30 active Muslims at the prison, but said the dining hall outbreak may have won more converts.

"We've got to find them," he said.

Muslims are members of a Negro nationalist movement which claims its race will be the only one to survive. It preaches segregation from whites.

**Prison officials disagreed sharply with the Muslims over their claim to being a religion, saying they had no ties to Moslems or other recognized religious groups.**

This week the state Supreme Court began studying a petition which asks that Folsom prison officials be ordered to permit Muslims to practice their rites.

Warden Heinze said the outbreak Friday night justified the prison's efforts to break up the sect.

# Catholics in Ceylon End School Sit-Ins

COLOMBO, Ceylon, Jan 18 (AP).—Ceylon's Roman Catholic bishops today called off the occupation of Catholic schools by parents protesting the government's decision to put religious schools under state management.

Incensed Catholic parents have been squatting since December 1 in some of the island's 750 Catholic schools, saying they would not allow them to be run by the state. The bishops said after consultation and prayer they had decided to have confidence that the government would do nothing to harm Catholic interests.

# Prof. Threatened For Criticizing Judge, Police About Tallahdssee Sit-In

TALLAHASSEE — (ANP) — James N. Eaton, instructor of history at Florida A. and M. university and adviser to several student organizations, has received several calls threatening his life and warning him to leave the city because of an article which appeared in the local paper.

It criticized a city judge and the city police department for injustices suffered by Negroes in sit-in demonstrations.

**Tells Of Incidents**

Here is Eaton's account of the incidents:

"Reporting the threats to the local police department and informing them of the extreme profanity used by intimidators, I was told by the officer at the desk: 'It must be a n..... calling because whites don't cuss like that.'"

"Calling the police department a second time, I was told: 'Call back after something happens to you.'

**"After hearing the latter statement, I maintained an armed vigilance of my residence, along with a group of volunteers, swearing to annihilate any whites who dare to set their feet in my yard. The chief of police has been notified of this decision.**

"The first evidence of any police activity in regard to the situation did not appear until the third night. On that night, each time the calls were made, the police officers appeared five minutes after, which has led to some speculation on the part of many people of this city that perhaps there is some connection between the calls and the police department. When I hailed the passing squad car and asked if my telephone could be tapped to help catch the intimidators, I was informed the police department could not do this."

**Citizens Praise Eaton**

The letter written by Eaton has received widespread publicity and praise from Negroes throughout the city, including the students and the faculty members at A&M.

Due to frequent requests by students to read the letter, a special copy has been placed on reserve in the library.

Ira Charles Robinson, a five-year pharmacy major at Florida A. & M. university, has been called to City Judge John Rudd's office and threatened to be charged with contempt of court after writing a letter similar to that of Eaton's.

Robinson's letter appeared in the Tallahassee Democrat on April 4, 1961. He said the judge asked him to write a retraction.

Judge Rudd defended one of the four white rapists of a Florida A. & M. coed a short while ago. The case received international publicity and the four whites were convicted and sentenced to life in prison.

## U. S. Suit Cancelled Action

# Sitdowners Were Headed For Congress

By SAMUEL HOSKINS

WASHINGTON

Both the White House and the Justice Department will deny it, but the real reason the Federal Government intervened in the Prince Edward County (Va.) school case was to head off sitdown demonstrations in Congress and the White House.

The decision of the Justice Department to enter the case was made after April 21, although considerable thought had been given to the matter since April 13 when President John F. Kennedy was formally notified of the proposed sitdown demonstrations.

The Rev. Martin Luther King Jr., spiritual leader of the sitdown movement, met with President Kennedy for 20 minutes on April 21.

* * *

WHILE NO INFORMATION was available regarding the conversation between the President and the Rev. King, the persons responsible for mounting the pilgrimage which would have climaxed with sitdown demonstration in the capital on May 17 were given to understand that the Government "was going to do something."

Five days after the Rev. King's White House visit, U.S. Attorney General Robert F. Kennedy announced that the Justice Department had filed suit to force Prince Edward County to re-open its public schools which have been closed since September, 1959.

Said the Attorney General: "We have tried to work this out to permit colored children to go to school. They are unable to. Court orders are being circumvented and nullified.

"Therefore, we have brought this action to protect the integrity of the judicial process of the United States."

* * *

AS A RESULT of the government action, the Rev. Milton A. Reid, of Petersburg, Va., coordinator of preparations for the Capitol and White House demonstration, announced May 3 that the project had been cancelled.

"Having been made aware of the action by the United States Government toward deprivation of schools in Prince Edward County. . .our purpose in going to Washington has been served," Rev. Reid stated.

It is significant to note that the Virginia Christian Leadership Conference, headed by the Rev. Reid, at a special meeting on April 21, the day the Rev. King visited the White House, voted to call off the demonstrations.

The Virginia group is an affiliate of the Southern Christian Leadership Conference of Atlanta, Ga., which is headed by Dr. King.

* * *

ELABORATE PREPARATIONS had been made for the pilgrimage to Washington, which was the brainchild of the Rev. Wyatt Tee Walker, executive director of SCLC.

The Rev. Walker "sold" the idea to Dr. King and a sponsorship committee composed of a number of national leaders representing the CIO-AF of L, American Friends Service Committee, Congress of Racial Equality, the National Beauticians Committee.

Contact also was made with Congressman Adam Clayton Powell (D., N.Y.), the Washington Bureau of the NAACP and the national office of the NAACP.

Cool to the idea from its inception, the NAACP backed away from it after Oliver Hill, Richmond attorney for the plaintiffs in the Prince Edward school case, advised the Rev. L. Francis Griffin of the Prince Edward NAACP, not to participate.

* * *

THE REV. WALKER reasoned that the county, heart of the "Black Belt" of Virginia, was the only school district in 50 states without public schools and ought to be declared a "disaster area."

The Congressional and White House sitdowns, it was argued, would provide President Kennedy an opportunity to act via executive authority "in light of this disaster."

Also, the President could use the moral influence of his office to encourage remedial action through Congress and the courts, the minister told the sponsoring committee.

Planning meetings were held in Washington during late February and at the Diamond Hill Baptist Church in Lynchburg, Va., on March 10.

* * *

IT WAS SUGGESTED to A. Philip Randolph, AF of L. vice president, that each member organization of the committee be assessed $500.

A total of 500 persons from Prince Edward County would be transported to Washington, 450 students, 26 parents and 24 center workers.

The lowest bid for transportation was submitted by the Virginia Trailways Bus Corporation, a sum of $3,160.32.

Contract was made with both Democratic and Republican members of Congress for passes. Admittance to the White House was to be as "visitors."

* * *

THE PLAN was that once the sitdowners were admitted in the Congress and White House they would refuse to leave, thus calling national attention to the "disaster situation" in Prince Edward.

The President, the Attorney General and Secretary of Health, Education and Welfare Abraham Ribicoff knew of these plans and the determination of the sponsors to carry them out.

The Justice Department tried to negotiate reopening of the schools, but the effort failed.

So the Administration was faced with the alternatives: (1) Taking forthright action, or (2) permitting the integrity of the judicial process at home and the country's good name abroad to be defiled by the unreasonable and unreasoning racial bigotry of a single county.

# Non-Violence On The Picket Line

(EDITOR'S NOTE: The following first-hand account of incidents leading to the recent arrest of several persons picketing Canal Street stores which operate segregated lunch counters have been released by the Congress of Racial Equality, New York. It was written by Connie Bradford, 19, white sophomore at Sophie Newcomb College, New Orleans, two days before the arrests. She is at liberty on $1,000 bail.)

On Saturday, April 15, about noon, I was picketing close to the outside edge of the sidewalk in front of McCrory's on Canal Street when a white lady about 50 years of age, stopped and asked me if I was a member of "that nigger" organization (i.e. CORE). I answered "Yes ma'am" and continued walking. She followed close beside and at times behind me for about three lengths of the store, shouting questions and accusations at me. I remember her asking me if I knew what I was doing, and if I knew what Japan, China, Russia and Cuba were doing.

My refusal to answer must have annoyed her, because she began shoving and pushing me. She tried to knock my sign down, but I lifted it up again and tried to keep walking. Then she pushed me against a parked car, kicked me, and hit me around the shoulders and body with her purse and her hands. This time I relinquished my placard. She put it on the roof of the car and before I could regain my balance, she began pushing and hitting me again. All the time she was screaming insults at me.

When she realized she was not making much headway, she took the sign from atop the car and, rushing into the street, she threw it in front of a moving car. The car stopped and the bewildered driver got out. During this time the lady had quickly and prudently removed herself from the scene. I had regained my balance but I was a little dazed and could not decide on a course of action, but my picket mate, Pat Smith, told me to take her sign while she recovered mine. She did

so, and we continued picketing. Soon the crowd that had formed to watch the incident dispersed and the traffic cleared.

No one in the crowd had offered assistance to the lady or to us, probably because the action had taken place so quickly. The incident must not have taken over three or four minutes.

I had first picketed only a week before and, although I had been hit on one occasion and had taken many insults and accusations, I had not yet had a chance to apply the technique of nonviolence. I had heard much about it and I thought it would be very difficult to be nonviolent in such a situation. However, all I had time to think about was keeping on my feet and keeping my arms down. I had no time to strike back, either in anger or in self-defense. I was helped by the knowledge that my picketmate Pat was with me and would come to my assistance, in a nonviolent way, if necessary. I hope that the people in the crowd were affected in some way by the sight of a nonviolent CORE member being roughed-up by a screaming, nearly hysterical woman of the type familiarized to the entire country by the TV coverage of the school desegregation crisis here. Fortunately her blows were mostly ineffectual and I was able to continue picketing that afternoon.

Least understandable part of the episode was the behavoir of the police. A policeman and a policewoman were stationed across the street, apparently to direct traffic. It is difficult to believe that they did not notice the activity on the opposite sidewalk. However, whether they saw the incident or not, they failed to investigate, even after they had been informed of it about fifteen minutes later by Bob Heller, another CORE MEMBER. Later in the day, was routinely questioned by a policeman about picketing. This was not a result of the incident; the police department questions all pickets nearly every day. This policeman asked me if I was aware of the regulations concerning picketing - do not stop walking, do not speak to anyone, and do not molest anyone. He then stated the ironic remark that if we obeyed these regulations, "the police department would be right with us all the way."

# SIT-IN PRESSURES GROW

The New York Times 10 E

## Economic Forces Are Often Stronger Than Legal Actions in the Campaign for Desegregation

New York N.Y.

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, May 6—Economic considerations rather than sit-in demonstrations or court pressure may prove to be the decisive factor in forcing privately owned businesses to accept desegregation. This is indicated by the results of the fourteen-month campaign by Southern Negroes against racial barriers in these establishments.

A case in point is that of Raymond B. Randolph Jr. He was one of thirty-four students arrested during a demonstration in Thalhimer's Department Store in Richmond, Va., in February, 1960.

Mr. Randolph was convicted of trespass. He appealed to the Supreme Court of Appeals, Virginia's highest tribunal. While his lawyers did not challenge the trespass law, they contended that its use to exclude Negroes constituted a denial of his Constitutional rights.

### Conviction Upheld

In a decision handed down recently, the court upheld the Randolph conviction. Chief Justice John W. Eggleston said in the court's opinion that a privately owned business may accept some customers and reject others "on purely personal grounds." He also said that while the public has an implied right to enter a retail store, the proprietor is free to revoke that right and to eject any individual who refuses to leave on request.

The Randolph case is expected to join others in the Federal courts, where a final decision on the legal issues may soon be made.

Significantly, the question is academic for Thalhimer's and a number of other Richmond stores. Their eating facilities were desegregated following a boycott conducted by the students and their adult supporters.

Legal roadblocks have proved similarly ineffective in preventing demonstrations and maintaining segregation in other Southern cities. Scores of new state laws and municipal ordinances have been adopted since the first in the current series of sit-ins took place Feb. 1, 1960, at a Woolworth's lunch counter in Greensboro, N. C. Some of these new laws, particularly those involving trespass, have been employed.

### Variety of Charges

However, officials have relied chiefly on previously existing statutes. Demonstrators have been charged variously with disturbing the peace, loitering and inciting to riot. In some cases, adults have been accused of contributing to the delinquency of minors. Frequently, the efforts at suppression have only aroused militancy.

The movement has spread to new areas and new fields. Recent student protests against segregation in public libraries and buses in Jackson, Miss., marked the campaign's extention to the only Southern state heretofore untouched by it. Some form of pressure—sit-ins, boycotts or picketing—is being exerted in every state of the region.

Sun. 5-7-61

All segments of the Negro community have joined in the drive. The students remain as its symbol because of their use of the more dramatic, although not necessarily the most effective, methods.

Goals have been expanded from lunch counter desegregation to equal job opportunity and greater Negro voter registration. Racial barriers in zoos, parks, swimming pools, art galleries and even municipal courts have been attacked through one means or another. Hospitals and similar facilities are said to be next.

Much emphasis has been placed this year on a campaign to desegregate movie theatres. Adults generally consider this a minor objective. But "stand-ins" at ticket windows have such appeal to the students' taste for the dramatic that the older leaders have been forced to go along.

Burck in The Chicago Sun-Times
'We ain't had a good president since Jefferson Davis."

### Urban Movement

The anti-segregation movement has centered in urban areas, which have large Negro communities and a pool of leaders independent of white control. Virtually all its gains have been made in five states—Virginia, North Carolina, Tennessee, Florida and Texas.

However, Atlanta businessmen and Negro representatives have agreed upon a plan for desegregating lunch counters by this fall. And similar steps in other Deep South cities now appear likely to come sooner than previously expected.

The economic factor has been present in all of the settlements and in a good many it apparently was the key. The sit-ins alone have failed to breach the walls of segregation, although they have served to unite the Negro community by dramatizing the issue.

The boycott has been the most apparent source of the pressure on white merchants to reach an accommodation. Boycotts or threats of boycotts have been used effectively in such cities as Richmond, Petersburg and Norfolk, Va.; Raleigh, Greensboro and Charlotte, N. C.; Nashville, Knoxville and Chattanooga, Tenn.; Corpus Christi, Dallas, Houston and San Antonio, Texas; Miami, St. Petersburg and Tampa, Fla., and in Atlanta.

The demonstrators have been aided by the changing patterns of the cities themselves. Whites have been moving to the suburbs in increasing numbers, while the Negro population of the central city has been growing rapidly. Downtown merchants face intense competition today from suburban shopping centers. For many of them, Negro patronage represents the difference between profit and loss.

A less evident factor has been the tendency of white customers to avoid downtown stores during demonstrations out of fear that racial tension would lead to incidents.

### Forces at Work

Intangible forces have had an important effect. Some whites have been influenced by the moral implications of refusing Negroes service at lunch counters while welcoming their purchases at other counters within the same stores. Many others have acted because of their concern that continuing racial tension would bring a deterioration of community social and political life and a breakdown of law and order.

Almost without exception, desegregation of lunch counters has been accomplished peacefully and without any significant loss of white customers. This has led business leaders in some of the holdout areas to reconsider their position. Even some of those who continue to oppose change have been reluctant to employ the new legal weapons placed at their disposal by State Legislatures and City Councils to thwart the demonstrators. This apparently has stemmed from a desire to avoid alienating Negro customers.

"There seems to have been a change in the climate, a little shift for the better," said Mrs. Hurley, Southeastern secretary of the National Association for the Advancement of Colored People.

Although N. A. A. C. P. lawyers are still seeking Federal Court sanction for the demonstrators, there are many who now believe this is of secondary importance. Leslie W. Dunbar, executive director of the Southern Regional Council, noted: "It has been gratifying and instructive to see that so many Southern towns and cities have, when confronted by the Negro protests, succeeded without legal compulsion in working out satisfactory desegregation."

38a 1961 GENERAL AUGUST
NAACP LAWYERS DRAFT - SIT-IN BRIEFS

# NAACP Lawyers Draft Sit-In Briefs

By Mary Hornaday
*Staff Correspondent of The Christian Science Monitor*

New York

The most difficult briefs of its 21-year history are being drawn up this summer by the National Association for the Advancement of Colored People's Legal and Educational Fund, Inc. (LEF), in preparation for United States Supreme Court hearings on sit-ins.

In a skyscraper next to New York's Coliseum, a group of lawyers is searching diligently for new legal arguments that may determine the disposition of approximately 400 sit-in cases now pending in Southern courts. Immediately before the Supreme Court are cases, involving disputes in North Carolina, Louisiana, and Virginia.

At stake is the question whether the 14th Amendment to the United States Constitution—insuring equal protection to all citizens—is being violated by state action.

The "freedom riders" are getting so much attention these days that many people are forgetting about the sit-ins, in the view of the lawyers, who have mobilized under the leadership of Thurgood Marshall, direct counsel of the National Association for the Advancement of Colored People (NAACP), to prepare a legal barrage in their favor for the highest court.

A major sit-in brief due in Washington on Aug. 25 concerns Baton Rouge, La., cases in which students staged antisegregation sit-in demonstrations in a bus station, a drug store, and a variety store. The main case concerns seven students from Southern University at Baton Rouge who "sat in" at a bus station March 29, asking to be served.

The waitress called the police, whose captain immediately arrested the group for "disturbing the peace." His charges were vague and indefinite, going little beyond that the group was merely present in the bus station.

This is a case the NAACP lawyers feel they might win if the court decides to rule on it. Oral argument is scheduled for October.

The latest case which the NAACP attorneys have asked the United States Supreme Court to review concerns a series of sit-ins by 34 Negro students in Richmond, Va., last year. The Supreme Court of Virginia upheld the students' conviction last April.

**Students Fined**

The students, enrolled at Virginia Union University, demonstrated at Thalhimers, one of Richmond's largest department stores. They were arrested and fined $20 each. The group had attempted to obtain service at two lunch counters reserved for whites in a store which maintains a lunch counter for Negroes in its basement.

During the demonstration, which was entirely peaceful, the Negroes were refused service and were asked to leave the store. When they remained, police were called and the students were arrested. Their cases were tried originally in a Richmond police court, resulting in conviction under a Virginia statute which makes it a crime not to get off private property when ordered to do so by an owner, or by someone acting for the owner.

The LEF petition to the Supreme Court contends that the Virginia arrests were motivated by segregation, maintained by state law, and "constituted state enforcement of racial discrimination contrary to the due process and equal protection clauses of the 14th Amendment."

Also before the Supreme Court is a North Carolina case involving seven Negro and two white college students, arrested and convicted in connection with lunch-counter sit-in protests in Durham and Raleigh. Seven of the nine students were arrested for seeking service at a lunch counter in the S. H. Kress variety store in Durham. The other two were jailed for seeking service in a McCrory-McLellan store in Raleigh. All were convicted on charges of trespassing.

Five of the seven students arrested in Durham are Negroes from North Carolina College. The other two are white students from Duke University. Three were sentenced to 30 days, one received 20 days, and one 15 days. Two female students, one white and one Negro, did not draw jail sentences. The North Carolina Supreme Court affirmed the convictions Jan. 20, 1961.

The two Raleigh students, James A. Fox and Albert R. Sampson from Shaw University, were arrested March 21, 1961, when they sought service at a lunch counter of the variety store. They were tried in the Raleigh City Court and found guilty. Appeals to the State Superior Court resulted in a prison sentence of 30 days.

**Laws Termed Vague**

The NAACP lawyers will argue that state trespass laws are vague and arbitrary and generally include no clear-cut definition of what is covered.

Other sit-in cases may reach the Supreme Court before it is set to rule on the constitutionality of this often locally initiated antisegregation maneuver, but these are the cases in which local attorneys have requested the help of Mr. Marshall's office.

# Sitdown Highlights Victories, Arrests

# Include Peace Pacts,

## Theatre chains sign agreement

LEXINGTON, Ky.,—Lexington theatres of two chains have signed an agreement calling for integration. The agreement was signed after seven months of demonstrations in Lexington, supporting picketing in Rochester, New York and negotiations at the national and local levels.

CORE Chairman Julia Lewis announced the agreement, signed late the night of April 27. The agreement called for:

1. Integration of the three downtown theatres after a limited period of controlled testing.

2. Withdrawal of all pending injunctions against CORE and its members.

3. The theatres to use their good offices to secure dismissal of charges aginst 22 CORE members arrested while picketing the Kentucky Theatre.

4. All demonstrations to cease.

The pattern negotiated in Lexington is expected to be applied in Richmond, Kentucky and other communities as well.

Stand-ins and picketing of the theatres have been going on since last fall. On April 4, 22 members of CORE were arrested.

CORE National Director, James Farmer wrote hundreds of CORE members in every community where the Schine Company had theatres. Field Secretary Genevieve Hughes was assigned to secure Northern support.

On April 8, 80 students from the University of Rochester, Rochester Institute of Technology and Colgate-Rochester Divinity School demonstrated for nine hours before two Schine Theatres.

Picketing has continued in Rochester. Picketing had been arranged for April 28 in Syracuse, Buffalo, Geneva and Penn Van, New York.

On April 25, Farmer and Miss Hughes negotiated with representatives of the Schine Theatre in their national headquarters in Gloversville, New York. Negotiations continued over the phone and the final agreement covers not only the Schine Theatres but also the Kentucky Theatre owned by N. Switow and Sons of Louisville.

Prior to the theatre campaign, Lexington CORE had successfully integrated all Lexington variety store lunch counters as well as numerous restaurant facilities.

## Louisville mayor backs sitdowners

LOUISVILLE, Ky. — "Integration of downtown public accommodations is not only morally right and economically feasible but is also inevitable," according to Mayor Hoblizell.

The mayor made this statement, last week, as he called upon operators of downtown restaurants and theatres to discontinue racial segregation by May 1.

At the same time, the mayor called upon leaders of the sitdown movement to discontinue demonstrations until at least May 3.

The mayor plea is a follow-up of a trip he made to St. Louis, Mo., with representatives of the Mayor's Committee and the Steering Committee which directs the demonstration.

* * *

**THE PURPOSE** of the trip was to observe how desegregation works in St. Louis, which came as a result of the strong stand taken by the mayor of that city.

There were these developments in other aspects of the local desegregation effort: —

State Safety Commissioner Glenn Lovern ruled that the authority of merchant policemen "does not extend to the arrest of a peaceful sit-in or demonstrator."

The authority of merchant policemen, he wrote, is limited to the preservation of the peace and protection of the property they are hired to protect.

* * *

**COMMISSIONER LOVERN** stated that his department considers the arrests of peaceful demonstrators to "exceed the authority bestowed upon (merchant policemen) under State law."

Louisville Safety Director W. George Matton issued a statement, April 25, stating that police policy in desegregation demonstrations has been one of "strick neutrality."

The day before police arrested 162 demonstrators in front of a cafeteria on Walnut St. Total arrests since the campaign started in February are 651.

A group of four women representing citywide women's groups praised the mayor for his call for an end of segregation and said they were interested in ending the segregation problem.

Ten University of Louisville professors presented the mayor a petition signed by 120 faculty members supporting the desegregation effort.

## Court approves Atlanta peace move

ATLANTA, Ga. — The indefinite delay, April 24, granted in the trials of 84 sitdown demonstrators is being viewed here as part of the desegregation negotiations strategy.

The delays were granted in cases due to have been tried before Fulton Criminal Court Judges Charles Bruce and Charles Wofford.

Request for the postponement was made by D. L. Hollowell, counsel for the defendants.

* * *

**THE MOTION** was supported by Ivan Allen Jr., president of the Atlanta Chamber of Commerce; A. T. Walden, attorney; Joseph Ross, president of Davison-Paxon's; Robert Wood, attorney for Sears; Cecil Semple, vice president of Rich's Inc., and H. B. Thompson, public relations director for Woolworth's.

Noting that desegregation negotiations still are going on, the Chamber of Commerce president told the court:—

"The problems that confronted us several months ago have been eliminated. The relations today are better than they have been in a long time, and they are better than in any other Southeastern city which has been confronted by this problem."

In granting the delay, Judge Bruce said that the postponement was "to serve the cause of justice."

## Judge says 'disorder' not proved

MEMPHIS, Tenn. —The fines levied against 15 students charged with disorderly conduct because of sitdown demonstrations were erased, April 25, by Circuit Judge John Wilson.

The cases went to Circuit Court on appeal from a lower court.

Judge Wilson ruled that the city failed to prove the students had been disorderly.

* * *

**THE STUDENTS** were participating in a demonstration in the downtown store.

The case of one student arrested when he attempted to attend services at a white Baptist Church also was dismissed, as was one of a student arrested for failing to move to the rear of a city bus.

## Stockholder protests store's policy

WILMINGTON, Del. — With pickets parading outside, the annual stockholders meeting of McCrory Corporation on April 25 heard charges that the company lags behind major variety chains in desegregating lunch counters in Southern stores.

The charges were made by Jim Peck, a minority stockholder who is a member of the Congress of Racial Equality.

Peck pointed out that while Kresge's has desegregated its stores in the South in all but three communities, McCrory's has desegregated only 54 per cent of its Southern stores.

**FIGURES ALSO** were cited to show that Woolworth and Grants are far ahead of McCrory's in the desegregation process.

Peck specifically criticized managers of McCrory's stores in Rock Hill, S.C., and New Orleans, La. where sitdowners have been arrested in McCrory's stores. This was the first time the desegregation issue was raised at a stockholders meeting of the company.

# Richmond students schedule appeal

RICHMOND, Va. — The decision of the Virginia Supreme Court upholding a lower court's conviction of 34 college students for sit-down demonstration is being appealed to the U.S. Supreme Court, Martin A. Martin, defense attorney, has announced.

The students, enrolled at Virginia Union University, were arrested Feb. 22, 1960, convicted and fined $20 on charges of violating the state anti-trespass law.

The Supreme Court's decision was written by Chief Justice John W. Eggleston on the appeal of one of the students, Raymond B. Randolph Jr. It applied to the case of the other students.

Also being appealed in the ruling in a companion case in which the Supreme Court upheld the conviction of Mrs. J. M. Tinsley, who was arrested as she stood nearby watching the picketing of the store. She was fined $100 on a charges of failing to move on when ordered by a police officer.

# Mixed student group tests jimcrow

SIKESTON, Mo. — The practice of racial discrimination in public eating places serving interstate passengers is being tested by a group of 15 colored and white students from the University of Missouri and Congress of Racial Equality members.

As a result of the group's attempt to obtain service in the Cyrus restaurant here which caters to bus passengers 15 were arrested on April 22. The hearing in the case was April 29 before Police Judge E. R. Schrader. Convictions will be appealed.

* * *

**THE GROUP,** headed by Herman Thompson, a St. Louis school teacher, boarded the bus in East St. Louis, Ill. The lawyer in the case is Charles Oldham of St. Louis, who followed in an automobile.

The warrants for the arrest were issued on complaint of Wendell, manager, who charged the students with disturbing the peace.

# 'Sit-Ins' Cost Woolworth $$$

Chicago Defender

Chicago, Ill.

4/5-21-61

NEW YORK CITY — "Segregation doesn't pay: the decline in Woolworth profits for 1960 once again proves what most of us have known for a long time," commented CORE National Director James Farmer on the 1960 Woolworth Annual report.

"Woolworth profits dropped 2.7 per cent, even with a new method of reporting income, which increases the stated foreign income by approximately half-a-million dollars as compared with last year."

Profits in 1960 were $46,927,000, a decline of $1,305,000 from the 1959 figure. Farmer added, "the company profits declined in the face of an increase of 4.9 per cent in the number of stores to make a total of 2,430 at the end of the year.

The 1960 Woolworth annual report states: "A number of influences combined to prevent the company from realizing its goal ... among the major factors... interruption of normal shopping patterns in some communities as a result of local actions taken in the interest of desegregating eating facilities in certain Southern communities."

"A policy of complete integration in every Woolworth store would bring many thousands of customers back to Woolworth. A democratic serving policy would pay better than the present half-way policy," said Farmer.

38a 1961

GENERAL

SIT-INS
NATIONAL SORORITY OF PHI DELTA KAPPA

# Ask JFK to erase sit-in jail records

DOVER, Del. — A recommendation that a letter be sent to Atty. Gen. Robert F. Kennedy asking for the removal of jail records of sit-in students and the establishment of $500 emergency fund for needy teachers in troubled areas were highlights of the eastern regional meeting of the National Sorority of Phi Delta Kappa.

The conference, held here recently on the campus of Dover State College, met under the theme: "Tommorrow's World Needs Today's Teaching." Approximately 200 sorors from 22 chapters attended.

* * *

MRS. HELEN W. MAXWELL, supreme basileus of Brooklyn, N.Y., said in her greetings, "We have gathered here to exchange ideas. For we are all working for promotion of the ideals of the National sorority of Phi Delta Kappa no matter where we are.

In a challenge to sorors, she further stated: "It's not what the sorority can give you but what can you give the sorority."

Mrs. Hilda G. Bryant, eastern regional director of Nyack, N.Y., delivered the opening address, welcoming delegates to the two - day conference.

* * *

DURING THE workshop period, many delegates from the Southern areas cited actual experiences in sit - ins and other racial demonstration to bring about integration. The discussions were highlighted by the showing of films of actual occurrences.

Mrs. Blackson Carrine was presented a "Citation of Achievement" in recognition of her "outstanding service to the community" during her 41 years of teaching.

* * *

GOV. ELBERT N. CARVEL brought greetings to a luncheon session and congratulated teachers on contributions made to help build America.

# Tuskegee speaker lauds sitdowners

TUSKEGEE, Ala. — Student sit-downers, in their drive for social equality, are answering a divine command, a Detroit minister said here Sunday.

The Rev. Jacob C. Oglesby, president of the Baptist Ministers Conference of Detroit, told a Religious Emphasis Week convocation at Tuskegee Institute that God is constantly telling everyone (even Russia) to "get up and build a world of brotherhood — a world that respects human dignity."

Commending the student movement, the Rev. Mr. Oglesby said the sit-downers are "getting up" — for they realize "God will not spoon feed us while we're lying on our backs."

He predicted victory for colored people in their quest for first - class citizenship. That all people be recognized as "children of God" is a decree handed down from heaven, he said. Then he added: "God is with us — and on our side."

# Woolworth's loss due to pickets?

NEW YORK CITY (ANP) — "Segregation doesn't pay: the decline in Woolworth profits for 1960 once again proves what most of us have known for a long time," commented CORE national director, James Farmer on the 1960 Woolworth annual report.

"Woolworth profits dropped 2.7 per cent, even with a new method of reporting income, which increases the stated foreign income by approximately half -a-million dollars as compared with last year."

The 1960 Woolworth annual report states:

* * *

"A NUMBER of influences combined to prevent the company from realizing its goal . . . among the major factors . . . interruption of normal shopping patterns in some communities as a result of local actions taken in the interest of desegregating eating facilities in certain Southern communities.

"A policy of complete integration in every Woolworth store would bring many thousands of customers back to Woolworth. A democratic serving policy would pay better than the present halfway policy," said Farmer.

* * *

ROCKVILLE, MD. —A hearing is scheduled for April 24 in the case of a bondsman arrested here April 5 on charges of trespassing.

He is Edward Johnson, 52, of 900 N. Stone St. The arrested occurred at the Stanley Diner, 321 E. Montgomery Ave., where he sought to purchase a cup of coffee.

"The furtherest thing from my mind was an incident," the bondsman declares, "but when they said no, I sat there."

The warrant for Mr. Johnson was sworn out by Stanley F. Carver, according to police. Bail was set at $200.

38a 1961

# Sit-in movement gets $10,000 gift

The Afro-Am.
Baltimore, Md.

OAKLAND, Calif.— Over 8,500 persons attending a rally keynoted by Dr. Martin Luther King Jr., here on Palm Sunday gave more than $10,000 to the sit - in movement, 4-15-61

Dr. King, 32 - year - old internationally famous integration leader from Atlanta, spoke to the more than capacity audience at Oakland Auditorium under the sponsorship of the Western Christian Leadership Conference, northern division. 4, 16

The young pastor, who became famous as leader of the bus boycott in Montgomery, Ala., declared "we must win (the fight for equality) by peaceful means."

"We're not interested in becoming the white man's brother - in - law," he said. "We're just interested in becoming his brother."

38a 1961

GENERAL NAACP SIT-IN DEFENSE FUND

# $25-plate dinner nets $5,000 for sit-in fund

PHILADELPHIA

A check for $5,000 was presented to Judge Hubert T. Delany of New York for the benefit of the NAACP Sit-in defense fund at a $25 per plate dinner held at McAllister Restaurant Saturday attended by more than 250 leaders in Philadelphia business, professional and social life.

In accepting the history-making presentation the jurist was dynamic, dramatic and poetic in his portrayal of America as we stand seeking civil rights and civil liberties. He stressed civil liberties, as a most important factor in our Bill of Rights in the Constitution of the United States.

He both read and quoted civil liberties, which protect "freedom of speech, freedom of peaceable assemblies." He declared that the President of the United States under the laws of the Constitution, "has the right and duty as President to take care that the laws are faithfully enforced."

Judge Dulany declared "We are determined to secure our rights in our times, thru civil rights and civil liberties, fighting hand and hand for democracy of all citizens of the nation."

* * *

THE $5,000 check was presented to the speaker by Mrs. Lawrence Christmas, who originated the idea of the dinner and organized the group with Judge Theodore Spaulding as co-chairman.

Mrs. Catherine Smith, wife of Dr. J. Shepherd Smith, presented Attorney A. Leon Higginbotham with an additional check for $846 for 169 new and renewal memberships in the Philadelphia Branch NAACP of which he is president. This was another feature of the affair.

Mrs. Christmas stated that the goal of the dinner was $5,000 for College Sit ins; and NAACP memberships; and now the balance will be surplus money presented to college sit - in students who are now living here in Philadelphia.

Dr. Maurice Clifford as master of ceremonies, in presenting Calvin Matthews, leader of the first College students, sit - in protest in lunch counter segregation, stated that this is the most massive social movement of our time, this passive resistance of colored college students, to gain equal rights, as citizens. He said "It takes courage and strength to sit still."

Calvin Matthews uttered a prayer, "God Bless you," to the audience, who gave their time and money to help the movement.

Talladega Daily Home

# Widespread Controversy Over Integration Continues

Daily Home
Talladega, Ala.
Wed. 3-15-61

A stand-in demonstration pro-ters and men are granted liberty testing segregation in theaters with no discrimination whatsoturned into a rock-throwing me-ever . . ."
lee between Negroes and white youths in Chattanooga, Tenn.

Only two persons were arrest-on Negro officers and men" in ed but police broke up clashesvisiting strictly segregated ports involving as many as 30 whitein South Africa.
persons and 50 Negroes before order was restored late Tuesday night.

In other Southwide demonstrations, 175 Negroes were arrested during a singing, clapping protest against segregation at downtown stores in Louisville, Ky.; five pickets were jailed at Rock Hill, S.C., and six sit-in demonstrators were arrested at Rutherfordton, N.C.

Pickets who paraded in front of lunch counters at Columbia, S.C., carried signs reading, "If We Cook For Them, Why Can't We Eat With Them?"

South Carolina's Gov. Ernest F. Hollings refused to yield to what he called attempts "to exact the customs of New Jersey" on his state. Demands were made for desegregating hotel facilities in Charleston for a meeting of the National Civil War Centennial Commission next month.

World heavyweight boxing Champion Floyd Patterson declared himself satisfied that there was no segregation of the audience at his successful Miami Beach title defense against Ingemar Johansson Monday night, and returned a forfeit check of $10,000 to Feature Sports Inc. The check was put up as a guarantee against segregation.

The Navy, replying to a protest from the National Association for the Advancement of Colored People, said, "All officers and men are granted liberty with no discrimination whatever . . ."

Owners of the largest amusement park in the Washington area, Glen Echo at Rockville, Md., announced that the park will be completely desegregated when it reopens March 31. Scores of demonstrators were arrested there in the past.

Negro leaders at Oklahoma City called off their "squat-in" demonstrations ater 13 persons were arrested for blocking the lobby of a building where a cafeteria refused to serve Negroes.

Protests against segregation will continue, said E. Melvin Porter, "but we won't block aisles and we won't violate fire laws."

## Analysis of Financial Pages

# Dixie Cities Feel The Boycotts and Desegrate!

BUSINESS & FINANCE

By LEE N. ROY

Slump and unemployment take part in the news on the financial pages along with the sit-in demonstrations engaged in by Negroes in several major cities in the South.

While unemployment levels rose to a total of nearly six million, the over-all employment rose to a 64½ million record.

In connection with the sit-in campaigns, a settlement has been reached to desegregate lunch counters and other facilities in stores in the major cities of the South, who have felt the pinch of the buying boycott engaged in by Negroes as a counterpart of the sit-in movement.

**DESPITE THESE** unfavorable aspects affecting the economy, there has been significant activity in the stock market, causing a succession of five million share sale days, and a rise in price of many industrial stocks.

New highs in low-priced stocks have been posted in the past few weeks. This is said to give evidence of a general upturn.

The Kennedy Administration is still pressing for the speedy enactment of anti-recession proposals to cope with rising unemployment. It is generally agreed that this impending legislation is responsible for the new desire of the public to rush into investment in common stocks as a protection against inflation.

■

**HOUSING, ROAD BUILDING,** and defense preparations are regarded as the keys to reduction in the unemployment rolls.

Federal, state, and municipal agencies are bringing forth plans and programs which call for immediate action in these areas. Predictions are freely made in all circles that the upturn is just a few months away.

Just to top-off the optimistic turn of the economy, there is a concerted desire to seek new worlds to conquer. This is evidenced in the frantic rush to pieree the outer-bounds of space and achieve contact with the moon, Venus and Mars.

# 'Sit-In' Leader To Deliver Ghandi Talk At Howard

**WASHINGTON, D. C.** —The Rev. James M. Lawson, Jr., leader in the Nashville, Tenn. student "sit - in" movement, will deliver the third annual Gandhi Memorial Lecture at Howard university, Tuesday April 11. The lecture is scheduled for 8 p.m. in Andrew Rankin Chapel, Sixth street and Howard Place, northwest, and is open to the public.

Under the general subject, "The Measure of a Movement," Mr. Lawson will evaluate the gains and accomplishdents of non - violent methods of protest in the United States.

**MR. LAWSON** is pastor of the Scott Chapel Methodist church, Shelbyville, Tenn. He completed his theological studies at Boston University during the summer of 1960 following his dismissal from the Diviniy School of Vanderbilt Univedsity, Nashville, for his particiiation in the "sit-in" movement.

He is a former southern secretary for the Fellowship of Reconciliation, has cnducted student workshops on non-yiolence; serves as a special consultant to the Southern Christian Leadership Conference, a member, executive comfittee, Nashville Christian Leadership Council and adviser, Student Non - Violent Coordinating Committee.

From 1953 to 1956 he was a missionary in India, serving as director of the department of physical education and chaplain at Hislop college.

38a 1961

GENERAL

SIT-INS

# Sitdown Story: Gains — Challenges — Pickets

## Students to stage sympathy strike

HOPEWELL, Va. — A mass boycott of local schools has been called for by the Hopewell Improvement Association, the Rev. Curtis W. Harris, president, told the AFRO this week.

The boycott is set for April 26, the day 30 youngsters are to be tried in Juvenile Court on charges of trespass as a result of sitdown demonstrations at George's drug store here.

"The boycott is to be a protest against the chairman of the board of education and in support of the 30 accused youths," Rev. Harris said.

He explained that the chairman of the board of education is Dr. Charles E. Hunter, who also is president of George's Drug company, the firm which owns the store where the juveniles and 35 adults were arrested during last August and September.

* * *

**THIRTY-TWO** of the adults have been convicted and sentenced. The case now is on appeal to a higher court. Three reamining adults also are to be tried on April 26.

They are Mrs. Maria Roberts, Robert Graves and Simon Johnson Jr.

The schools that are to be boycotted are Carter G. Woodson High, Harry E. James and Arlington Elementary Schools. The Rev. Harris said: "The teachers are pretty solidly in support of the boycott movement."

James E. Cuddihy, an attorney, has been appointed to preside at the trials.

## Reidsville job pickets get results

REIDSVILLE, N.C.—As a result of the five-week- old drive for equal job opportunity here four stores have dropped racial segregation policies and hired colored employees.

The stores are West End grocery, H. H. Clothing, Lucky Strike grocery and the Colonial Store.

Three other stores which are maintaining previous hiring practices, still are being picketed by the Rockingham County Improvement League, the Youth Council and local branch of the NAACP.

The Rev. J. A. Griggs, NAACP president, says about 99 per cent of the colored shoppers refuse to cross the picket lines.

The equal job opportunity drive has the support of ministers both in Reidsville and Rockingham County, the NAACP president said.

**IN RUTHERFORDTON,** a hearing on the appeal of six high school students convicted on trespass charges is scheduled for May 15 before Superior Court Judge George Morrow.

The students were convicted April 10 in Rutherford County Recorder's Court. The charges grew out of a sitdown demonstration on March 14 in a local drug store.

Students at Carver High School in Spindale were fined $25 and cost of court. They are Geraldine Abrams, 16; James E. Grant, William N. Smith, Jonathan Vance, all 17; Charles A. Edgerton and James E. Webster, 18.

## 'All served, but not all can serve'

PHILADELPHIA — Eighteen members of the local CORE picketed the downtown Horn and Hardart restaurant in protest against employment discrimination, last week.

They drew considerable interest from heavy midtown shopping crowds.

CORE chairman, Leverne McCummings said, "Horn and Hardart's employs 700 but has only three colored waitresses. We've tried through negotiations to get them to hire colored as well as whites. Now we're bringing the discrimination to the attention of the public."

**THE CORE** pickets bore signs saying "Not a Bite While All Waitresses are White" — "Help Win Equal Job Opportunities" — "White Cashiers Only, Is This the North?"

A leaflet distributed to passersby said "While serving everyone, they refuse to allow everyone to serve. We have tried to talk with them. They will not sit down and discuss their policy. There is not a single colored cashier in the entire restaurant chain, and very little possibility that there will be one unless we do something."

## Arkansas Sitdown Law challenged

LITTLE ROCK, Ark. — The State Supreme Court is expected to rule soon on the validity of Act 226 of 1959, the so-called "sitdown act."

The law makes it a misdemeanor to "create or threaten to create a disturbance." Such charges have been alleged to persons arrested for sitdown demonstrations.

The law was challenged by six persons convicted of disturbances charges growing out of sitdown demonstrations.

* * *

**CHARLES PARKER,** 22, of St. Louis, Mo., one of seven persons arrested Nov. 30, 1960, for sitdown demonstrations in Woolworth, has asked for a jury trial.

Consequently, Circuit Judge William J. Kirby postponed the case until next September term of court, due to a recent, ruling by the U.S. Court of Appeals, Eighth Circuit, that there is a racial pattern of discrimination in the selection of Circuit Court juries.

Last Dec. 1 Judge Quinn Glover of the Municipal Court fined Parker $500 and $9 cost of court.

# Louisville ordinance to be tested

LOUISVILLE, Ky. — Following the conviction of 11 persons who participated in sitdown demonstration here, defense attorneys announced, last week, that they are challenging the constitutionality of the ordinance which authorizes the arrests.

The announcement was made by J. Earl Daring, attorney, who also is state president of the NAACP.

The trials of 17 defendants were before Police Court Judge Hugo Taustine. Charges against six of the accused were dismissed.

* * *

**THE JUDGE** said that the defendants found guilty would be fined $25 each unless the claim that the disorderly conduct ordinance is unConstitutional is upheld.

One of those found guilty was Frank Stanley Jr., 24, assistant to the publisher of the Louisville Defender. Chief William Binder testified that Stanley was one of a group of adults helping youths block the entrances to theatres.

# Schine theatres target of pickets

LEXINGTON, Ky. — The trial of 11 adults arrested April 4 for picketing the Kentucky Theatre here is due to be held on April 26.

No trial date has been set for 11 juveniles arrested at the same time. The theatre is a member of the Schine Theatre Company chain.

Schine theatres in Rochester, N.Y., were picketed last week end in protest to the segregation policy of the theatre here.

James Farmer, national director of the Congress of Racial Equality, meanwhile wrote personal letters to hundreds of CORE members in communities where the Schine Theatre Company has movies asking them to write letters calling for integration in Lexington.

The arrest of the 22 members of Lexington CORE has "aroused the community to real action" reports CORE chairman Julia Lewis.

* * *

**SINCE THE** arrest, scores of CORE members have returned to the picket line each evening.

"They don't dare arrest us. They know we are right," added Miss Lewis. On two previous occasions CORE members were arrested while picketing theatres and both times charges were dismissed.

Eleven of the 22 in the interracial CORE group spent the night in jail. Among them were three children of the Rev. Lamong Jones. James Crummlin of Louisville is the attorney.

Police Lt. Morris Carter reported that the CORE members were "singing loudly." The group continued to sing "We Shall Not Be Moved" and "Stand-In For Freedom" as they were taken to police headquarters.

* * *

**IN COLUMBUS, OHIO,** Miss Evelyn Pierce, one of the nine Tougaloo College students who were arrested on March 29, for attempting to use the public library in Jackson, Miss., will speak here at an NAACP mass meeting in Columbus on Sunday, April 23, at Second Baptist Church.

When Miss Pierce and the other eight students were in court on March 30, persons who had come to witness the trial overflowed the court room and gathered on the street outside, were attacked by vicious Nazi - trained police dogs.

The German police dogs now with the local police force, were trained by a former Nazi storm trooper.

# Ask High Court For Review of 'Sit-In' Cases

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 5-13-61
P. 3.

**WASHINGTON, D. C. — The U. S. Supreme Court has been petitioned for a review of the cases of seven Negro and two white college students arrested and convicted in connection with lunch counter "sit-in" protests in North Carolina.**

Seven of the nine students were arrested for seeking service at a lunch counter in the S. H. Kress Variety Store in Durham.

The other two were jailed for seeking service in a McCrory-McLellan store in Raleigh. All were convicted on charges of trespassing.

■

**THE NINE** students were convicted in two separate cases. Both cases were taken to the North Carolina Supreme Court on appeals from the city and state courts and the convictions upheld.

They were taken to the U. S. Supreme Court by NAACP Legal Defense and Educational Fund attorneys in behalf of the nine students.

The two Raleigh students, James A. Fox and Albert R. Sampson, from Shaw University, were arrested March 21, 1960, when they sought service at a lunch counter of the McCory-McLellan Variety Store on Fayetteville St.

■

**THEY WERE** tried in the Raleigh City Court and found guilty. Appeals to the State Superior Court resulted in a prison sentence of 30 days.

Five of the seven students arrested in Durham are Negroes from North Carolina College.

The other two are white students from Duke University.

NAACP Legal Defense Fund attorneys for the nine students are Thurgood Marshall, director-counsel, Jack Greenberg and James M. Nabrit, III, all of New York City. Local counsel representing the Shaw University students are Samuel S. Mitchell, George R. Greene, F. J. Carnage and George E. Brown, all of Raleigh, North Carolina. Local counsel representing the Durham students are L. C. Berry Jr., William A. Marsh Jr., F. B. McKissick, C. O. Pearson, W. G. Pearson, and M. Hugh Thompson, all of Durham, N. C.

# Arrest Hundreds As Sit-In Movement Plagues Various Cities Throughout Country

The Black Dispatch
Okla. City, Okla.
Fri. 3-24-61

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However, the hearing for the arrested demonstrators, scheduled to be heard Monday, will be continued for two weeks by agreement between Porter, local NAACP head and counsel, and B. H. Carey, Cravens building attorney.

**Agree On Delay**

Porter says he sought the delay in the Monday hearing because the ruling in the injunction hearing "may decide the whole issue." Unconfirmed sources say that Judge Kenneth Shilling of Ardmore will probably hear the case.

Meanwhile, NAACP attorneys continued their legal conferences in secret meetings held this week at Tulsa. On Tuesday, Porter met with Amos T. Hall, Tulsa attorney; John E. Green, city lawyer; and Chester I. Lewis, Wichita attorney who heads the NAACP branch there and is a recent appointee to the NAACP national staff.

**May Set Precedent**

Demonstrators arrested in the Saturday squat-ins of two weeks ago are named in a temporary restraining order prohibiting demonstrations at the Cravens building. Should the judge rule the injunction as permanent, other public buildings will probably use it to bar demonstrators.

Porter said that "To my knowledge the NAACP has never been faced with a situation quite like this one. This should set some precedents not only in Oklahoma City, but elsewhere, too."

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**SAN ANTONIO.** — Negro and white students from six colleges and universities and two high schools held another stand-in demonstration here with the Majestic theatre as the target for the third time in six weeks.

**SAVANNAH.** — The NAACP charged that a member of its youth council had been beaten by eight white youths during a sit-in demonstration at a downtown F. W. Woolworth store. Officials said Benjamin West, a 19-year-old Negro, suffered mouth lacerations and was treated by a private physician.

**ROCK HILL, S. C.**—Five Negro anti-segregation demonstrators were arrested outside a Rock Hill drug store that operates a segregated lunch counter.

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**NEW ORLEANS.**—Civil rights forces took the initiative in New Orleans once again as members of CORE and the Consumers League picketed and staged a march on City Hall and the State building.

Eighteen members of CORE began the demonstration at noon by picketing the Woolworth and McCrory stores on wamed Canal street. Previously CORE members had been arrested at both stores. This time, the 18th—both white and Negro—were pulled in by police and questioned for several hours.

**WINSTON-SALEM, N. C. —** Students from Friendship college who went to prison for demonstrations at Rock Hill, S. C., told a mass meeting of the Winston-Salem branch of the NAACP they are ready to go back if need be in their fight for equality.

Nine students appeared briefly on the program at Goler Metropolitan A. M. E. Zion church to tell of their experiences in prison and the reason they chose jail terms instead of fines or getting out on bond.

**LYNCHBURG, Va.**—Embattled colored citizens of Lynchburg, fighting racial injustices at every turn, have postponed a threatened boycott of downtown merchants to allow a special bi-racial committee to further negotiate with the Lynchburg Retail Merchants Association on matters of employment and segregation.

**CHATTANOOGA.**—A stand-in demonstration protesting against segregation in theatres turned into a rock-throwing melee between Negroes and white youths in Chattanooga. Only two persons were arrested, but police broke up clashes involving as many as 50 white persons and 50 Negroes before order was restored later.

## Are Sit-ins Legal?

The Washington Post
Washington D.C.
3-28-61
P. 10-A

The refusal of a three-judge Federal District Court in Richmond to intervene against the punishment of sit-in demonstrators in Virginia will not be the last word on this subject. The Supreme Court has agreed to review a group of Louisiana sit-in cases. Presumably this decision will provide an authoritative statement of the law to be applied in the sit-in cases.

Meanwhile, the reasoning of the District Court seems narrowly based. It concluded, in an opinion by Judge Albert V. Bryan, that the operator of a lunch counter "may lawfully forbid any and all persons, regardless of his reason or their race or religion, to enter or remain upon any part of his premises which are not devoted to a public use." It further ruled that protection of this right "is the entire and sole aim" of Virginia's anti-tresspassing laws. The Court also made much of the fact that the anti-trespassing acts were enforced by the arrest of white as well as Negro demonstrators.

The conclusion that the lunch counters where the sit-ins occurred are "not devoted to a public use" will certainly be challenged. It is true that restaurants are not public utilities, but why should the question of rights here turn upon the vague notion of certain property being "affected with a public interest?" No establishment which offers its services to the public can be regarded as being "private" in the sense of being wholly insulated from public policy.

Even if a proprietor has a right to limit patronage of his restaurant along racial or other lines, the question remains as to whether he can call upon the state to help him do so. In these cases the sit-in demonstrators were arrested under Virginia's anti-trespassing laws, which had been amended in 1960 greatly to increase the penalties. The Supreme Court decided in 1953 that the courts could not be used to enforce covenants forbidding sale or occupancy of real estate by non-Caucasians. Since covenants of this sort ran contrary to public policy, the Court said in effect, it would be quite unreasonable to permit persons who resort to such covenants to fall back upon the courts for protection.

In the light of this it is difficult to see any justification for Virginia's use of her police power for the enforcement of the discriminatory policies of private restaurant owners.

# Fight On Segregation Spreads Over Southern Fronts

By THE ASSOCIATED PRESS

An elderly white woman was knocked down and a Negro Episcopal rector slugged during an outbreak of racial violence at Chattanooga, Tenn., where Negroes have been staging stand-ins protesting segregated theaters for five weeks.

Bands of Negroes and white youths roamed the streets after nine Negroes were arrested on charges of disorderly conduct at a motion picture house yesterday. The manager said they each tried 14 times to buy tickets and were blocking the entrance.

Police broke up one group of white youths armed with sticks as they roved downtown. A 15-year-old Negro boy, who told officers he was carrying a heavy steel wrench "because somebody might jump me," was turned over to juvenile authorities.

Miss Lillie Trotter, 88, said she was bowled over by Negroes fleeing white youths. The groups were hurling rocks and garbage cans at each other. Miss Trotter suffered cuts and head bruises but her condition was not believed serious. None of the youths was injured.

Police said an ex-convict slugged the Rev. Robert Hunter, rector of St. Mary's Episcopal church—a Negro parish—while Hunter was watching the stand-in demonstration. Harry Light, 34, was charged with assault and officers said he had a long police record.

At Columbia, S. C., 36 Negroes were convicted of breach of the peace charges in connection with a mass march on the state house two weeks ago during which 190 persons were arrested. All filed notice of intention to appeal.

Ten of those convicted were adults. Magistrate Frank Powell told them: "For you I have absolutely no sympathy because each of you is a grown man. You got children to fight your battle and my battle."

Three Negro young women were acquitted of breach of the peace charges at Rock Hill, S. C., after they testified they did not hear police orders to disband an anti-segregation picket line. Two others were convicted.

Four members of the Texas House of Representatives and about 100 students from the government classes of St. Mary's University, San Antonio, walked out of an Austin restaurant when management refused to serve a Negro in the group. Steak lunches had been ordered in advance.

"When they saw there was one colored boy with us they refused to serve us," said Rep. John Alaniz, San Antonio. "So we just walked out and left them with 100 steaks on their hands. We went to another place where they would serve all of us."

In Atlanta, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, told a Spelman College lecture series audience that "school desegregation does not proceed of its own volition."

Wilkins urged Negro college students to conduct a campaign to encourage Negro transfers when public schools are desegregated. Atlanta public schools are under a federal court order to start desegregation in the 11th and 12th grades in September.

The Charleston (S.C.) News and Courier said in an editorial that Sen. Clifford P. Case, R-N.J., and his colleagues "still enjoy waving the bloody shirt" in their efforts to prevent a meeting of the National Civil War Centennial Commission at Charleston in April.

The New Jersey Civil War Centennial Commission announced several days ago it would boycott the gathering because a Negro woman member of the commission would be denied integrated hotel quarters. Case asked the national commission to shift the ceremonies elsewhere because, he said, subjecting Negro delegates to segregation "would be irony of a most bitter sort."

The News and Courier said editorially it "has not been enthusiastic from the beginning over some aspects of the Civil War Centennial. Memories of a war in which ancestors of today's citizens died in combat are bound to be painful. Wounds have not yet healed. Sen. Case and his colleagues still enjoy waving the bloody shirt."

At Kansas City, the National Association of Intercollegiate Athletics announced its post-season football championship game, known as the Holiday bowl, had been moved from St. Petersburg, Fla., to Sacramento, Calif. Segregation problems in Florida were given as the reason.

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# Praises student sitdowners

Baltimore, Md.
Sat. 4-1-61

BALTIMORE

Congressman James Roosevelt called on the United States Sunday to speed up its program of eliminating racial barriers.

Speaking at the 36th annual dinner meeting of the Baltimore Urban League, the Democratic Congressman from California said he hoped President Kennedy would consider calling a White House Conference to "produce a climate of equality for citizens of the United States."

Sold out two weeks in advance, the dinner at the Sheraton - Belvedere Hotel meeting attracted 392 community leaders of both races.

Dr. Furman B. Templeton is executive director of the Baltimore Urban League.

* * *

MR. ROOSEVELT said the State Department recently had to name a committee to find housing in New York and Washington for diplomats from Africa and Asia.

"We should have the courage to admit our errors and not shove them under the rug," he declared, "We should tell the world 'yes, we've been slow about equalizing opportunities for all but now we have combined all our resources to do the job in the shortest possible time.'"

The speaker condemned the closing of public schools to avert desegregation.

**"Where the basic responsibility of public education is not being met in a locality, it becomes the responsibility of the next layer of government to make sure that no group can abolish the public education system."**

Turning to the question of the ballot, Mr. Roosevelt suggested a Constitutional Amendment that would deny the states the right to impose any restrictions on voting except residence requirments.

"Without the right to vote you have second class citizenship," Mr. Roosevelt asserted as he called for community and national leadership to guarantee the right to vote to all within the next two years.

Pointing out inequalities in housing and job opportunities, Mr. Roosevelt said racial discrimination is not a local problem but a national one. He said the fact that the Urban League has operated for 51 years in the north and south, supports this statement.

* * *

MR. ROOSEVELT praised the student demonstrators, members of the Civic Interest Group, who were honored at the meeting for their contribution in desegregating eating facilities here.

"In some areas, these participating in sit-ins are considered lawbreakers, but whenever basic human dignities are breeched, citizens have the right to protest. You and I wouldn't be here today if we hadn't had a revolution."

He commended the Urban League for its activities and said he looked forward to the day when the League will have worked itself out of existence.

**"We must not be in patient with the African nations that have just gained their freedom. We must remember that it has been almost 100 years since Abraham Lincoln and we still have to have the Urban League in the United States."**

# Elks' 'Grand' Pledges His Order Backs Sitdowners

The Afro-American
Baltimore, Md.
Sat. 4-8-61

## Reynolds reports on great gains

By STEVE W. DUNCAN
NEWARK

Elks Grand Exalted Ruler Hobson R. Reynolds of Philadelphia declared here Friday he was preparing a program for his 475,000 - member order which will be inviting to younger persons and reinvigorating to older members.

Mr. Reynolds received the key to the city from Mayor Leo P. Carlin after arriving here with his wife to attend the annual ball of the New Jersey State Association of IBPOE of W, and its auxiliary.

"With this great mass of Negroes, we propose to back up a program of first class citizenship for all Americans," the Elk leader stated.

Mr. Reynolds said the Elks will continue to support the student sit-in demonstrations in the South and will also lend aid to the struggle against discrimination and segregation in Northern communites.

He stated his fraternal order is in position to participate in the all-out struggle for first class citizenship because it is independent and uncontrolled by any factions.

Mr. Reynolds, elected grand exalted ruler in Chicago last August, noted that in many Southern communities Elks homes have been made available for training of sit-in demonstrators.

He said the order had spent thousands of dollars to support this facet of the struggle for freedom.

Mr. Reynolds said during an interview at the Hotel Essex House that Elk membership since September has increased 2½ to 3 per cent as against an 11 per cent decline in 1959.

During that time, he said, the order has reinstated 126 lodges representing approximately 3,000 members.

The Elk leader also disclosed that because of a keen interest in the apprenticeship training program, his group has earmarked $100,000 in special scholarships to be raised for students in scientific training.

Already, he noted, Elks spend about $30,000 a year for scholarships. Throughout the country there are 59 college students, eight of them white, studying under Elk scholarships, Mr. Reynolds said.

The Elk exalted ruler also touched on the controversial meeting next month of the National Civil War Centennial Commission.

Praising the stand taken by New Jersey delegates not to participate unless the meeting is integrated, Mr. Reynolds said:

"I think the Federal Government ought to demand that there should be no discrimination."

He stated he thinks Gen. U.S. Grant, III, commission official, is entirely wrong in stating nothing can be done about the Charleston situation.

Mr. Reynolds said that for the first time the Elks have a national headquarters at 1522 N. 16th St., Philadelphia, with the offices of the

3Pa 1961

GENERAL

SIT-INS
TOP STORY 1960

ANP EDITORS SAY:

The Black Dispatch
Okla. City, Okla.
Apr. 6, 61
p. 3

# SIT-INS TOP STORY OF 1960

By Associated Negro Press

The emergence of a new leadership and the refinement of a rediscovered technique in the Negro's continuing struggle for full equality in the United States as demonstrated in the sit-in demonstrations was the biggest and most important single news story of 1960.

This is the consensus of the editors and correspondents of the Associated Negro Press.

For a year notable for achievement by Negroes and in behalf of the cause of equality in America, the selection of the sit-ins further points up its lasting significance.

For 1960 was the year in which a fighter, Floyd Patterson, shattered a jinnx to regain the world heavyweight title, a Negro politician, Rep. William L. Dawson, turned down a federal cabinet post and the jailing of a Negro minister in Georgia determined the election of a President.

It was the year in which a little known girl athlete, Wilma Rudolph, captured the admiration of the world by winning three Olympic gold medals, and Hulan Jack, the Negro holding the highest elective municipal job in the nation, was convicted of lying about acceptance of a gratuity.

**Spotlight Harlem Hotel**

**A run-down Harlem hotel became the focal point of the world when Cuba's fiery Fidel Castro took refuge there and acted as host to Russia's explosive Nikita Khrushchev, who a few months earlier had caused the collapse of the Paris Summit Conference to the embarrassment of President Eisenhower.**

The same 12-month period saw the South's militant Dr. Martin Luther King jr. cleared of a trumped-up tax charge by a team of smart Negro attorneys and another national figure, Rep. Adam Clayton Powell, sweat out a federal trial on income tax violation that ended inconclusively.

It flung the name of a Negro newsman across the nation's headlines when Andrew Hatcher was made assistant press secretary to President - elect Kennedy and marked the end of the brilliant literary career of writer Richard Wright in Paris.

The year produced the not unprecedented factional clash of the America's largest Negro religious body when the annual meeting of the National Baptist Convention, USA, Inc., ended in disorder with two men, Dr. J. H. Jackson of Chicago, and Dr. Gardner C. Taylor of Brooklyn claiming the presidency.

**Africa Emerges**

1960 will go down in history as the year of emergence for Africa which gave painless birth to 14 new independent states and then nearly wrecked the United Nations and dominated the world's headlines when violent complications developed in the fifteenth, the infant Congo, that reached all the way to Brussells, Moscow and Washington.

Implementation of the six-year-old Supreme Court school decision proceeded with deliberation but little speed and finally exploded in New Orleans where it is more a legal fact than a living reality, with three little Negro girls in one school by themselves and another maintaining a beachhead along with eight white youngsters in another.

A beautiful American Negro girl, Lejeune Huntley, traveled to the Bohemian Cannes film festival and out-bikinied the other scantily-clad beauties of the world, and another, Corinne Huff, invaded the South to compete in the Miss United States contest in Miami.

**Gets Olympic Crown**

A powerful Negro athlete and excellent student, Rafer Johnson, manfully outperformed a Chinese rival to win the coveted Olympic decathlon crown and thus becomes the world's greatest all-around athlete. And taukative but talented Sammy Davis finally married a white girl, Swedish May Britt, and at year's end was happily awaiting the arrival of the stork.

But above and beyond all these eventful happenings of 1960, the sit-ins still remained the top solid achievement of the year.

A group of college students in Greensboro, N. C., last February rediscovered the sit-in technique which historians have traced back over the decades to the great Frederick Douglass, who is credited with having made effective use of it.

It spread like wild-fire, igniting militant flames in more than 300 communities, confounding the South and ruthlessly ripping up ingrown racial customs. It sent attorneys back to their law books, provoked special legislattive sessions, aroused new and bitter racial animosities and even forced an uncertain Eisenhower to make a half-hearted approving comment.

But more than anything else, it developed a broad base of mass support and a new, youthful, vigorous and fearless leadership that caused the NAACP to re-evaluate its operations, and Negro educators many sleepless nights of anguished meditation.

The sit-ins also aroused the conscience of many young white people, North and South, and brought about a new interracial alignment against social injustice.

# SIT-IN STUDENTS GET AID

The Iowa Bystander
Des Moines, Iowa
Thurs. 1-5-61

Washington, D. C. — Executive Committee members of the American Council on Human Rights received a check last week from Dr. Gladyce B. Jones (R), basileus of Epsilon Omega Chapter of Alpha Kappa Alpha Sorority, Baltimore, Md. ACHR president, Dr. Marjorie Parker (L), and Dr. Lorraine Williams, chairman Student Sit-In Emergency Fund, announced sending $1,120 to aid student protest leaders at A. & T. College, Greensboro, N.C.

# Sees Sit-In Movement As A Moral Protest

Chicago Defender Chicago, Ill
1-C7-13-61

BALTIMORE, Md. — "It is a shocking fact that a great many Americans no longer believe in the Bill of Rights," Stringfellow Barr, author and lecturer and former president of St. John's college in Annapolis, told Morgan State college students recently in an assembly celebrating Bill of Rights Day at the college.

Mr. Barr, now teaching at Rutgers university, said that in order to understand the Bill of Rights one must look at the moral issues behind the printed words.

In regard to the "sit-in" movement in this country, Barr said this movement illustrates the unwillingness of people to accept slavery.

It is a moral protest against mere legal power.

People are saying "I cannot obey a law which I feel is morally wrong."

"In disobeying immoral laws," Barr continued, "you should not do it secretly or by violence."

"As sad as it may seem, I believe that World War II had more to do with integration than any other factor.

"Many Negroes died on the battlefield fighting for the same ideals that all Americans fought for. Many asked themselves, 'why should they be treated any differently than anyone else?'

"But there is just one little problem — Americans have the shortest memory of any people on the face of the earth.

"When everything is going along satisfactorily, our moral senses are apt to get blunted.

"It just might be that the "sit-ins" are the re-awakening factor to our moral senses.

"They must feel they are morally right in doing this because they are running the risk of being shot without firing a shot at anyone."

Asked how a person would know what is morally right, Barr replied:

"The only way you can decide what is morally right is with God's help."

Barr, in closing, said that he did not advocate nor feel the need for rewriting the Bill of Rights but that present day facts should fit into the principles and moral issues behind it.

# Sitdowners given back Tenn. fines

The Afro-Am' Baltimore, Md.
Dec. 1-14-61

WASHINGTON

The sitdown movement, now nearly a year old, entered a new phase this week as the action moved from the lunch counters to the courts.

For the first time a case involving the sitdowns is before the United States Supreme Court.

The high court is considering three cases involving the conviction of 15 students for demonstrations at Baton Rouge, La. lunch counters. A. Rough, La. lauch counters. A. students, filed the petition with the court last week.

* * *

IN MEMPHIS, TENN., circuit court judges not only dismissed charges against 40 persons convicted of staging sitdowns, but also refunded the fines imposed.

Arthur Shea, assistant city attorney, asked the courts to dismiss the charges and refund the fines because the facilities involved have been desegregated.

The demonstrators were arrested at the public library, zoo, art academy and museum. Tehy drew fines ranging from $26 to $51 when they appeared in city court.

* * *

THE SITDOWN movement neared a showdown on the legal front in three other areas:

In Little Rock, Ark., the state Supreme Court set Jan. 9 to hear oral arguments in the cases of 12 persons convicted in three sitdown demonstrations in Little Rock last March and April.

The defendants, all college students, were convicted in Municipal Court and Circuit Court of threatening to create a breach of the peace in a business establishment and refusing to leave the established when asked.

The students were fined and sentenced to jail.

The appeals involved constitutional questions.

Wiley A. Branton and Harold B. Anderson, attorneys of Pine Bluff, contend that laws are unconstitutional in nature and application. They also contend that the punishment meted out to the defendants was excessive and harsh and intended to break the spirit of other colored persons working toward racial equality.

They argued that there wasn't enough evidence for convictions.

* * *

IN BALTIMORE, MD., Judge Joseph R. Byrnes heard arguments on constitutional questions in connection with trespassing charges against students who staged a sitdown in a downtown restaurant several months ago.

Defense Counsel Tucker R. Dearing, Robert B. Watts and Mrs. Juanita Jackson Mitchell argued that the students were voicing their constitutional right of free speech by the sitdown procedure. They contended that this is a "new form of freedom of expression symbolizing a meaningful method of communication."

The defendants declared that although the trespass statute was a fair one, it was being enforced only against colored persons and therefore was being used to further discrimination.

It was further argued that the private property had been dedicated to public use, and that the users could not be denied their constitutional right to freedom of expression by the courts.

James W. Murphy, representing the State, contended that no court had ever held than an individual has the right to enter upon private property to exercise his constitutional rights.

IN RICHMOND, VA., Len R. Holt an attorney for 125 persons convicted on treaspass charges after sitdowns in Hopewell, Petersburg and Lynchburg, Va., argued that the application of the trespass law was unconstitutional.

The law, an emergency measure, was adopted by the Virginia General Assembly during the height of the sitdown demonstrations last February.

Holt had subpoenaed Gov. J. Lindsay Almond to testify but the three-judge Federal court excused the governor.

During a 4½ hour hearing, Holt was engaged in a lively verbal exchange with Presiding Judge Herbert S. Boreman. Holt told the court that had Almond been permitted to take the stand the governor would have testified "beyond any doubt that the statutes were enacted with the intent and purpose to punish and deter Negro citizens who might seek service at lunch counters practicing racial discrimination."

The judge asked "are you saying that is what you would like him to testify?"

Holt answered: "We say this is what he would testify."

Judge Boreman asked: "What do you base this statement on? Have you talked to the Governor? Can you present any witnesses who overheard the Governor say that?"

Holt answered: "We believe he would tell the truth. Never in the past has the Governor hesitated to say that he favored racial discrimination and that he would use his good offices to preserve it."

The three - judge panel reserved a decision pending briefs to be submitted by both sides.

* * *

IN OTHER lunch counter developments:

The managers of sever variety stores in Clearwater Largo and Denedin, Fla., agreed Thursday to desegregate their lunch counters. The move came after a committee of four colored persons met with the store managers.

One of the managers, Arthur Specht, general manager of 35 Grant stores in Florida, said he decided to desegregate lunch counters after the peaceful desegregation of lunch counters in Tampa last August. The variety stores involved , were Woolworth, Madison's and W. T. Grant.

In Jackson, Tenn., 47 college students staged sitdown demonstrations at lunch counters in two variety stores. Police said there were no incidents.

At Woolworth's, 35 took seats at the counter which was subsequently closed for the day. At. McLeellan's 12 students participated in the demonstration.

Both stores had reopened their lunch counter Wednesday after leaving them closed during two weeks of holiday shopping.

SIT-IN REVIEW
NBC-TV Dec.22,1960
or
(GENERAL TELECAST)

# Birmingham Also Blacks Out Sit-In Review

The Call
Kansas City, Mo
1-6-61

By C.H. OLIVER

BIRMINGHAM, Ala. (ANP) — "White Paper", the documentary film of the sit-in demonstrations, was cancelled by station WAPI-TV, Birmingham's NBC-TV outlet Wednesday night, Dec. 22.

In cancelling the program, televised nationally over the NBC network, Birmingham joined the city of New Orleans. In both cases, waves of protests greeted the announcements.

**AIMS BLOW AT NAACP**

Here in Birmingham, individual citizens, and civic organizations denounced the action. Among these was the Greater Birmingham Council on Human Relations, which termed the action "Nazi-like censorship."

Meanwhile, Charles F. Grisham, general manager of WAPI-TV, was quoted by the Birmingham Post-Herald as saying "Our station is not running a propaganda machine for the NAACP." He also said the sit-in program was too one-sided and controversial.

When station WDSU-TV in New Orleans cancelled the program, A. Louis Read, executive vice-president and general manager, said "it lacked an objective point of view."

Several Negroes were seen on the program, including students from Fisk university who took part in the sit-in demonstrations.

# NBC 'Sit-in' telecast nixed in New Orleans

The Afro-American
Baltimore, Md
Dec 17-61

NEW ORLEANS — A WDSU-TV official said Tuesday night (20) the station had declined to telecast an NBC program concerning sit-in demonstrations.

A. Louis Read, executive veep and general manager, said the program was not carried here because "it lacked an objective point of view."

In a statement issued Tuesday night, Read said:

* * *

"YESTERDAY (Monday), the National Broadcasting Co. provided its affiliate stations with an opportunity to preview, via closed circuit, the second in 'The White Paper' series entitled 'Sit-in.'

"After careful consideration, it was the judgment of the management of WDSU-TV that the program did not take an objective view, and did not adequately cover the conflicting viewpoints of this very involved issue.

"Therefore the management decided that the best interests of this community would not be served by telecasting the program at this time."

* * *

READ ADDED that TV stations in other southern cities also substituted the program.

WDSU-TV had listed the program on its Tuesday schedule.

# NBC's Telecast on 'Sit-Ins' Informative' And Exciting

The Courier
Pittsburgh, Pa.
Dec 17-61

NEW YORK — The NAACP hailed an NBC televised program on the Southern sit-in movement as a 'major contribution to an understanding of the present [illegible] of race relations in our

# The Rules for Sit-In Conduct

The Sunday Star
DEC 3 1961
38a
GENERAL
DEC. 3 THE RULES FOR SIT-IN CONDUCT

By WILLIAM DUKE
Star Staff Writer

Racial segregation protests have assumed the formal trappings of a science.

Young, placard-carrying sit-in demonstrators can't, of course, follow an exact formula. But they are guided by strict rules and procedures, the products of 15 years of sit-ins, arrests, rallies and occasionally even violence.

The procedures are set mainly by the Congress of Racial Equality (CORE), the national organization which supplies guidance, and sometimes cash to carry-on demonstrations throughout the county.

"Not all sit-ins are sponsored by CORE. of course," said Julius W. Hobson of Washington, "but more and more groups are beginning to realize that CORE's methods have proved to be effective." Mr. Hobson, a Government economist, is the part-time representative of CORE.

CORE's methods range from the all-embracing philosophy of "nonviolence" down to the last detail of what a demonstrator should wear, how much money he should carry, and how he should behave in a cellblock."

Nationally, the organization says it has about 25,000 members, half of them white. About 3,000 are on the active rolls, having pledged to go any where they are needed to lead volunteer demonstrators or to man potentially dangerous Freedom Rides.

## Abide by CORE Rules

But the vast majority of the sit-in demonstrators and pickets who draw attention to segregation are volunteers who agree to learn and to abide by CORE's tactics.

Such a group met recently at the All Souls Unitarian Church in Washington to learn the "CORE method" before being assigned to a Freedom Ride on U. S. Route 40 in Maryland. This particular ride later was canceled when many of the restaurants desegregated but the desegregation was considered incomplete by CORE and a further demonstration was set for later this month.

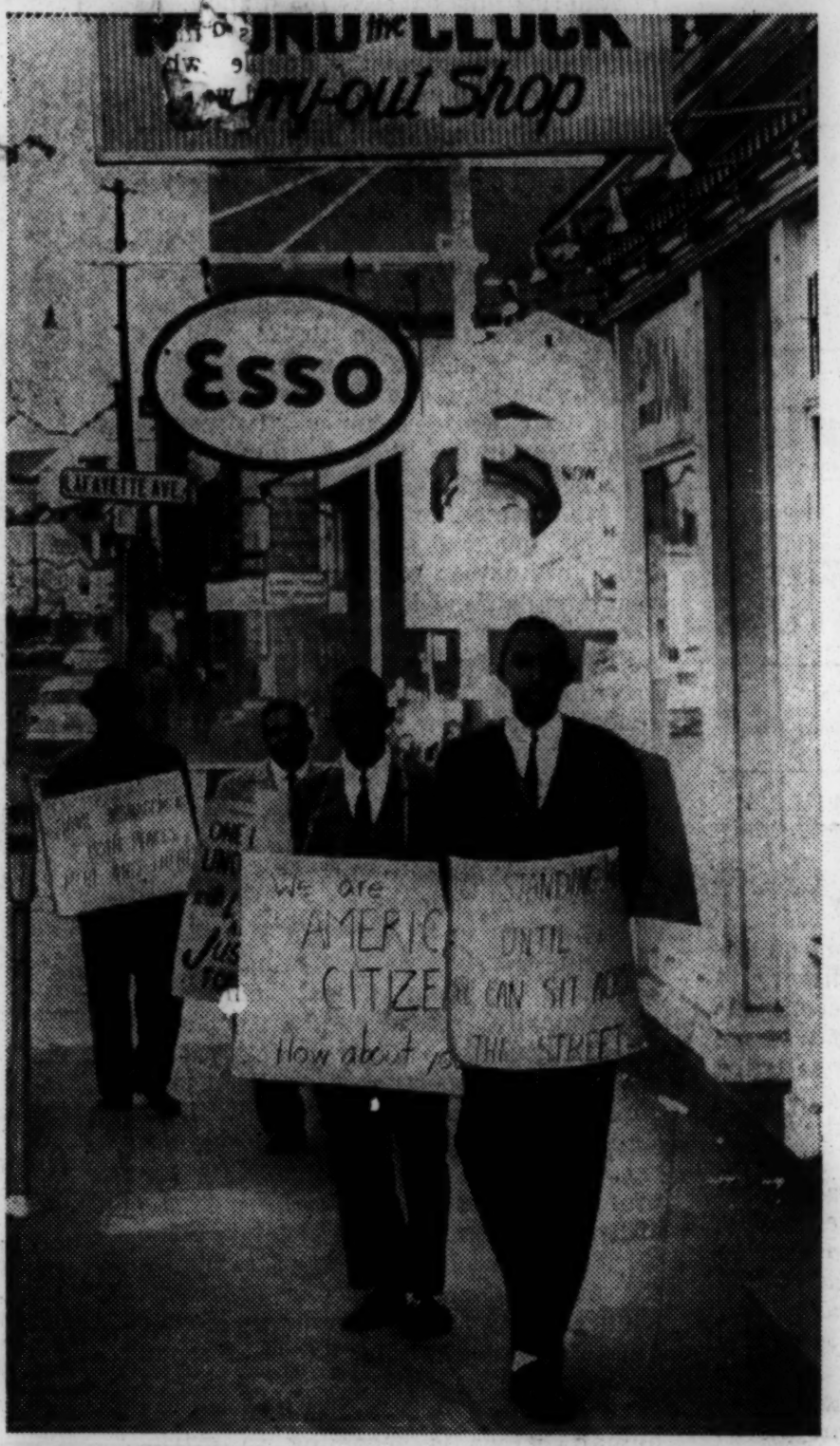
At the Washington meeting—which Mr. Hobson later said is typical of CORE briefing sessions — a tall, young college student spoke to the volunteers like a battle-hardened commander to a company of green troops.

The "veteran" was 19-year-old Henry Thomas, a Howard University student, who served time in a Jackson (Miss.) jail and who was aboard a Freedom Bus burned by a mob near Anniston, Ala., last summer.

## Most Are Young

After explaining that CORE didn't expect any violence in Maryland, Mr. Thomas said:

"But no matter what happens to you, you are not to strike back —not with your fists or with words. It may be hard to keep from saying the things you feel deep inside yourself, but we expect to act like COREmen."




Well-dressed pickets in front of a store in a recent Annapolis segregation demonstration.—AP Wirephoto.

Most of the people who listened to Mr. Thomas were under 30, many of them students. Half of them were white. Mr. Hobson said that there are about 400 CORE members in Washington, and about 65 per cent of them are white.

The volunteers were told they were not expected to stay in jail if arrested under Maryland"s trespassing law. The CORE method, Mr. Hobson explained, was to select in advance special people who would agree to remain in jail. All others are expected to call for help and ask to be released on bail.

A CORE-sponsored demonstration is planned as well as a military engagement. Lawyers are reached—and asked to stand by. A list of emergency telephone numbers, where legal help and bail money can be found, is given to each demonstrator.

And bail money is considered just another logistics item. For the proposed Route 40 Freedom ride, for example, Baltimore citizens made available $250,000 in property for bail purposes. They even had the deeds cleared by city hall, and certified by notaries to prove the property was clear of liens.

But the most important ingredient in any demonstration, Mr. Hobson said, are the demonstrators themselves.

"We try to make sure that every one in a CORE sit-in is a mature person who can take the pressure of harassment without blowing-up," he said, "we've been lucky. In all the demonstrations we've had through the years, we've never had a demonstrator strike back."

Through experience CORE fieldmen have learned it is better to turn away potential demonstrators who might not hold up under fire.

Students under 18-years-old are told to stay home. Even the 18-year-olds are not allowed unless they have their parents' consent. "We don't want to be charged with contributing to the delinquency of a minor," Mr. Hobson said.

College boys who want to wear cadet uniforms are also banned. "We don't want to look like a police force," Mr. Thomas said.

The rule specifies that demonstrators will be neatly dressed.

"I want the men to wear ties and suit coats, and the women to wear skirts, high heels and stockings," Mr. Thomas told the Washington group. "We don't want the slacks and shorts crowd. What you wear can help demonstrate to the public that we're different from the hoodlums who sometimes come to heckle us."

Demonstrators are told they must carry enough of their own money to pay for a full meal, if allowed to eat in a restaurant, with enough left over to get back home by public transportation if other arrangements fail.

"And carry some of your money in dimes," the experienced Mr. Thomas added. "You might have to make an emergency telephone call from the road or somewhere."

## No Weapons Allowed

The Freedom Riders are also warned about what not to carry with them. No unnecessary items is the rule. Particular emphasis is put on pocket knives and nail files. Mr. Thomas explained that sometimes even a nail file can be labeled as a concealed weapon.

Besides the briefing sessions demonstrators are usually given mimeographed lists of do's and don'ts, check lists to indicate their success in their mission, and sheets assigning them to specific projects under specific leaders.

The procedures have evolved since the organization staged its first successful round of sit-ins—demonstrations which opened Chicago restaurants to Negroes in the mid-1940s.

But these same scientific tactics which CORE officials consider so effective in arousing public opinion to their cause, have been called communist-inspired methods by some Mississippi legislators.

Mr. Hobson has said he doesn't consider the tactics scientific nor communist-inspired.

"They are the best means we know of breaking down segregation," he said. "We believe that every individual—even a segregationist—has a conscience that can be appealed to . . . and we try to make that appeal through a planned demonstration."

# Federals Enter N. O. School Case, Demonstrations Widespread

The Tuscaloosa News
Wire Items
Tuscaloosa, Ala.
Feb 17-61
Pg 1

By THE ASSOCIATED PRESS

The Justice Department responded swiftly to an appeal for help from financially pinched New Orleans school authorities by filing a civil contempt action designed to compel the state of Louisiana to release certain school funds.

It was the first court action by President Kennedy's administration in the troubled New Orleans situation where school funds have been withheld because of a months-long desegregation controversy.

The Orleans Parish School Board said that paychecks for teachers, principals and other school personnel would not be distributed as scheduled because of lack of "sufficient funds caused by the actions of the State Legislature."

The situation led Louis G. Riecke, president of the board, to send a telegram to Kennedy Thursday asking assistance.

Riecke said in the wire that state legislative action "as a result of federal desegregation orders has tied up our funds and effectively impaired our borrowing capacity to such an extent that unless we are able to meet payrolls we may have to close all public schools in New Orleans."

A few hours later Atty. Gen. Robert F. Kennedy announced in Washington that court action was needed in view of the present situation.

The action was brought in U. S. District Court at New Orleans by U. S. Atty. M. Hepburn Many. It was directed against Shelby M. Jackson, the state superintendent of public education.

The Justice Department asked that Jackson be required to turn over to the Orleans Parish School Board about $350,000 withheld since last September.

Jackson also was asked to recognize the credentials and qualifications of teachers hired by the school board since Nov. 14, 1960, the date when two New Orleans schools were desegregated under a federal court order.

Officials at the Justice Department said the action was designed to have Jackson held in contempt unless he released the funds and recognized the teachers' credentials.

The contempt action came on a day marked by Negro student demonstrations protesting segregated lunch counters and motion picture theaters in three Southern states.

About 40 Negroes, all apparently of high school age, tried without success to purchase tickets to three white-only movie theaters in downtown Chattanooga, Tenn. Ten policemen watched the demonstrations along with crowds of white bystanders. No arrests were reported.

An estimated 80 to 100 Negro college students made unsuccessful attempts to enter four movie houses in downtown Nashville, Tenn. Some pushing and shoving was reported but no arrests were made. Several of the Negroes carried cameras but a newsman at the scene said he saw no pictures taken.

At Columbia, S. C. about 150 Negro college students staged sitins at five lunch counters for white persons. The demonstrations lasted about two hours but there were no incidents.

Police posted near three exits to Morris College at Sumter, S. C., prevented Negro students from starting parades into the downtown area. Students were permitted to leave the college grounds a few at a time, however.

The police measures were taken after three Negroes were arrested during sit-in demonstrations Tuesday and five others during a mass demonstration Wednesday. Police said the five scuffled with officers.

In Washington, the Justice Department said it received a telegram from the Congress of Racial Equality (CORE) requesting it intervene in what the organization described as "assaults on Negroes" in Sumter County. The request was referred to the Civil Rights division for study.

Three Negro students were arrested during a sit-in at a downtown coffee shop in Atlanta, swelling to 80 the number held in jail on charges of violating the state's anti-tresspass law. All have refused bond as part of a "jail, no bail" plan designed to call attention to sit-ins aimed at segregated eating places.

Jim Aldredge, a fulton County commissioner, asked Negro leaders to call off plans for a mass demonstration at the jail Sunday designed to bolster morale of the student demonstrators. He said the proposed rally was unwise. Sheriff T. Ralph Grimes issued an order that no demonstrators be allowed on jail property.

# Lillian Smith asks teens to take part in sit-ins

The Afro-American
Baltimore Md
3-25-61
P. 6.

NEW YORK — Famous southern author Lillian Smith urges the nation's teenagers to take an active part in the sit - in movement.

From her rustic mountaintop home in Clayton, Ga., Miss Smith, author of many books including the controversail "Strange Fruit," pleads with America's young people to answer the challenge of integration.

In an article in the forthcoming issue of Datebook Magazine, a publication for teenagers on sale April 6. Miss Smith states:

"Segregation or apartheid or caste — these are words that just don't fit into the mid-20th century. The sooner we discard them and what they make us believe, the better."

According to Miss Smith, it is up to America's teenagers to take the lead. "It is your obligation to help change things in as non-violent a way as is possible. Your world is in the future."

# Theatres New Sit-In Target

By United Press International

Negro students in the South opened a new phase of their integration fight Wednesday on the first anniversary of the lunch counter sit-in movement.

Theatres were the new target.

Negroes at Nashville, Tenn., and Greensboro, N. C. where the first sit-ins occurred, lined up outside segregated theatres and demanded admission. They were turned away, or in some instances, box offices closed.

In Atlanta, an estimated 1500 students marched on the downtown area, but limited their activities to picketing outside department stores with segregated eating facilities. They carried signs demanding an end to Jim Crowism.

At Orangeburg, S. C. at least 10 Negroes were jailed in connection with sit-in demonstrations. Police said the protests were continuing and more arrests were expected.

Edward B. King, jr., administrative secretary of the Student Non-Violent Coordinating Committee, said students had been asked to "rededicate themselves" to the desegregation effort.

"We have called for stand-ins at theatres throughout the South as our first move in the second phase of student protest movement," he said.

Students in the North and West, King said, had been asked to conduct limited picketing at theatres belonging to the RKO, Loew's and Paramount chains in support of students in the South.

King said Negro students in the south would attempt to force integration at white theatres by setting up "revolving lines."

He explained that students would queue up at the box offices and as quickly as they were refused admittance they would take up position at the end of the line and make another request.

This, he said, would keep whites from obtaining tickets.

# Sitdowners open drive on theatres

HAMPTON, Va. — The emphasis switched from lunch counter sitdowns to demonstrations at theaters, bowling alleys and other places of amusement as students throughout the South marked the first anniversary of the sitdown movement.

Fifteen Hampton Institute students were arrested and charged with trespassing after they staged a stand-in in the orchestra section of Lee Theater. The section is reserved for whites.

Ten of the demonstrators were released on $100 bond and five juveniles were released in custody of Joseph J. Brady, Hampton Institute director of public relations, pending a hearing set for Feb. 8.

Theaters were the target in Winston-Salem, N.C. as picket lines formed in front of three downtown theaters on Friday. The lines were manned by college students. Picketing was orderly.

Managers of the Carolina, Winston and Center theaters had no comment on the demonstrations.

* * *

**IN GREENSBORO, N. C.** where the sitdown movement began Feb. 1, 1961, the first anniversary was observed by college students who picketed downtown theaters.

Police kept close watch as students sought admittance to the all-white Center Theater and to the orchestra sections of two other movie houses where colored patrons are forced to sit in the balcony.

In Orangeburg, S.C. nine students were charged with trespassing after taking seats at an all-white lunch counter.

The police said J. B. Todd, manager of the S. H. Kress store, twice warned the students not to take seats. When they did, policemen, who had been called, made the arrest.

In Rock Hill, S. C., ten college students were convicted Thursday of trespassing at the white lunch counter of a Rock Hill variety store.

Recorder's Court Judge Billy D. Hayes imposed fines of $100 and 30-day jail sentences on ten Friendship College students arrested in McCrory's variety store Tuesday. They filed notice of appeal and bond was set at $200.

* * *

**IN SAVANNAH, GA.,** the Justice Department ordered a civil rights investigation in the arrest of eight youths for playing basketball on a white playground.

Charles Brown, agent for the FBI, said his office in Savannah had begun the investigation.

In Durham, N.C. the manager of the Center Theater after a picket line formed in front of the establishment, the manager, said:

"In view of the obvious fact that our separate facilities for Negro patrons are no longer acceptable to many, and what we believe a majority, we are closing these facilities."

Ralph Luker, a white Duke University student, said "We're going to keep up picketing until we get them (colored patrons) in."

* * *

**IN NASHVILLE,** Tenn., several hundred colored persons were denied admission to downtown theaters. Police said the groups were orderly and no disturbances were reported. The theaters are being operated on a segregated basis.

Several Nashville restaurants and lunch counters were integrated several months ago after a series of sitdown demonstrations.

In High Point, N.C. more than 100 high school pupils picketed the Paramount Theater in observance of the first anniversary of sitdown demonstrations.

The line marched in front of the theater, which is operated in a city-owned building, and is the only white theater here with a colored balcony.

The demonstrators carried signs reading:

"Segregation is the scar on American prestige" "We picket for tickets" and "the presence of segregation is the absence of democracy."

No incidents were reported and no arrests made.

* * *

**IN. CHARLOTTE, .N. C.** demonstrators lined up in front of two downtown movie houses and took turns trying to buy tickets.

Police Chief Jesse James said demonstrations were orderly and there were no incidents.

One person would go to the box office, ask for a ticket and when he was turned down go to the back of the line. The next person in line would then ask for a ticket.

The demonstrators carried no signs and did not picket.

**IN PETERSBURG, VA.,** Central State Hospital's new cafeteria for employees was closed as the result of a dispute over racial segregation. Theodore G. Denton who closed the facility said segregation is "definitely the policy of the State Hospital Board."

The hospital has 1,500 colored employees and 100 white workers. The colored employees boycotted the segregated restaurant and forced its clssing.

"There are simply not enough white employees for the cafeteria to break even," Denton said.

* * *

**IN EAST ST. LOUIS** trespassing charges against 13 persons who picketed an East St. Louis bowling alley, were dismissed. The bowling alleys contend they are private clubs and thus not covered by a state law prohibiting racial discrimination.

In Washington, D. C. Trinity College students recently adopted a resolution supporting sitdown demonstrations as a means of leading to "nation-wide integration."

The resolution, drafted and voted on by students, deplores discrimination in any facility "allegedly serving the general public."

The resolution said:

"An individual has the right to work peacefully for the recitification of such social injustice through non-violent legal protest."

Students voted 330 to 120 for the resolution. Trinity College has an enrollment of 650.

* * *

**INTERVIEWED IN** Raleigh, N. C., the Rev. James Lawson said desegregation is proceeding in Nashville, Tenn. but a push to speed the process will begin soon.

The Rev. Mr. Lawson, leader of Nashville's sitdown movement, is now pastor of Scott Chapel Mtrodist Chuch in Shelbyville, Tenn.

In New York James Farmer, pioneer leader of the non-violent struggle against racial discrimination, took office Feb. 1 as national director of the Congress of Racial Equality (CORE(.

In Atlanta, the Georgia Senate Wednesday approved a bill which would prevent the recurrence of sitdown demonstrations at the Capitol.

By a 20-3 vote, the Senate passed a bill which limits the use of the Capitol Building, outside of its usual functions, to "refreshment stands" for state legislators and their guests.

**A NEW LAW** to bar mass picketing in Atlanta was proposed in the city council Wednesday after 1,500 university students formed a picket line to celebrate the first anniversary of the sitdowns.

Police Chief Herbert Jenkins told the aldermanic police committee, in asking for the new ordinance, "Some of the picketing today almost paralyzed some businesses.

Six of the studetns were taken to police headquarters and released shortly afterwards. No arrests or incidents were reported.

In Dallas, Texas an ordinance apparently aimed at both sitdown demonstrators and mobs opposing school integration was passed by the city council.

It prohibits congregating or loitering when forbidden by policemen and calls for a $200 maximum fine for violators.

# Stand-Ins Continue At Kaufman's And Stewarts

The Louisville Defender
Louisville, Ky.
Feb 21 61

An interracial team composed of members of the Congress of Racial Equality this week continued their stand-in demonstrations at Kaufman's of Kentucky and Stewart's Dry Goods Company.

The National Association for the Advancement of Colored People and CORE announced following the demonstrations that "Negroes would be asked to join their "Nothing new for Easter" buying campaign directed at the downtown area.

The two civil rights organizations proposed the campaign to protest discriminatory practices in hiring and access to public accommodations to Negroes in the downtown area.

Officials of the organizations said the drive would begin February 20 and extend past the Easter holiday. The mass withdrawal of Negro business is planned to coincide with stand-in and sit-in demonstrations conducted by CORE.

Saturday's pickets were conducted during the noon rush hour at the Charl-Mont tea room at Kaufman's 427 S. Fourth and Stewart's Fourth and W. Walnut. The pickets were conducted peachfully with no incidents.

K. D. Kerr, one of the demonstrators, said that a chain was used at both Stewarts and Kaufman's. He said the pickets remained for a hour and a half at each store.

Both stores closed their restaurants following demonstrations by pickets from CORE and the Civil Rights Commission of the AMEZ church. The Charl-Mont tea room and the Stewart restaurant opened for business the following Monday.

Kaufman's and Stewarts have maintained segregated lunch eon facilities despite the continued demonstrations. Kaufman officials have stated that they have not closed the door to integration but would wait until the rest of the Fourth Street stores desegregated.

The majority of Fourth street department and dime stores, however, have desegregated their lunch counters. The list includs the W. T. Grant Department store, McCory's, Kresge's Woolworth dime stores and Walgreen's department store.

# Theater Stand-Ins On Lincoln's Day

The Call
Kansas City, Mo.
Feb 17 61

BY PAT CONWAY

AUSTIN, Tex. — (UPI) — Protests against movie theater segregation, sparked by University of Texas students, were held across much of the nation—Sunday—Abraham Lincoln's birthday.

The largest demonstrations were staged at Austin, where the University of Texas is located. Hundreds of students conducted stand-ins in the central Texas city at movie houses.

Reports of protests being filed or stand-ins being held came from Dallas, Tex., Boston, San Antonio, Tex., New York and Chicago.

In the stand-in protests, the demonstrators line up in front of the movie's ticket-seller and, when they reach the window, ask if the theater is segregated. If so, the protestor refuses to buy a ticket—and returns to the end of the line. Both Negroes and whites took part in the stand-ins in Texas.

The only incident reported was a bomb hoax at a San Antonio theater. Police searched the movie house, but did not remove the patrons.

Other students in cities across the nation had promised Chandler Davidson, of El Paso, Tex., chairman of Students for Direct Action, that protests would be made. These cities included Houston, Tex., Shreveport, La., San Francisco and Ann Arbor, Mich.

Davidson said the demonstrations were aimed at Trans-Texas theaters, the Interstate Circuit, Loews, Inc., and RKO theaters.

The demonstrations, which included picketing at some points, lasted anywhere from a few minutes to several hours.

When the protest ended in Austin, Davidson spoke to the demonstrators.

He said: "This has been a great success. This is not our last stand."

At Austin, three students opposed to movie theater integration picketed those who staged pro-integration stand-ins.

In cities where theaters are integrated, students would simply register a protest at the box office that other theaters in the chain are not permitting members of all races.

# Stand-Ins Rap Texas Movie Segregation

The Courier
Louisville, Ky.
Feb 25 61

## Austin, Dallas Scenes Of Collegiate Action

Austin, Tex., Feb. 12 (UP)—Hundreds of University of Texas students chose Abraham Lincoln's birthday Sunday to stage mass demonstrations against movie-theater segregation.

They got sympathy protests from nearly 100 Southern Methodist University students in Dallas and expected similar demonstrations from students in 11 other cities across the nation.

Mon. 2-13-61

The chairman of Students for Direct Action said he had commitments from students in San Antonio, Dallas, Houston, Shreveport, La., New York, Chicago, Los Angeles, San Francisco, Cambridge, Mass., Ann Arbor, Mich., Oberlin, Ohio, and Champaigne, Ill., that they would demonstrate in sympathy.

### Demonstrate Downtown

The Austin students began stand-ins at the box offices of two theaters bordering the University of Texas campus.

The University of Texas students were joined by students of Huston-Tillotson College, Concordia Lutheran College, and St. Edwards University, and they went to downtown Austin for the first time and demonstrated at theaters there.

They set up pickets as well as stand-ins at the downtown theaters.

One group of students sang a parody of the battle hymn of the republic which went: "We will send Bill Blakley C.O.D. to Stanleyville Glory, Glory, Integration." The reference was to Texas' interim Senator William A. Blakley, who voted against confirmation of Robert Weaver, a Negro, as head of the United States Housing and Home Finance Agency.

# Stand-Ins Hit Bias In Chain Theatres, Picket 'Em Up North

Chicago Defender
Chicago, Ill.
Feb 25-Mar 3 61

Lincoln's birthday was selected by students the nation over to spur drive to break bias at theatres where Negroes are not admitted because of their race and color.

Introduction of the "stand-ins" plan arrived in Independance, Mo., home of ex-President Harry Truman, followed by one staged in Chapel Hill, N. C. and later Atlanta, Ga. This was of course all in Dixie where bias maintains at almost every theatre. The particular case of the school in Chapel Hill involved Negroes being banned from house showing the all-Negro film, "Porgy 'N Bess."

Then came Lincoln's birthday and the big push that was national in scope. From many of the colleges about the nation students engaged in picketing against theatre chains like Paramount, Balaban and Katz, to name a few. These are the chains operating theatres in Dixie where Negroes are banned from affiliated theatres.

Northern cities hit by the pickets, most of them interracial, included Chicago, San Francisco and New York. Among the many disgusting situations at the theatres is fact that in states where sudents are integrated the Negroes cannot enter the movie theatres. Richmond and Hampton in Virginia showed signs of relief during the picketing. Hampton, where Hampton Institute is located and Richmond, a short distance away may agree to easing the race ban to avoid future picketing it is predicted.

38a 1961

Nov.

SIT INS
MISS LILLIAN SMITH

GENERAL

# 'SIT-INS GREATEST FORCE,' SAYS LILLIAN SMITH

p.11 The Bommicle
Defender

CHICAGO—One of the South's most active leaders in the quest for "peaceful integration," Miss Lillian Smith, novelist and author of "Strange Fruit," declared Sunday that the sit-in movement of the South was the "greatest force" ever created in this country to change man.

Wed. 11-22-61

In an off-the-cuff address presented to more than 500 persons at Central Presbyterian Church, on Chicago's Westside, the silvery-haired authoress spoke happily of the great changes and accomplishments which have come to her Southland, and of more than 25 years of her own life spent in helping to bring them about.

Her experiences in the realm of race relations and her efforts to bring dignity to all peoples were revealed in her address which spanned the continents of China and America.

Louisville, Ky.

'SHALLOW REASONS'

In a delightfully quiet voice richly colored with the drawl of her native Georgia, Miss Smith, at one and the same time, emphasized that thousands of white persons, like herself, are fighting for integration in the South, and then apologized for "the shallow reasons" which have caused many white southerners to act favorably for integration.

The noted writer kept asking probing, rhetorical questions:

"Are the hearts and minds of people really being opened?"

"Do Negroes know their purchasing power is the difference between loss and profit?"

And to the sit-inners, themselves, to see if they are really aware of the deeper implications of all they have done, she asked:

"What is going to happen to the sit-in student after he gets the lunch counter opened? Are we working for human dignity, or just to open lunch counters?"

MAGNOLIA ROOM

Although Negroes can now eat in the lavish finery of the "Magnolia Room," in the largest department store in downtown, Atlanta, Miss Smith asked if its owner, Dick Rich, "suddenly got a vision of what the world could be like if we all tried to make it good."

Unhappily, Miss Smith suggested that Dick Rich knew only too well that Negro dollars are the difference between profit and loss."

Perhaps referring to images created in her newest book, "The Mob and the Ghost," this quiet woman who, herself, appeared to be steeped in dignity, challenged mobs of the South to any rightful claim to reality.

'CHASE GHOSTS'

Those mobs chase ghosts, she explained. "There was never a mob that didn't chase a ghost. They don't chase man, they don't know man."

A VIRGINIA STORY

In Richmond, an organization of Negro voters called "Crusade For Voters" put on a blitz campaign with telephone and transportation committee and poll watchers. Most unique feature was the recruiting of a bicycle brigade of teenagers. A few hours before the polls closed, the kids picked up lists of those who had not voted yet, then took off on their wheels to knock on doors and round up the delinquents. It worked beautifully.

OCTOBER
SURVEY TALLIES "SIT-IN" GAINS

**Integration Progress**

Christian Science Monitor
Wed 10-4-61

# Survey Tallies 'Sit-In' Gains

*By a Special Correspondent of The Christian Science Monitor*

**Atlanta**

A year and a half ago, four Negro college students in Greensboro, N.C., approached a lunch counter and surprised the white management by asking for service. By this simple gesture they started a movement that has now resulted in the desegregation of at least some restaurants in more than 100 cities in southern and North-South border states.

The rapid spread and success of what became known as the "sit-in" movement was summarized in a study by the Southern Regional Council here, a biracial organization devoted to improving relations between the white and Negro races. It covers in detail the methods, successes, and failures of the movement.

Even observers who have followed the sit-ins closely since their start are amazed by their scope as disclosed in the study. The council estimates that at least 70,000 Negroes and white sympathizers have participated in "sit-ins," picketing, marching, and mass meetings. Of these about 3,600 have been arrested, the council said.

**White Sympathy Noted**

While virtually all the leaders and most of the participants were Negroes, the council said, the movement aroused national sympathy and some cooperation by white students.

Indeed the council concluded that the sit-ins "aroused American college students more than any issue since New Deal and world peace controversies of the 1930's."

As to the future:

"The enthusiasm generated by the student movement will not die out. Students and adults supporting it will undoubtedly continue their campaign to help the South overcome injustice in public accommodations, in voter registration, in employment, and in churches."

In view of the thousands of students and sympathizers involved in states where racial antipathies are deep, there were relatively few incidents of violence.

In Jacksonville, Fla., one person was killed and 70 injured during a three-day riot. In Houston, Texas, a Negro man was stabbed by a white man in a parking lot, and another Negro was flogged with a chain by three white men. In Portsmouth, Va., Negroes were attacked by white teenagers carrying wrenches and hammers.

The sit-in movement and accompanying boycotts and other demonstrations attracted support from several Negro organizations. Most prominent in them was the Student Non-Violent Co-ordinating Committee, founded in April, 1960, and given permanent form at a conference at Atlanta University Center last fall.

The council's report followed by only a few days one of the greatest victories gained by the Negro student demonstrators—that in Atlanta, where 13 department or chain stores desegregated their restaurants or lunch counters.

An abbreviated summary of the council's state-by-state report on the sit-ins and other demonstrations follows:

**Alabama** — Movement began Feb. 25, 1960, in Montgomery when 35 students from Alabama State College took seats in the county court house snack shop. The cities of Tuskegee, Montgomery, Mobile, Huntsville, and Birmingham were affected. Some 5,500 demonstrators took part, and 86 were arrested. No desegregation was accomplished, although the later Freedom Rides resulted in availability of service at the Montgomery bus terminal.

**Arkansas**—Movement started March 10, 1960, in Little Rock, when 50 students from Philande Smith College "sat in" at Woolworth's. The movement spread to Pine Bluff and Fort Smith. Twenty students were arrested. At least one restaurant was desegregated in Fort Smith.

**Florida** — First sit-ins occurred Feb. 12, 1960, in De Land, spread to Tallahassee, and then to 12 other cities. Some 2,500 demonstrators took part, and 243 were arrested. Some facilities in 15 cities have been desegregated.

**Georgia**—Beginning in Atlanta March 15, 1960, the sit-in movement spread to Savannah, Macon, Columbus, Augusta, and Marietta. An estimated 7,000 persons took part, and at least 292 were arrested. Some desegregation has taken place in three cities, and Savannah has established a biracial committee.

**Kentucky**—The movement began Feb. 27, 1960, when 20 Negro students from the University of Kentucky "sat-in" at a variety store in Lexington. The movement spread to Frankfort and Louisville. An estimated 6,000 demonstrators took part, and 374 were arrested. Now nine cities have desegregated some of their eating facilities.

**Louisiana** — Demonstrations began in New Orleans on March 8, 1960, and spread to Baton Rouge and Shreveport. An estimated 10,000 persons took part, and 71 were arrested. There has been no desegregation.

**Mississippi**—On March 27, 1961, nine Negro students of Southern Christian College attempted to use facilities of the municipal library in Jackson and were arrested. Other integration attempts were made at Biloxi and Starkville. About 1,600 participated, and 40 were arrested. There has been no desegregation. (Note: The report does not include the Freedom Riders, of whom a large number were arrested in Jackson.)

**North Carolina**—The sit-in movement began Feb. 1, 1960, in Greensboro when four Negro students from North Carolina A and T College asked for service. The movement spread to 17 other cities in the state. An estimated 4,200 persons were involved in pro-integration demonstrations, and 268 were arrested. Some degree of desegregation has been carried out in 17 cities.

**Oklahoma**—Actually sit-ins started in Oklahoma City in 1958, long before the 1960-61 student movement. Others have been held in Enid, Tulsa, and Stillwater. The report made no estimate of persons involved but said at least eight had been arrested. In Oklahoma City, 116 eating places have been integrated. Some desegregation has occurred in four other cities.

**South Carolina**—Sit-in demonstrations began Feb. 12, 1960, in Rock Hill and spread to 11 other cities. About 4,000 persons were involved, and 947 arrested. There has been no desegregation.

**Tennessee**—The sit-in movement began Feb. 13, 1960, among students from Fisk University, Tennessee A and I, and American Baptist Theological Seminary in Nashville. The movement spread to five other cities. Some 16,000 demonstrators were involved, and 692 arrested. There has been desegregation in seven cities.

**Texas**—The movement started in Houston March 5, 1960, when 100 students from Texas Southern University staged a sit-in at a supermarket lunch counter. The movement spread to Dallas, San Antonio, and five other cities. About 6,500 students participated, and 317 were arrested. Partial desegregation has been carried out in 10 cities.

**Virginia**—The movement began with 25 students from Hampton Institute, Hampton, and spread to 18 other cities. An estimated 11,000 demonstrators were involved, and 235 arrested. Desegregation has been carried out in 24 cities.

38a 1961

GENERAL

NOVEMBER

ATTY. THURGOOD MARSHALL

WITHDRAWS AS SIT-IN COUNSEL

## Marshall Withdraws As 'Sit-In' Counsel

WASHINGTON (NNPA) — In a brief order issued Monday morning, the United States Supreme Court granted motions filed by Judge Thurgood Marshall for "leave to withdraw" his appearance as counsel for defendants in several cases, including the now famous "Sit-In" appeals.

Non-Violent Principles —

# HOW THE NEGRO CHURCH HAS BACKED THE SIT-IN MOVEMENT

The sit-in movement hat the Solid South in a sociological upheaval that has produced a crack in the segregation pattern. Just as important is that is, in essence, a religious movement that has the blessing of the U. S. church. Negro ministers, in particular, who heretofore talked and sermonized about justice, but feared to do anything about it, are now standing squarely behind their young counterparts and refusing to budge.

This might be indicative that the Negro church is coming of age. If the Negro Church is coming of age, so is the Negro minister, who, until recen years was more concerne with fund-raising benefits ttas and socials than in rol ling up his slives and get ting to work on the prob lems that concerned Ne grots. Now he seems to be attempting do do much more than has been traditional. Where he used to shout and criticize on Sundays and remain silent during the week, he is becoming the most persistent leader in the Negro's civil rights struggle—so much so, in fact, that people are now beginning to feel that the Church will produce the most significant Negro leaders of the future.

One reason Negro ministers have seldom been able to assume greater responsibility in the Negro's struggle for equality is that the average Negro minister was educationally unprepared. While many possessed the ability to raise funds and sway huge masses on Sundays, few could offer and put into action programs suitable to correct the situations they condemned.

Coupled with the forceful leadership of the Rev. Martin Luther King, Jr. and the unussual unity among Negro ministers who supported the successful bus boycott in Montgomery, Ala., the sit-in demonstrations against segregation in southern restaurants have inspired Negro ministers across the nation to act.

The nature of the movement, and the goals of the students who are spearheading the demonstrations are so theologically sound and Christian that religious groups in bothe the North and South are giving them their strongest support.

*How Sit-Ins Began*

Reflecting impatience over the slow pace of action on civil rights, the demonstrations were sparked February 1, 1960, by the refusal of a Greensboro, N. C. variety store to serve four Negro college students at its lunch counter. Patterned on the slave-day technique of peaceful resistance, the sit-ins spread over 70 communities throughout the South, several communities in the border states and the midwest.

The most notable feature of the demonstrations has been the unexpected extent to which they have been supported by white students and endorsed by religious leaders, both white and Negro.

In Greensboro, itself, two religious groups set a pattern by openly supporting Negro demonstrations against discrimination at lunch counters in the city or anywhree else in the state. They were the Greensboro Ministers Fellowship, made up of Protestant and Jewish clergymen, and the Greensboro Methodist Fellowship.

Earlier, the executive board of the N. Carolina Council of Churches' Department of United Church Women, meeting in Greensboro, recommended that local councils study all aspects of the problems raised by anti-discrimination demonstrations.

*Clergy Backs Students*

In Raleigh, where Mayor W. G. Enloe had appointed an interracial committee to study the problem, 59 white and Negro ministers issued a joint statement branding unch counter segregation as "only a symbol of the many problems which nted to be faced openly and frankly." Protestant clergymen offered to support any chain stores agreeing to end racial segregation at the lunch counters.

In addition, the Catholic Interracial Council of Raleigh adopted a resolution declaring: "We view with sincere interest and sympathy the efforts of our fellow citizens of the State of North Carolina to obtain recognition of their human rights . .

At Charlotte, clergymen and church groups of both races spoke up for the demonstrators in several North Carolina counties. Support for the movement also came from Dr. Clifford Earle, secretary of the Department of Social Education and Action of the Presbyterian Church in the U. S. A. Some ministerial groups urged the boycotting of establishments practicing segregation, and later participated in picketing them.

One of the worst racial clashes in the city's history took place in Late February at Chattanooga, Tenn., where 32 whites and Negroes were arrested during a two-day series of fights at lunch counters and in the streets. Further trouble was averted when local clergyment intervened and urged people to "go home and pray."

At Nashville, Tenn., faculty members of Vanderbilt University's Divinity School and Liberal Arts College overwhelmingly opposed the action of the university board of trustees in dismissing 32-year-old James Lawson, a seminary student, who led the demonstrations in Nashville stores. Ten Divinity School professors and the Dean turned in their resignations in protests, and a University of Chicago dean turned down the offer to accept an appointment as the dean.

Church bodies in the north also gave strong blessings to students who wished to join in the demonstrations. In a letter to students everywhere in the country, the Central Committee of the National Student Christian Federation in New York said they should not only participate in, but help to organize sit-down demonstrations at lunch counters where discrimination is practiced.

When various elements, both Negro and white, criticized the young people for starting the movement, anl later spreading it to theatres and churches, it was a noted clergyman who came to their defense in a widely cerculated magazine. "There are those who criticize the young people," said Bishop Matthew W. Clair o fthe Central Jurisdiction of the Methodist Church. "Do not criticize them. We may not have the courage to do what they are doing, but we must give them our support."

## Sitdown hits bowling lanes

**MISS DOROTHY ADAMS,** 18, of St. Louis and four youths staged a sit-in demonstration at the Del-Bowl Bowling Lanes in St. Louis Sunday afternoon after the operator of the white recreation center refused to permit them to bowl. The manager called police when the group took seats in the spectators' section. Police questioned to youths, then left. The manager then closed the bowling alleys for the rest of the day.

* * *

**ALBERT SAMPSON** and **ISAAC FOX,** two Shaw University students who have appealed to the U.S. Supreme Court 30-day jail sentences meted out to them following lunch counter sitn demonstrations at Raeigh last year, were notified last week that the NAACP will help finance their defense.

* * *

**JUDGE JOHN W. CREWS** of Richland County Court, Columbia, S.C., last week turned down appeals of sitdown convictions for trespass filed by seven Columbia demonstrators. The students, convicted in March, 1960, are **Simon Boule, Talmadge J. Neal, Johnny M. Clark, Milton Bernard Green, David Carter, Richard Counts and Charles Fulton.**

# Leadership Found Wanting -- Baldwin

## Author sees sitdowners 'effective'

By EDWARD PEEKS
WASHINGTON

Author James Baldwin doesn't think much of the general run of colored leaders, because "they show a positive desire to avoid identity with the masses of our people."

**This tendency stands out among colored Americans in the middle class who are government employees, teachers, doctors, lawyers and other professionals, the noted 36 - year - old author told the AFRO.**

"There is a positive desire to avoid identity and some show real contempt," Mr. Baldwin said. "I think they are afraid of the masses of our people. It's akin to the kind of feeling that the average colored person gets when he sees another drunk on the streetcar."

* * *

THE REVERSAL of this attitude is seen in the new generation of the race as best represented by members of the sitdown movement, said the writer who burned the pages of the New York Times Magazine a few Sundays ago in an article entitled "A Negro Assays the Negro."

He wrote that the recent demonstration at the UN by nationalist groups was symptomatic of resentment among the colored masses over second - class citizenship.

**"The colored students in the South have put our leadership on the spot," Mr. Baldwin said during the interview.**

And in the background of the new mood among colored Americans is Africa, where "there is no question about the dignity of the colored man," he said.

* * *

ASKED IF he believed there was any danger of colored Americans generally becoming advocates of "black supremacy" as attributed to some nationalist groups, he answered:

"Yes."

**Then said, "One of the ways which it can be avoided is for us to make use of our tremendous energy and force to recreate a new vision in this country.**

"The theater, for example, would become a more vivid and vital thing if we played a greater part in it. Whites don't like to deal with the level of life we live and know, but real art comes from life.

"An untold story is the way students in the South have begun to move.

**"The white world as we have known it no longer exists," he added. "The colored and the white have to deal with this fact."**

In the theater and out, whites tend to resist the truth about conditions forced upon colored people, he said. Colored people try to dodge the truth about themselves.

**"Whenever you are telling the truth, you touch a nerve in them," Mr. Baldwin said of whites. "They have to provide a defense."**

In one of his recent magazine articles, he wrote that it is hard for them to understand that colored Americans want to be treated like men, though many of these whites are "people who have mastered Kant, Hegel, Shakespeare, Marx, Freud and the Bible."

* * *

MR. BALDWIN said defenses on the part of whites include psychological stereotypes ranging from "the noble savage" to the sitdowner.

Members of the majority group take the attitude that "whites can't do this, but colored can."

**He said, "Whites could've started the student movement in the South as well as colored. They can recreate something."**

There are stereotypes which try to compliment the colored American and there are others like the sex bogies that aim to degrade and praise, he said.

* * *

ANOTHER AREA in which colored Americans can put their energies to work is in their own neighborhoods and communities, he said.

# Trials start for 189 nabbed for parade at state capital

COLUMBIA, S.C. — The trials of 189 college, high school and university students arrested here last March are due to start here on Wednesday.

The defendants are represented by a defense counsel headed by Lincoln Jenkins, attorney, who has been active in sitdown cases for the past 18 months.

* * *

MR. JENKINS also represented the seven students whose convictions were sustained, last week, by the Richland County Court.

The lawyer announced that notice of appeal has been filed with the court that the cases will be taken to the South Carolina Supreme Court.

The seven students are enrolled at Allen University and Benedict College.

They are Simon Bouie, Talmadge J. Neal, Johnny M. Clark, Milton B. Green, David Carter, Richard Counts and Charles Fulton.

## Nashville moves to end movie bars

NASHVILLE, Tenn. — A move to desegregate downtown theatres was started here, last week, with a committee of students and theatre managers cooperating in the effort.

It was agreed that during the first stage of the experiment only patrons screened by the committee would be admitted. The purpose is to avoid friction. Later all theatre-goers are to be admitted without selection.

On another front of the desegregation effort, a suit is being filed in federal court asking that rest rooms in public libraries of the city be desegregated.

Also, a number of organizations are discussing ways and means of eliminating discrimination in employment, hospitals and public facilities.

In Baltimore, Md., picketing for jobs and elimination of racial segregation at suburban theatres continued, last week, with the effort being sponsored by the Civic Interest Group.

One of the theatres being picketed is the Northwood, located in the Northwood Shopping Center.

An interracial group of students was barred from the theatre, according to Leo Burroughs, recruiting chairman.

## Lynchburg hears negotiation report

LYNCHBURG, Va.—Plans to eliminate racial segregation from places of public accommodation will be outlined at a massing meeting at Court Street Baptist Church, May 14.

In making the announcement, the Rev. Virgil A. Wood, president of the Lynchburg Improvement Association, said a report would be made on the progress made during the past 60 days in the anti-segregation drive.

**THE MEETING** also will mark the end of the 60 - day moratorium voted in the sitdown activities to all city authorities and members of the Interracial Committee to negotiate and end to racial segregation.

The guest speaker at the mass meeting, which is open to the public, will be the Rev. Vernon Johns, former president of Virginia Seminary here.

AUGUST
C O R E
TO TEACH SIT-IN TECHNIQUES

# CORE Stages 'Socio-Dramas' To Teach Sit-in Techniques

P-A 3 The Washington Post

After the two Negro "actors" were refused restaurant service in a "socio-drama" put on yesterday by the Congress of Racial Equality (CORE), audience criticized their performance.

Wed 8-23-61

The mock test of segregation practices was conducted by CORE's "Virginia Action Institute" at the 12-acre hilltop estate of the Mt. Vernon Unitarian Church near the Potomac in Fairfax County.

The 18-day conference is being held for 40 CORE members to train them in nonviolent methods of combatting segregation and to try to "end discrimination in places of public accommodation" in Northern Virginia.

Washington Post

CORE Field Director Gordon R. Carey explained that the "socio-drama" CORE members what to expect when they test the policy of a cafe, bowling alley or movie or when they "negotiate" with owners of such places.

In one "socio-drama" the waitress served two white men but ignored their two Negro companions. When one Negro asked for a hamburger and milk shake, she said, "We don't serve Negroes here."

Finally he asked to see the manager, who said:

"It's the law—we don't serve Negroes. You'd save me a lot of trouble if you'd just go."

After disputing the decision, they went. The manager was played by Rudolph Lombard, a Negro who is former CORE chairman in New Orleans.

After the scene, one CORE member in the audience said the actors who played the Negroes should not have argued with the manager.

Carey said the Institute, which will end Aug. 31, plans "action projects" — sit-ins, stand-ins, picketing—if it fails current negotiations with local business operators. He said CORE began the first of three negotiations yesterday. "We may also go to a segregated beach," he said.

So far, CORE members have visited about 30 Northern Virginia restaurants and have been refused service in 19. Sometimes they were admitted to bowling alleys and drive-in movies which later turned them away. They were refused entry into theaters, pools and skating rinks.

Last Sunday CORE representatives, who are trying to set up a local chapter in Northern Virginia, spoke at 10 churches in Alexandria and Fairfax. They also are writing area political leaders.

P-A 3

The Washington Post Wed. 8-23-61

By Frank Hoy, Staff Photographer

**Members of CORE put on a mock demonstration of a sit-in. The four seated at the table have been refused service by the "waitress," at left, and the "manager" with his arms folded stands above them. CORE members are holding an 18-day conference on non-violent methods of combatting segregation at the hilltop estate of the Mt. Vernon Unitarian Church.**

# SECRET BUDGET TALKS CONTINUE; SIT-INS RESUME

The fiscal future, for teachers, for the state, continued the closed-door concern during the limbo of legislative recess this week.

Sit-ins resumed in Atlanta, and bond-refusing Negro students had the jail nearly full by week's end.

## Secret Spending

Every day, the House-Senate Appropriations Committees met in secret, refusing mainly even to make statements on what they were doing. Whatever it was, it was against the backdrop of Gov. Ernest Vandiver's promise to veto an "unrealistic" appropriations bill and his dark assertion that contemplated changes in the budget law looked like a "power grab" to him.

**The governor was gone, some said perhaps angrily, on an ordinary vacation visit to Miami. Others speculated he might be job hunting in Washington. Before he left he announced discovery of an incredible "clerical" error of $4.5 million in his budget proposal which would give teachers, he said, a $100 raise.**

The committees began the week talking strongly about taking back control for the legislature of state spending, and by week's end were still talking of finding $200 or $300 for the teachers—but within the governor's $406 million spending limit. A side battle still looming, perhaps on House versus Senate lines, was that over whether the appropriations bill should be for one year, or two.

Next week perhaps the suspense may end. Will the teachers get the big raise they want? Will the budget law be changed, with perhaps a ceiling on spending by executive decree from the surplus? Whatever happens, the public who puts up all the money must wait until the legislators they elect decide it's time to tune them in. Secret sessions resume Monday.

## Bills in Limbo

With yet another week of recess to go, there were these legislative stirrings:

The state school board came out where it should be, against repeal of compulsory school attendance. . . . Rep. Robert Scoggin claimed Herman Talmadge approval of changing the county unit split this session. Strong indications were still for a study commission, however.

Methodist and Baptists were in full cry about a bill to legalize and thereby get some taxes out of the mixed drink bars they somehow can tolerate operating all over the state outside the law. . . . Fulton Lovell, head of the State Game and Fish Commission, urged a dollar increase in hunting and fishing license fees. . . . A constitutional amendment to put Athens and Clarke County in the beer and liquor business (and incidentally add liquor to legal alcoholic consumption in the classic city and county) was disclosed as moving through the legislature. . . . And Sen. Zell Miller said he liked the recess so much he'd put in a bill to have one every year—that other progressive states do it all the time.

## Grant Grab

Other citizens followed the lead of Atlanta attorney Moreton Rolleston Jr., who demanded a grant for children in private schools when the ink was hardly dry on the new tuition grant law. In all, the Atlanta area had nine requests, and one was reported in Macon.

Fulton school board attorney Baxter Jones urged local option on the question, and Sen. Erwin Mitchell urged an amendment to say such grants would be to avoid integration only. Freeman Leverett, who drew the law, said that could kill it, and House Speaker George Smith said it would stay as is.

## Without Bail

It started Tuesday with what has become routine procedure in Atlanta, a polite group of Negro students seeking service at an eating place for whites only. But instead of closing shop, Sprayberry's Restaurant had 17 students arrested on the state law against refusing to leave private property—already under court test.

**Eleven were bound over to the Fulton Criminal Court. Offered a chance to go free on bond, they refused—as they did last fall—and a pattern was set.**

More sat, were arrested and chose jail, not bail, each day through Friday when the total arrests was 85, with a little less than 80 behind bars. Fulton jail officials said mattresses were running out, but that they would accommodate all.

* * *

**WHAT DO** they hope to accomplish? asked Dan Calbos, whose place, Denny's Grill, along with a parking garage Coffee Shop on Forsyth (both near Rich's), was added to the routine.

**He said he sympathized with students' goals but felt it his right to try to stop anyone—black, white, Chinese or "another Greek"—interfering with normal operation of his business. Students, spending their jail time studying, were quoted as saying their cause was worth what they were doing.**

The three restaurants hit aren't in the category of dime, drug and department store counters closed by earlier sit-ins. They don't sell other things on an integrated basis. Why were they singled out? Only clues were that the two coffee shops are near Rich's, and Sprayberry's is in a building occupied by some federal government offices.

Meanwhile, the Atlanta Negro Voters League, implying the threat of a more conventional weapon, the ballot, formally requested city government to hire Negroes for better jobs and to upgrade Negroes it now hires.

## Personalities

Attorneys for Dr. Martin Luther King Jr., internationally famous passive resistance leader who lives in Atlanta, argued in the Georgia Court of Appeals against a traffic sentence revoked against him (excessive, he said) and against his arrest under the state's trespass law which was the reason the traffic sentence was revoked.

They said it was unconstitutional for the trespass law to be used for state agents (police) to enforce segregation. The case, which observers think helped elect President Kennedy, will be appealed to federal courts if necessary, the Negro arguments indicated.

The Rev. A. D. King, brother of Dr. Martin Luther King Jr., meanwhile, was arrested in Fayette County on a more serious traffic charge, drunk driving.

Carl Braden, whose Southern Conference Educational Fund was attacked by a Florida legislative committee as a Communist front and as calling the shots in Southern sit-ins, was linked to the Atlanta-based Student Nonviolent Coordinating Committee this way: The council's publication said the SCEF had called in its publication for support, articles and news items for the former.

## Mirror

A mirror held over Georgia this week would have picked up these quaint reflections: Charges by two Dalton women that a Whitfield County employe asked them to pay for dope smuggled into the county prison camp to their brother the day before he tried to escape.

**Ex-Judge Maylon Clinkscales found guilty of a number of charges of misconduct and ordered disbarred in a Jackson County Superior Court action. He'll appeal the verdict, which came on direction from Judge F. Frederick Kennedy when Mr. Clinkscales offered no defense, but a denial, to testimony brought by a citizens' committee.**

Disclosure of how the Coweta County Commission built a half-mile road on the farm of County Atty. Walter Sanders. It led to a 4-H clubhouse, said the commissioners indignantly.

## Town and Country

Walter L. Graefe, Griffin pimiento king, and former U.S. Rep. Price Preston died . . . Allen T. Brisendine, 17, of Griffin, was one of 12 Eagle Scouts in the nation chosen to go to Washington to tell scouting's story . . . L. T. Jenks was named executive director of the Atlanta Christian Council, and Dr. Winfred Godwin was named new director of the Southern Regional Education Board . . . The Atlanta Chamber of Commerce proposed a world's fair here in 1965 . . . The Ford plant joined the BOP plant here in plans to shut down next week.

## Government

DeKalb County adopted a record $10,972,840, no-tax-raise budget . . . The state put off for a year plans to lease the valuable Henry Grady Hotel property after some said it looked like they were in a mighty hurry . . . Mayor Hartsfield wrote his friend President Kennedy to say national FHA policy encourages suburbs to the detriment of urban renewal . . . And Decatur announced plans for a big new high school (prepared for sex segregation in event of race integration) and an 18-acre education center as part of its Beacon Hill redevelopment project.

## Crime

Leland Harvey, famous Georgia bad boy whose last parole came in December, 1959, was arrested in a robbery . . . A fire bomb which could have killed four Negro children, aged 1, 2, 3 and 5 (their father saved them), was tossed into a home near Mableton. No race trouble around here, said Cobb County investigators.

Associated Press Wirephoto
**SEN. ERWIN MITCHELL**
He enters meeting room of appropriations committee which is studying budget.

# Sit-in Gains 'Phenomenal'

The Clark Dispatch
2-16-61

By ENOCH P. WATERS, JR.

CHICAGO.—(ANP)—The United States, indeed the world, has not been the same since four students sat down at a Woolworth lunch counter in Greensboro, N. C., a year ago this month, and asked for coffee.

It was like dropping a match in the confetti at a New Year's party. Before the South knew what had happened, Negro and white students all over were demanding they be served a cup of coffee together.

Some states found they had no laws prohibiting this simple manifestation of the equality of man. They hurriedly called together their lawmakers and corrected the oversight. They even went a step further and ruled that Negroes change their status from customers to trespassers the second they ask for service at "white only" lunch counters.

**Kneel-Ins Start**

Meanwhile the sit-in technique at the lunch counters became kneel-ins at churches; wade-ins at swiming pools; stand-ins at theatres and play-ins at golf courses.

Northern students adopted the same techniques to demonstrate sympathy for those "on the firing line" in the South.

And before the end of the year, Capetown, South Africa was witnessing sit-ins.

What they accomplished is hard to measure, but the gains were phenomenal. Rocial barriers began to fall like ten pins in a bowling alley.

But accompanying the collapse of old customs and laws were violent outbreaks of whites resentful of the quiet militancy of the Negro students. In many instances the effect, ironically, was to emphasize the dignity and discipline of the Negro demonstrators and to win sympathy and support for their objectives.

**Affects Consciences**

Another, perhaps more important by-product was the psychological effect the demonstrations had upon the Negro and on the conscience of the white man.

The dramatic demonstrations by the students infused the Negro with a new sense of pride that fostered a unity among the race unknown before. Many who had lost hope because of the slow pace of school desegregation, were encouraged when they saw lunch counters opened to all, swimming pools desegregated and churches practicing Christianity by opening their pews to worshippers of all races.

The sit-ins caused many whites who had lived in segregated communities to realize for the first time that the Negro was unhappy with his position in society.

And the irrefutable logic of a man seeking service at a lunch counter of a store where he was welcomed at all other counters made a dent on all but the fanatical.

Finally, the magnitude of the sporadic movement can be partly realized by the report of the Legal Defense and Educational Fund of the NAACP which disclosed that 40 per cent of its $405,000 budget was used in defending 1,700 cases growing out of the demonstrations. These cases have been the basis of estimates at least 1,700,000 Negroes participated in the sit-in movement in one way or another.

**Sit-Ins Not New**

Historians, after reading about the fourt A&T college students last February, recalled that Frederick Douglass might have been the father of sit-ins when he refused a request that he refrain from eating at the table in the boarding house where he was the only Negro.

Others suggested that the labor unions might have given birth to the idea when they ordered their striking workers to remain in the factories during the thirties.

Further research disclosed that the late Edgar G. Brown, of Chicago, staged a one-man sit-in at a lunch counter in Washington airport in the forties and that a group of Negro and white students conducted sit-ins in Chicago in 1942.

Oone of these, though, had the electrifying effect of what happened just a year ago this month in Greensboro—and America, indeed the world, hasn't been the same since. Nor will it ever be.

# Student Sit-In Demonstrators Praised

The Washington Post
2-13-61

Frank D. Reeves, a special assistant to President Kennedy, had warm praise yesterday for youths involved in sit-in demonstrations against racial segregation.

Washington, D.C.

Reeves, who served as a key attorney for Negro students in Northern Virginia school desegregation suits, was asked on WRC-TV's "Teen Talk" whether the demonstrations involved youth leadership or mere crowd-following.

He replied that students, acting on a "matter of conviction," themselves developed the passive resistance technique, indicating their maturity and awareness. They deserve the fullest support of the community, he added.

In general, he said, American youths have demonstrated increased responsibility in the last few years.

On another subject, the panel asked Reeves whether the Kennedy Administration had any specific program for the youths of the country, including any proposals involving those in economically depressed areas.

Reeves had already pointed out that he had been on the job for only a week and had to rely mainly on the President's statements during the campaign and since the election. But he added:

"I'm sure . . . that (the President) will and does have plans . . . by which our youths will be integrated into the 'New Frontier.'"

In reply to another question, Reeves said a potential office-holder's qualifications are judged less and less by the "state of (his) pocketbook."

Congress seems to be particularly aware of the problem involved in diplomatic posts overseas, he said.

Birth In Motivation —

The Louisville Defender
Louisville, Ky.
2-9-61

# Sit-Ins Are Important In U.S. Life

(Special To Defender)

ATLANTA, Ga.—The sit-ins and a new birth in motivation show what is important in the existing order, what is essential for life, Dr. William Banner told an Atlanta University Center Convocation this week.

The Howard University professor of philosophy, analyzing the sense of values in Western society, saw in the student movement a grace and courage which call attention to what is inward in existence.

It is the sad fate of Western History that living well has been equaled with something different, that productive activities have been put first in the order of values. Arts should be placed first on the scale of values, not relegated to a position below political stability and a life of comfort, he said.

The position that the conduct of life without wisdom is a way to prepare for a life of wisdom is a contradiction, according to Dr. Banner. The most dangerous man in the world is the one who disavows philosophy, yet represents a philosophy of his own. The first slave ships, sweat shops, legislation for segregation all reflect a philosophy, he said.

In each person there is an impulse to freedom and self-fulfillment which makes all men equal as persons, as objects of justice, in pursuit of happiness, he stated. These rights have been only partially allowed, sometimes openly denied.

The Center convocation is sponsored by Atlanta University, Clark College, the Interdenominational Theological Center, Morehouse College, Morris Brown College, and Spelman College. President Rufus E. Clement of Atlanta University presided, President Frank Cunningham of Morris Brown College introduced the speaker, President James P B.rawley of Clark College read the scripture, President Harry V. Richardson of ITC offered the prayer and President Benjamin E. Mays of Morehouse College pronounced the benediction.

Music was by the Morris Brown College Choir, the Clark College Female Sextette and the Atlanta-Morehouse-Slepman Chorus, with Mrs. Lilla Joyce Johnson, Spelman College, at the organ.

## Sitdown victories

(Detailed Story On Page 2)

BALTIMORE—More than 40 eating establishments in four states, announced this week that hereafter all persons would be accepted as customers due to the continued activity of student sitdowners.

Eating places were desegregated in the following places:— Salisbury, Md., 10; Middleburg, Va., at least 7; Charlotte, N.C., 6, and Louisville, Ky., 17. In Charlotte, seven persons were hired by firms which previously employed only whites.

## SIT-IN DRIVES ARE THREATENED IN MISSISSIPPI

CHARLOTTE, N. C. (AP)—The Student Nonviolent Co-ordinating Committee plans to fight segregation at swimming pools and beaches this summer, and intensify its sit-in demonstrations in the Deep South.

This was reported Sunday by the administrative secretary, Edward King of Atlanta.

He said the increased lunch counter sit-in and theater stand-in demonstrations would be conducted in South Carolina, Georgia, Alabama, Mississippi and Louisiana.

# Students' Demand for Downtown Service Gains Momentum Tl rough Nation

## Economic Factor Looms As Major Issue in Sit-In Victories As Movement Keeps Rolling

By Associated Negro Press

Leaders on the sit-in front are inclined to agree that the economic factor, more than any other, is the chief consideration in the breakdown of racial barriers since the student movement started fourteen months ago.

Prejudiced though they may be, the southern merchants are swiftly learning that "black" dollars spend the same as "white" ones. On a larger scale, large industries are slow to enter an area where racial strife is prevalent. Consequently, communities plagued with continusous racial violence suffer in economic growth and industrial development.

**NEW YORK CITY**—"Segregation doesn't pay: the decline in Woolworth profits for 1960 once again proves what most of us have known for a long time," commented CORE National Director James Farmer on the 1960 Woolworth annual reportx.

"Woolworth profits dropped 2.7 per cent, even with a new method of reporting income, which increases the stated foreign income by approximately half a million dollars as compared with last year."

The 1960 Woolworth annual report states: "A number of influences combined to prevent the Company from realizing its goal . . . among the major factors . . . interruption of normal shopping patterns in some communities as a result of local actions taken in the interest of desegregating eating facilities in certain southern communities.

"A policy of complete integration in every Woolworth store would bring many thousands of customers back to Woolworth. A democratic serving policy would pay better than the present half-way policy," said Farmer.

**LOUISVILLE, Ky.** — Negotiations for the integration of downtown businesses took a more optimistic turn last week with the announcement that eight more restaurants have started serving Negroes.

Negro and white leaders, after a closed meeting at City Hall, said in a joint statement that they are both "gratified and optimistic."

Also, 21 more restaurants have agreed to discuss integration, the joint statement said.

In other Louisville events, three downtown movie theatres have integrated as a result of demonstrations by CORE and the NAACP Youth Council. The three theatres have requested that they not be named publicly.

More than 30 0white and Negro young adults have been arrested during the past month in demonstrations aimed at ending discrimination in downtown Louisville movies and restaurants. Kenneth Miller, a CORE leader, has been arrested four times.

Louisville CORE has been standing in at two downtown department stores for months. Arrests at one of these stores and at a movie triggered mass demonstrations and mass arrests. Since then the two department stores—Kauffman's and Stewart's — have agreed to integrate.

Meanwhile in Juvenile Court, attorneys for arrested youths challenged the city's ordinance against disorderly conduct. There have been 272 arrests, mostly on charges of disorderly conduct, in downtown demonstrations.

**JACKSON, Miss.**—Mayor Allen Thompson employed the medium of television to urge racial peace in this city which has had its first experiences with the student movement. This was Thompson's first public pronouncement regarding several demonstrations which occurred following a sit-in at the main library.

His ten-minute appearance following an afternoon meeting with three Negro ministers in which he assured them city officials would meet with local Negro leaders at least once every three months to discuss race relations.

The Rev. E. A. Mays, one of the trio who visitd City Hall, said "if we intend to continue to live together in peace and harmony, we must clear up certain grievances."

Attorneys for the nine students who staged the library sit-in have served notice of appeal, following conviction of a statutory crime of breaching the peace. Each was fined $100 and given 30-day suspended sentences.

R. Jess Brown and Jack Young, attorneps for the nine, offered no witnesses, but claimed the nine were arrested because they went into the library.

Brown is the lawyer who represented Poplarville lynch victim Mack Charles Parker.

**TALLAHASSEE, Fla.**—Two Negro youths drew mandatory 30-day jail sentences and $500 fines on conviction in City Court of fighting and engaging in disorderly proceedings during a sit-in demonstration.

City Judge John Rudd freed three white persons who had been arrested on charges of assault.

**SAVANNAH.**—Six young Negroes were sentenced Friday to pay fines of $25 each or serve 30 days for failing to "move on" when ordered to by police during the St. Patrick's day parade here. The defendants entered a plea of innocent.

**NASHVILLE, Tenn.**—The Nashville Student Nonviolent Movement, a desegregation group, has started a weekly newsletter "to inform the entire community of this organization's functions, purpose and activities."

The newsletter is necessary, said the first edition of "The Voice of the Movement," because of "a lack of adequate and accurate coverage by other means of mass communications."

The two-page, mimeographed letter was distributed by hand this week and last week to a dozen college campuses and some 50 churches in Nashville.

**CHATTANOOGA, Tenn.**—Juvenile Court Judge Burrell W. Baker found 12 Negro stand-in demonstrators guilty of disorderly conduct and public annoyance charges and declared them delinquent. The judge did not enjoin the youths from further stand-ins.

**ATLANTA, Ga.**—Fulton Criminal Court Solicitor John I. Kelley said that he will redraw accusations against 26 sit-in demonstrators to include two additional counts.

Kelley said that in addition to trespass charges against Negroes who participated in sit-ins, the accusations will charge disturbing the peace. Kelley said one count will charge that the demonstrators were guilty of "statutory violation of breach of peace."

The other count, according to Kelley, will charge that the Negroes were guilty of disturbing the peace because both property owners and law enforcement officials asked them to leave and they refused.

Trial for the 26 Negroes charged with violations in connection with demonstrations at Sprayberry's

# Sit-In Movement Shifts From Lunch Counters To Employment

By ASSOCIATED NEGRO PRESS

Biggest news on the sit-in front was the decision last week of the U.S. Supreme Court to review a group of Louisiana cases next fall. The outcome could have a decisive impact on segregation practices not only in the South but throughout the country.

But while awaiting the court's action of the Baton Rouge cases, students and adults supporting the anti-segregation movement continued demonstrations in various parts of the nation. One noticeable trend was the shift of emphasis from lunch counters to a fight for equal employment in two cities.

In Kansas City, Mo., 100 persons from two civic organizations picketed eight retail stores where it was claimed Negroes have been limited to menial jobs. Picketing was ended after two days when the stores adopted a policy to hire persons on merit.

And in Elkhart, Ind., a group of more than 50 Negroes staged a demonstration in front of the offices of Mayor Frank J. Parmater against job discrimination.

Lloyd Saville, a professor of economics at Duke university, Durham, N. C., spoke out against job discrimination at a conference on national goals.

Elsewhere on the sit-in front:

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GREENVILLE. — (ANP) — A petition requesting the appeal of a section of the city code regulating serving of meals to whites and Negroes in public places has been presented to Mayor J. Kenneth Cass, with copies sent to managers of three leading variety stores in the city.

The petition, prepared by Attorney Donald Sampson, states that section is a "clear example of police power which may be inconsistent with Constitutional liberties and business ethics."

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LOUISVILLE, Ky. — (ANP) — Gov. Bert T. Combs entered recent integration talks at city hall as Negro students and adults substituted prayer for demonstrations. After the meeting, the governor told newsmen, "It was a very informative discussion . . . We're going to play it by ear."

In Juvenile court, Judge Triplett overruled a defense motion that he vacate the bench in trials of 17 youths and one adult arrested in demonstrations and postponed trial of their cases.

About 450 Negro students and adults met as usual but instead of marching downtown again, they spent the period singing and praying on the general theme of brotherhood.

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CHATTANOOGA, Tenn.—(ANP) A white man slugged a Negro Episcopal priest and an elderly white woman was injured as an aftermath of Chattanooga's latest theater stand-in demonstration.

In addition, nine young Negroes who tried to buy tickets to a white movie theater were arrested on charges of disorderly conduct.

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COLUMBIA, S. C. — (ANP) — Thirty-six Negroes, including a minister and a 24-year-old student who was knifed by a white man, were convicted here on breach of the peace charges.

The trials of all including the injured student, Lennie Glover of Adah, Pa., stemmed from an anti-segregation march on the State House March 2. Glover attends Benedict college here.

The minister convicted along with Glover was the Rev. Benjamin Glover, no relation, of Charleston. Both were given fines of $100 or 30 days in jail.

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ROCK HILL, S. C. — (ANP) — Three Negro girls were found innocent of breach of peace charges stemming from an anti-segregation demonstration. Two other Negroes were convicted in Recorder's court here.

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CHICAGO. — (ANP) — Student sit-in demonstrations were declared to be one of the most significant movements of this century by Miss Thelma Stevens, a leading Methodist official in an address to the more than 300 delegates and visitors who attended the 18th annual meeting of the Woman's Society of Christian Service of the Central jurisdiction of the Methodist church.

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RACINE, Wis. — (ANP) — An attempt to put the Wingspread Assembly on National Goals firmly behind the lunch counter sit-downs of young southern Negroes failed, but touched off the liveliest debate of a session devoted to health and human needs.

The sitdowns are a "positive effort to achieve national goals," argued an eastern representative of an educational group.

But a southern university president called the proposed endorsement a "dangerous and awkward" step for the assembly to take.

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OKLAHOMA CITY. — (ANP) — Two opponents of segregation differed on the merits of the "squat-in" technique in recent statements issued separately here.

E. Melvin Porter, an attorney and president of the local NAACP chapter, said that although passive sit-in demonstrations will continue here, there would be no more "squat-in" demonstrations like the one that resulted in the arrest of 13 of 75 Negro and white participants.

Differing with Porter was the Rev. Robert G. McDole, who was one of the 12 arrested after the "squat-in" in the lobby of the Cravens building in protest to the Anna Maude cafeteria in the basement that refuses to serve Negroes.

The Catholic priest, arrested once before as a demonstrator, said the NAACP doesn't speak for him and that "squat-in" racial demonstrations will continue here.

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Cafeteria is scheduled for April 25 in the court of Criminal Court Judge Charles G. Bruce.

In other action in Atlanta, the Negro group, which successfully fought a campaign for equal lunch counter rights here has wired Mississippi Gov. Ross Barnett deploring police treatment of demonstrating Negroes in Jackson, Miss.

A telegram from headquarters of the student non-violent coordinating committee called on Barnett to "take bold, forthright action to end this unjustifiable action against Negro citizens of the state of Mississippi."

**COLUMBIA, S. C.**—Anti-segregation demonstrators could get five years in prison or $5,000 in fines under a bill being considered by the South Carolina legislature.

Rep. George Campsen of Charleston said he wants the law on the books by the time the National Civil War Centennial Commission meets in Charleston ,April 10-12.

**ROCK HILL, S. C.**—United Nations Mediator Frank P. Graham called sit-in demonstrations for integration "lawful" during a speech heer at Winthrop, the state college for women.

Graham later received a brief going-over from the South Carolina Senate for his defense of sit-ins.

**ORANGBURG.**—About 25 Negroes carrying anti-segregation signs picketed stores in the Orangeburg business district last week.

Police Chief Harold Hall allowed the picketing to continue but ordered Negroes to remain at least 20 feet apart so that sidewalk traffic would not be disrupted.

**DANVILL, Va.** — Eight high school students joined four other Negroes in Danville's lunch counter sit-ins as the demonstration spread to a second variety store.

The Negroes were not served at either Woolworth's or Kresgne's stores. There were no incidents or arrests.

When waitresses ignored their requests for service at the Woolworth store, the demonstrators began reading Bibles.

## Dr. Bond Calls Negro Colleges:

# 'The Last Citadels of Freedom'

By BOB QUEEN

PHILADELPHIA, Pa. — While several hundred Tennessee students celebrated National Freedom Day, Feb. 1, by marching to jim-crow movie houses where they were denied entry, in Philadelphia, where the holiday was founded 20 years ago, over 400 persons at a National Freedom Day Banquet in the Ben Franklin Hotel, heard Atlanta U's Dr. Horace Mann Bond laud the "Despised Little Negro colleges as the last citadels of freedom in the U.S.A."

In a power-packed speech marking the 20th anniversary of the National Freedom Day celebration in the city of the founder, The late Maj. Richard R. Wright Sr., educator and banker, Dr. Bond praised the "youngsters in a new generation, who have superseded the compromising generation to which I was born."

"These young people didn't ask for the advice from their elders," he said, "They went out with their heads held high, went to jail and seemed to enjoy it."

■

**TALKING ON** the theme, "The Morning Sun of Freedom," Dr. Bond told his audience that all of the black races of the world has "turned to the morning sun, the leaders of the white South (U.S.A.) have brought our nation to disgrace and discredit, and the United States has come to the perilous edge of the pit."

The dean of the Atlanta U. School of Education, and former president of Lincoln University, charged that "stupidity and discrimination," have spoken for America in other parts of the world, where words rather than deeds have served as the measuring stick.

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**PRAISING THE** rising new and independent nations of Africa, Dr. Bond cited his recent trip abroad where he saw 625,000 children enrolled in Ghana Schools, with free, compulsory education about to become a reality, and five million school children in Nigeria.

"Nigeria will soon have five great universities, he stated. He also pointed to the present formation of the Ghana Air Force, with British pilots training Ghana air men in the flying of jet air craft.

The Americans who foster the anti-racial elements, he said, are "endangering the future of their own children," adding that we are now running the risk of having our powerful hold on world trade withdrawn should these growing nations choose to trade elsewhere.

The Philadelphia celebration of "National Freedom Day," a national holiday decreed by Congress in 1948, was founded by the late founder and president of the Citizens and Southern Bank, 20 years ago, and was under the direction of the National Freedom Day Association, Emanuel C. Wright, son of the founder, president.

Spearheading the association's efforts in sponsoring the banquet was Mrs. Harriet Wright Hines, daughter of the founder.

■

**OVER 31** states sent proclamations, including one sent by Georgia Governor Vandiver.

Present were the folowing representatives from African nations: Junde Adekoya, city planner, Nigeria; Obadiah Craig, student, Philadelphia College of Pharmacy and Science, Nigeria; George K. Dunye, NYU, Liberia; and Arunja Abayoni-Cole, Freetown, Sierra Leone.

# Sit-Ins Provide Sense Of Values

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**DANGEROUS MAN**

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# NEGRO JAIL DRIVE PRESSED IN SOUTH

### Students Seek to End Bans in Lunch Counters—Deny Plan to Halt Movement

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Feb. 11—Negro students pressed today a week-long drive designed to create sentiment for lunch-counter desegregation by deliberately going to jail.

Some 100 students have been imprisoned in three Southern states as a result of their refusal to post bonds or pay fines on trespass charges stemming from sit-in demonstrations.

A group of Friendship Junior College students reinforced by some forty students from Nashville, Tenn., demonstrated this afternoon outside drug and variety stores in Rock Hill, S. C.

The police in that textile manufacturing city near the North Carolina border stood by to prevent trouble between the demonstrators and groups of whites clustered along Main Street.

The so-called "jail-in" movement began there Monday when four regional student leaders were arrested at a drug store lunch counter. They refused to pay $100 fines and are serving thirty-day terms in the York County Jail along with nine other demonstrators.

**Whites Sent to Jail**

On the same day, four white students and two Negroes were sent to the Lynchburg, Va., city jail to serve similar terms on trespass charges. They, too, declined to pay fines.

The jailing of the "Rock Hill Four," all members of the Student Nonviolent Coordinating Committee, brought a call from the group's headquarters here for South-wide participation in the "jail, no bail" campaign.

The committee is madeup of representatives from various local college groups. It was established last spring to serve as a clearing house for information. While it may offer advice on strategy, its members have said that the local units retain full control of their activities.

Since the committee's call was issued, eighty Negro students have been arrested and imprisoned in Atlanta for taking part in demonstrations at private restaurants. No new arrests were reported late today.

**Fulton Jail Crowded**

The refusal of students arrested in Atlanta to post $100 bonds on trespassing charges has packed the Fulton County jail. The new jail, which has a capacity of 800 prisoners, held 667 whites and Negroes this morning. Negro cell blocks are overflowing and extra cots have been brought in.

The leader of this city's student protest group denied that it planned to halt the movement.

"We won't have accomplished what we set out to do until we thoroughly eliminate segregation downtown," asserted Lonnie C. King Jr. He is chairman of the Student Committee on Appeal for Human Rights.

Racial barriers have been dropped at lunch counters in more than 100 cities of the upper South and Florida. But segregation remains in effect herer.

Herschelle Sullivan, co-chairman of Atlanta committee, said yesterday that a meeting was being called to discuss whether to suspend the jail movement. She said she and other leaders felt it had accomplished its purpose of arousing concern among Atlantans.

**Expansion Discussed**

However, Mr. King said today he had conferred with prominent Negro business and civic leaders on the possibility of expanding participation to nclude adults. No decision was reached.

"In this struggle, it would be very helpful if the adults in every community in the South would join in and go to jail," he declared. He said that only through cooperative adult-student action could "the system of segregation be totally eliminated."

There are few indications that the new phase of the student demonstrations has stirred Southern whites to exert pressure for desegregation, the goal of the demonstrators.

Margaret H. Gregg, a member of the faculty at Winthrop College in Rock Hill, has expressed distress over the situation. In a letter to The Evening Herald, she asks other whites there to consider whether the application of the trespassing law "is a violation of democracy?"

**Criticism Is Expressed**

The movement has aroused criticism in some circles heretofore sympathetic to the Negroes' efforts. Eugene Patterson, editor of The Atlanta Constitution, contended in a column today that it was questionable "whether the gains the Negro has made through the new militance can offset the effect he has lost."

Heretofore, Mr. Patterson wrote, "the Negro has been the offended man," not the offender. He went on: "Now the youthful militants of the sit-in movement are pressing into a realm where the offended do not endure, but rather return the offense; where unarguable pressure to change offending law is displaced by disobedience to the law."

Some white liberals approved

the technique of civil disobedience. Marion A. Wright, a Linville Falls, N. C., lawyer and vice president of the Southern Regional Council, has said that it is in the best tradition of the Boston Tea Party.

In the current issue of New South, a council publication, he wrote that civil disobedience "does not mean that a man has a right to disobey any law he doesn't like."

"But he has the right peaceably to protest against laws which offend his religion or conscience or which place upon him burdens from which his fellow citizens are exempt," he said.

### Arrests in Charleston

CHARLESTON, S. C., Feb. 11 (AP) — Fourteen Negroes, ten men and four women, were arrested here today following a sit-in demonstration at a downtown variety store lunch counter.

City Police Chief William F. Kelly said the group was charged with trespassing when they refused to leave the Kress store counter after they were asked to do so by the store manager and were warned by Chief Kelly.

## Future Activity for Civil Rights Planned

The Pittsburgh Courier

# 'Sit-Ins' Are Far From Through

ATLANTA—"Sit-in" activity in five cities of the deep South served notice that Negro youth are not exactly ready to sit tight on their laurels.

**A total of five demonstrations last week, keyed by a massive turnout of 1,500 students here set the tune for future activity, the Courier has been told.**

In Savannah, Ga., the Justice Department has been moving ahead in its investigation of the arrest of seven Negroes who dared to play basketball on a "white" playgraund. The Justice Department is trying to discover whether or not the Negroes civil rights have been violated.

**IN HAMPTON,** Va., trespassing charges were placed on 15 Negro students from Hampton Institute after they sat down in a theatre which is usually reserved for "whites only." They were arrested when they sat down in the orchestra secton of the Lee Theatre.

**In Orangeburg, S. C. nine youths entered the S. H. Kress Company store, where they were warned by manager J. B. Todd not to take seats. The nine sat down, Todd called policemen, and the nine were charged with trespassing.**

Here in Atlanta, pickets marched en masse on the downtown section to mark the first anniversary of the sit-ins at segregated lunch counters.

They marched into the business area from the Morris Brown College campus which is located up on the hilly Southwest section one mile away.

■

**PICKET LINES** were placed at stores and a rally staged in the school chapel an hour after the demonstration ended.

The sit-in movement began at a Greensboro, N. C. lunch counter in an F. W. Woolworth Store.

## (An Editorial)

Jackson Advocate

By PERCY GREENE

In the most recent edition of this paper following the first Negro students sit-in here and the incidents that developed at the trial we asserted that we know more about the communists and their plans and efforts to use the Negro issue to create confusion and tension in the United States than any person, white or Negro now living in the state. How the Communists have with the greatest of skill succeeded in identifying communism as the advocate of every just grievance of the American Negro, and how the Communists have with the same skill invented other grievances for the American Negro in order to give revolutionary drive and favor to their scheme.

Jackson Miss

We would here again point out that our knowledge of the Communist scheme to use the Negro issue to stir up confusion and tension in the United States as a part of the Communist drive for world domination is based on the fact that we were one among a relatively few Negroes in the United States who the Communists sought as being useful to their purpose while the architects of the plan moved in and out unnoticed among the nations leading Negroes and Negro organizations.

From the very beginning the Communists look upon the State of Mississippi as the key to the success of their plan. Looking to the state to furnish the kind of incidents that could be used as Communist propaganda, and thus bring about the rejection of America and American democracy by the colored people, black, yellow, and brown, who make up the vast majority of the world population. Already, too many of the incidents looked for and hoped for by the Communist have occurred in this state.

Sat. 4-29-61

Set in motion at a Civil Rights Mobilization, sponsored by the NAACP, held in Washington in 1950, attended by more than 5000 delegates, more than half of whom were members of non-Negro groups, the greatest aid to the Communist scheme to use the race issue in the United States in its drive for world conquest, was the substitution of the word integration, for the words, equality under the law, as the number one aim of the American Negro in his quest for first-class citizenship.

Here in Mississippi, following exactly the pattern hoped for by the Communist schemers, the rejection of the word integration has been allowed to become the excuse for the purely negative approach, and the do nothing attitude, as regards the Negro issue in this state.

In the words of Abraham Lincoln, "we cannot escape history. The firey trials through which we pass will light us down in honor or dis-honor to the latest generation". The history which we cannot escape has been, and is being observed by the generations yet alive, it includes the abandonment of White Supremacy as a world ideal by the British, who invented it to rationalize British colonial policy and exploitation before the United States became a nation; the rise to power of the Colored nations in the near and middle east: the birth of freedom and independent nations in Africa; the anti-American action lead by Cuba and spreading throughout South America, the vast majority of whom are colored.

Jackson Advocate

The shrill crys being heard in support of States Rights, invented by Calhoun of South Carolina, in order to justify Negro slavery and the right of the state to secede from the union, is nothing more than an effort to escape the history of the civil war.

We submit that the demands of contemporary history, as well as the defeat of the Communist purpose regarding the race issue in this state can be accomplished only by granting the just grievances of the Negro citizens of the state.

Jackson Miss

Having rejected time and again the most flattering offers of the Communists, before a crowd of upward of 20,000 in the Sylvian Theatre in Washington, before a select and exclusive group in New York's famed Waldorf Astoria Hotel; before a group of New York's leading industrialists and financiers in the super-swank Harvard University Club of New York City; from political rostrums in Pennsylvania, Ohio, Indiana, and Kentucky speaking in behalf of the 1952 candidacy of Adlai Stevenson and Senator Sparkment for President and Vice-President of the United States, we have asserted that there are thousands of fine white people in Mississippi, and the rest of the South, and that ultimately the white and Negro leaders of the South, and of Mississippi, working together would find the solution to the southern Race Problem.

Sat. 4-29-61

We submit that the time has come for the fine white people of Mississippi, in whose hands rest the real power and authority, to identify themselves with the effort to find a solution for the race problem in this state, if not for love of the Negro, for a greater love for the United States.

# Stores in Augusta Shrug Off 'Boycott'

Constitution State News Service

AUGUSTA—A Negro leader of last month's unsuccessful sit-in movement revealed Tuesday local Negroes have launched a "selective buying campaign"—a campaign as yet unnoticed by Augusta merchants.

Silas Norman Jr., Negro student, emphasized that the local chapter of the National Association for Advancement of Colored People is not connected with the boycott.

Norman said the "selective buying" action was launched two weeks ago against all downtown Augusta stores and suburban shopping centers.

A spot check of local stores reported negligible effects of the boycott.

"I haven't heard of it, and there is no indication of it as far as our sales are concerned," said Harry Howard, manager of the downtown Belks Department Store.

Richard Doster, manager of the downtown J. C. Penney Co., reported, "There's been no effect whatsoever."

Charles Embrey, manager of W. T. Grant variety store in Southgate Plaza shopping center, said he hasn't noticed any drop in business.

"But then," he added, "we've never had much Negro business in this shopping center. Looking around the store right now I see six Negroes pushing self-service buggies, though."

Norman, a leader in the lunch counter sit-in campaign that was stopped by the Negroes who charged they were not receiving police protection, said the "selective buying campaign" would continue "indefinitely" or until all segregation policies are stopped by the stores.

## Vending Machines Replace Jim Crow Lunch Counters

MARIETTA, Ga. — (ANP) — Food vending machines may help solve a cafeteria integration problem at Lockheed Aircraft, holder of huge government contracts.

A company spokesman disclosed last week that five Negroes unsuccessfully sought service at both of two cafeterias operated for white employes. Both establishments closed temporarily and reopened after they left.

None of the plant's cafeterias has been closed as a result but the spokesman agreed that business was dropping off at a cafeteria for Negroes.

He denied the place was being boycotted, saying that trade at all three cafeterias was falling off with the installation of vending machines for both hot and cold food.

The vending machines are not segregated.

# Fulton Grand Jury Condemns Sit-Ins

## Makes 7 Recommendations To Promote Urban Renewal

By JACK STRONG

The Fulton Grand Jury in presentments returned Friday condemned the sit-in demonstration as a means "to gain equal rights under the law."

"We are not concerned here with the issues of segregation or integration," read the presentments of the January-February term grand jury, "but rather with the serious consequences inherent in any flagrant and continued violation of law. . . ."

Recognizing the rights of citizens to disagree with law by "peaceful means" the jury rapped violation of private property rights and said that "local dissident groups do a disservice to their cause and reflect upon the maturity and responsibility of their leadership by their encouragement of a disregard for law."

Regarding urban renewal the jury said there are still 50,000 substandard dwelling units in Atlanta and stressed the need for renewal projects in five-times the areas encompassed by Atlanta's present five-year program.

The jury had seven specific urban renewal recommendations:

1. Long range planning: To assure the community of intelligent accomplishment in handling the total job and to avoid "costly and inadequate patchwork of spot jobs."

**SPECIAL TAX LEVY**

2. Adequate financing: To provide a means for capturing and perpetuating funds derived through savings and increased tax returns from improved areas. The jury suggested that such revolving funds be authorized and maintained by special tax levy and additional bonded indebtedness if necessary.

3 Administration and coordination: To streamline operations and implement enforcement of diverse city, county and other bodies, giving special authority, if necessary, to obtain maximum results and effectiveness.

4. Tax incentive: Revised tax structure and condemnation allowances "so that improvement and maintenance of standard properties will be encouraged rather than penalized—as at present."

**NUISANCE PROPERTIES**

5. Legislation: To permit demolition of "nuisance" properties in extreme cases, placing the cost of such corrective action as a lien against the property.

6. Commercial and Industrial properties: To establish minimum standards for such properties as has been done for residential structures.

7. Public knowledge and support: To continued dissemination of information on urban renewal through news media—"especially the Atlanta Newspapers"—to keep public informed.

The jury expressed concern that "unjustifiable appointments" of "special" deputies by the Fulton Sheriff's office tend "to lessen respect for our professional law enforcement officers."

**MERELY PROFESS NEED**

The jury said that some individuals were still being granted appointments because they "merely profess the need to carry a pistol" and suggested these people get a gun-carrying license from the country ordinary.

"The jury suggests that this recurring question (of special deputies) could be best resolved if more specific criteria were established for the granting of deputy sheriff's commissions by law," the presentment concluded.

In other actions the jury recommended that Atlanta and Fulton County enact ordinances calling for revocation of business licenses of dealers who have records of distributing obscene literature.

The jury asked for parking facilities adjacent to the proposed park across Central Avenue from the new courthouse. It also appealed for legislation which would permit trial juries to be furnished the criminal record of each defendant.

# Kelly Adds New Charges Against City Sit-Ins

John I. Kelley, Fulton Criminal Court Solicitor, announced Wednesday that two additional charges have been lodged against sit-in demonstrators due to face trial in Criminal Court April 25.

Kelley said that in addition to the trespass charges against the college students who participated in downtown demonstrations, the accusations will include the charges of disburbing the peace, and statutory violation of breach of peace.

The latest charge contends that two or more persons gathered together to violate the law are guilty even though no one asked them to leave the premises.

The other count according to Kelley will charge that the Negroes were guilty of disturbing the peace because both property owners and law enforcement officials asked them to leave and they refused.

Kelley said convictions on either one of the two additonal counts will allow punishment for only one count.

# Atlanta Stores T

Chicago Defender

# Sit-Ins Pledge To

Chicago, Ill.

# Halt Demonstrations

Wk. 23-(8-24)-C

ATLANTA — (UPI) — Atlanta Negro leaders called off sit-in demonstrations and boycotts of segregated stores Tuesday in return for a pledge from leading merchants of future desegregation of lunch counters.

Lunch counters in the city's two leading department stores and in 11 drug and variety chains representing about 75 stores — many of which have been closed by sit-ins—will reopen Thursday on a segregated basis. Desegregation apparently will not begin until the Atlanta public school system is integrated, probably this fall.

The Atlanta Chamber of Commerce made the announcement. It was subscribed to by officials of the stores involved and by Dr. Martin Luther King sr., father of the well-known integration leader, and by Lonnie C. King, leader of Negro college students who have conducted intensive protests.

**OTHERS SIGN**

Other leaders also signed and agreed to use their influence to stop all Negro demonstrations.

There was no clear-cut announcement about the date for desegregation.

"We feel that the fine relationship that has existed between the races for a long number of years should be reinstated in Atlanta," the statement said.

"The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible," the statement added.

The statement was subscribed to by Rich's and Davison's department stores, by the Walgreens, Jacobs, and Lane's drug chains, and by the Woolworths, McCrory, Grants, S. H. Kress, Kresge, H. L. Green and Newberrys variety chains. Sears Roebuck also signed.

Accurate assessment of the economic damage suffered by the stores has been difficult, but the boycott has at times appeared to be highly effective in a city where about one-third of the population is Negro.

## Repudiate Boycott 'Settlement'

The Pittsburgh Courier L2

# 'You Sold Us Out,' Cry Angry Atlanta 'Sit-Ins'

Pittsburgh Pa. Sat. 3-18-61

By FREZZVANT W. ANDERSON

ATLANTA, Ga.—Approximately 1,000 students and adults gathered Frida. night to hear the negotiating committee "clarify" misleading reports on the Atlanta boycott agreement, and after hearing them—in a definitely hostile mood—decided to continue the downtown boycott until the merchants end desegregation.

Benny Brown, a student leader, was the sparkplug, who united the sentiment against ending the boycott.

Pleas from committee members failed to sway the crowd and not even the silver-tongued oratory of Martin Luther King Jr., who supported the agreement, could turn the tide. Thus the boycott continues.

■

**THERE WAS NO** indication that the students would resume their sit-ins and picketing but they definitely repudiated the committee's agreement to end the boycott.

Charges of Uncle Tomism and "You Sold Us Out" filled the air at Warren Memorial Church, filled to overflowing.

Meanwhile, trial of the arrested students, who formed a chorus for the jammed-packed meeting, has been postponed until April 25.

An additional charge of disturbing the peace has been added to the anti-trespass law violation. Among the arrested students facing trial is the pretty Nezetta O'Neal, "Miss Clark College of 1960."

Climaxing almost a year of sit-ins, picketing and a highly effective boycott of downtown stores, the meeting had been held as a result of negotiations spearheaded by the veteran elder statesman of Atlanta, Col. Austin T. Walden, attorney-at-law by trade.

The students had asked the retired ex-Army judge advocate to take charge of negotiating.

All previous negotiating efforts had broken down or failed.

■

**AS A MATTER** of fact, nearest to success achieved in the nearly year-long siege came when Dr. Rufus E. Clement, president of the Atlanta University System, arranged a private conference with officials of Rich's—the South's largest department store adn top target of the sit-inners—only to have the conference bog down when word of it was "leaked" to TV, radio and press and a horde of communications media representatives swooped down on what was to have been a secret meeting.

All parties withdrew and the stalemate continued until the astute Co. Walden was called upon to take over.

# Boycott By Adults Provides Strong Support For Sit-Ins

The Louisiana Weekly

New Orleans, La. Sat. 3-11-61

ATLANTA (ANP) -- The Negro's fight for human dignity in this city has developed into a full-scale, all-out cold car involving all segments of the Negro community.

Because of their dramatic aspects, the sit-in demonstrations and the decision on the part of young people to remain in jail have been highlighted in the press, radio and TV of the nation.

However, the adult elements of the Negro community are waging a quiet, undramatic struggle along economic lines that is showing remarkable success.

ADULTS PRESS BOYCOTT

It is the boycott of the downtown stores that have enjoyed Negro patronage for many years.

Merchants conceded that the Negro boycott of the downtown area has been almost 100 per cent effective.

Department store sales in the central-city area for the full week period ended Feb. 4 were down 12 per cent from last year, the Federal Reserve Bank reported.

The receipts of some variety stores have shown a far greater drop.

Leading merchants have said that they are willing to desegregate their lunch counters, a move that is considered inevitable. But they argue that they connot do so because Rich's, Inc., the city's largest department store, has refused to go along.

Rich's is a family operation that had an excellent reputation among Negroes prior to the sit-in dispute. This was because of the family's many gifts to Negro educational and charitable causes and the store's courteous treatment of Negro shoppers.

Rich's was the first major store in Atlanta to address Negroes as "Mr." and "Mrs."

ONLY ONE NEGRO CUSTOMER

But on a walk through the spacious first floor recently it was possible to find only two Negroes -- one customer and a candy counter clerk. There were few white customers, too.

Shortly after the sit-in controversy began, Richard H. Rich, president of the store, and Frank H. Neely, the board chairman, were said to be willing to desegregate once the school desegregation problem had been solved.

However, they took no action after Governor Vandiver and the Legislature cleared the way for local communities to comply with Federal court rulings.

Several attempts have been made to reach both Rich and Neely. A subordinate, who declined to permit the use of his name, refused to outline the store's present position.

"WE'RE IN A DILEMMA"

"We'd rather not talk about it," he said. "We're in a dilemma." He also said, "There's not going to be any change in the immediate future."

Other merchants have said that they would lose many white customers to Rich's if they led the way in desegregating lunch counters. Some observers have called this view questionable.

Meanwhile, most agree that every downtown merchant is suffering.

"The most important thing that can be done is to convince the power structure that this situation can ruin the downtown area," one executive said. "The effect is not going to be confined to the retail stores. It will hit the banks, the office supply concerns, the insurance firms, the real estate interests and all the rest."

# Sitdowners Win On Two Fronts

The Afro American P.16 Sat. 7-15-61 Baltimore, Md.

## Savannah bows, so does Okla. City

Sweeping victories in long, drawn - out campaigns against racial discrimination in places of public accommodation were won, last week, by sitdowners in two cities a thousand miles apart.

The first victory was in Oklahoma City, Okla., where the last of 117 department and variety stores have discontinued racial segregation.

The second break-through was in Savannah, Ga., where a special committee of prominent citizens announced an agreement to end a year-old boycott and desegregate the lunch counters and rest rooms of all downtown department and variety stores.

SPOKESMAN for the group was the Rev. Albert R. Stuart, bishop of the Episcopal Diocese of Georgia.

Members of the committee included prominent churchmen of the Protestant, Roman Catholic and Jewish faiths, as well as housewives and industrialists.

Bishop Stuart said colored leaders agreed to lift the boycott of Broughton St. stores when the agreement was announced.

* * *

SUNDAY, ministers announced from their pulpits that colored were free to shop where they pleased, and that merchants had agreed to discontinue segregation.

In dissolving the negotiating committee, Bishop Stuart expressed the belief both sides would honor the agreement.

"We believe in the community, colored and white. We feel confident people will say: 'Yes, it's a good thing this was done.'"

* * *

THE SITDOWN victory in Oklahoma City climaxed a 35-month campaign by the city's NAACP Youth Committee.

The drive to desegregate lunch counters and rest rooms of the city's department and variety stores began in May, 1957. Actual sitdown demonstrations started during August, 1958.

The John A. Brown store, largest of the city, was the last holdout. It discontinued segregation on June 23 when the owner, Frank Wade, decided to follow the example of 116 other stores which dropped racial discrimination.

One of the major factors in the victory for the NAACP youngsters was the support they received from adults for the trade boycott launched in 1960. It was estimated to be 78 per cent effective.

* * *

THE NAACP group, which has 3,000 members, was congratulated by Herbert L. Wright of New York City, NAACP youth secretary.

Calvin Luper, 14, is president of the youth group. He succeeded Miss Barbara Posey, who attracted nationwide attention because of the sitdown campaign.

She is now a freshman at the University of Oklahama. Others who supported the campaign are Mrs. Clara Luper, adult adviser; Samuel Cornelius, member of the youth work committee of the adult branch of the NAACP, and Melvin Porter, attorney, president of the adult chapter.

* * *

FROM ROANOKE, Va., last week, Edward B. King, chairman of the Students' Non - violent Coordinating Committee, with headquarters in Atlanta, announced a scheduled Freedom Walk from Baltimore to Washington on July 16.

The purpose of the Walk, King said, is to focus attention of the President and members of Congress on the imprisonment of Freedom Riders in Mississippi.

A graduate of Addison High School in Roanoke, King was among a number of students expelled from Kentucky State College May 1, 1960, for sitdown activities.

He and 12 of those expelled filed a suit in U.S. District Court of Kentucky for a total of $650,000 damages.

* * *

FOUR CONGRESS of Racial Equality members convicted in New Orleans, La., have announced intention to appeal to the U.S. Supreme Court.

The Louisiana State Supreme Court recently upheld their conviction by Criminal District Judge J. Bernard Cocke.

The judge sentenced the four to 60 days each in prison and levied fines of $350 each.

They were arrested Sept. 17, 1960, for demonstrating at a McCrory's store lunch counter.

They are Sidney Langston Goldfinch, a former student at Tulane University; Rudolph Lombard, former Xavier University student; Miss Oretha M. Castle and Cecil W. Carter Jr.

IN LOUISVILLE, Ky., Juvenile Court Judge Henry A. Triplett ruled that 29 juveniles arrested June 15 and 19 at Fontain Ferry Park "were engaged in blocking entrances."

He placed them on probation and told them that a condition of their probation was that "if you engage in picketing or demonstration you are not to block entrances."

Defense lawyers said they plan to appeal the court's action to Jefferson Circuit Court.

Judge Triplett dismissed charges of contributing to delinquency of juveniles brought against two adults. He also exonerated three other juveniles.

The 34 cases cleared the docket of all charges against adults growing out of desegregation demonstrations.

Earlier he had dismissed 595 charges against 397 youngsters.

* * *

THE JUDGE described the city ordinance under which the arrests were made as "loathsome," in that it does not specify what disorderly conduct is.

In Fort Lauderdale, Fla., a group of six youngsters led by Dr. Von D. Mizell, secretary of the county NAACP, staged a swim-in at the public beach.

The group was composed of two males and five females. All went into the water excepting Dr. Mizell.

IN ATLANTA
Atlanta Journal

# Biracial Group Works To End Sit-In Tension

Jun 1934

ATLANTA (UPI) — A biracial committee is hard at work here in an effort to bring about lunch counter integration as peaceful as last week's desegregation of four high schools.

Montgomery Adv.

A committee spokesman said the group had agreed to reach a settlement on the start of lunch counter integration here with the consent of restaurant and snack bar owners by Oct. 15 at the latest.

If it comes off peacefully, Atlanta will have achieved two milestones in transquil racial relations unequalled in the Deep South. Last Wednesday, nine Negro students integrated four white high schools without so much as an abusive shout or a jeer. There were no crowds and only six arrests.

**FOLLOWS PRESSURE**

Last March, major Atlanta department and variety stores agreed to gradually desegregate their eating facilities. The agreement was reached between sit-in leaders and the city's merchants. No deadline for the start was agreed upon except that lunch counter desegregation would begin after the city's schools were desegregated. In the meantime, the Negroes agreed to call off their sit-ins.

The settlement was reached following sustained pressure by Negroes in the form of sit-ins, picketing and boycotts at department and variety stores that had segregated eating places.

Many downtown stores, including the big Rich's and Davison's department stores and most dime stores, closed tea rooms, snack bars and lunch counters during the sit-in effort which began here during Thanksgiving weekend of 1960.

Charles Black, head of the Student Non-Violent Coordinating Committee which backed the sit-in movement, said agreement to end the sit-ins in exchange for a promise from the merchants to begin desegregation this fall was not connected in any way with school integration.

**COMMITTEE SET**

He said the biracial group that reached agreement on ending the sit-ins appointed a three-man committee to come up with a mutually agreeable date on which lunch counter integration would begin. Members of the committee are Opie Shelton, executive vice president of the Atlanta Chamber of Commerce; Negro attorney A. T. Walden; and attorney Robert Troutman Sr.

Black said the committee has met several times but as yet has not reported to the full biracial committee.

Shelton said the committee would hold future meetings but he did not know when the next one would be. He added that Oct. 15 has been suggested as the deadline for reaching agreement on getting lunch counter integration started.

He said the committee had agreed there would be no news releases on the group's negotiations with the merchants and the sit-in leaders.

"The less said about it, the better," he said.

# Arrested Medics Are Bound Over

Atlanta Daily News

Atlanta Jour.

By STANLEY S. SCOTT

After paying a registration fee of $15 to attend the Atlanta Graduate Medical Assembly at the Biltmore Hotel Monday eight doctors were arrested after being refused cafeteria service at the hotel.

Jour. 2-21-61

The doctors were arrested and charged with violating Georgia's anti - trespass law after being invited by the medical group to attend their convention.

P. 1

Dr. Clinton Warner, 36, of 2491 Dale Creek Dr., spokesman for the the doctors stated that, "This was not an organized effort or official effort except by virtue of individual action to be accorded service."

He further said that doctors have been invited to attend these meetings in the past as guests, but that they attended this time as paying doctors."

Dr Warner told Judge James Webb in a 2:30 court hearing Monday afternoon that, "In the general area of the meeting I had been served coffee and doughnuts by hotel personnel, during the morning break. When we went to the cafeteria the hostess smiled and invited us in and showed us to the eating area." Dr. Warner said that a white doctor decided to leave the cafeteria when he discovered the Negro doctors were being denied service.

Dr. F. Earl McLendon, scheduled to appear on an afternoon panel discussion at the convention stated to the judge that he had inquired about the possibility of eating in the cafetera from a white doctor and was informed that it would be alright to do so.

Diedrich O. Beusse, manager of the hotel, told Judge Webb that he asked the doctors to leave, and one stated, "If I leave can I get my $15. back." Beusse stated that one of the doctors went upstairs and got his money back.

Beusse told the court that, "The nigras" have never been given the use of the eating facilities. For many years the agreement that they could attend the technical part of the meeting." He further said, "All that I want to make clear is that they cannot eat in the dining room."

P. 6

Dr. J. T. Blasingame, Jr., of 1651 West Lake Ct., N. W., was identified as the physician that had his registration fee refunded after being denied service.

Atlanta Jour.

He stated in a telephone conversation that, "After being informed that I could not eat and that I would be required to leave the hotel premises, I demanded my money be returned. The manager was very cordial about the matter, and carried me upstairs to the secretary's desk, telling her, "This gentleman would like a refund and does not wish to attend the convention."

Dr. Blasingame said that the manager stated, "I was a medical student once myself and I feel that since they have to train so long in school they should be recognized."

Judge Webb, after hearing testimony in the case, bound the doctors over to the Fulton County Criminal Court on $100. bonds. The doctors were allowed to sign their own bonds.

The arrested doctors included: Dr. F. Earl McLendon, 54, of 1370 Sharon St., N. W.; Dr. Louis V. Reese, 37, of 214 Simons Terrace, N. W.; Dr. John T. Gill, Jr., 42, of 1508 Mozley Dr., S. W.; Dr. Albert M Davis, 42, of 592 Waterford Rd., N. W.; Dr. George C. Lawrence, 41, of 2856 Collier Dr., N. W.; Dr. James Bertram Ellison, 43, of 2724 Hedgewood Dr., N. W ; Roosevelt P. Jackson, 40, of 50 Linkwood Rd., S. W ; Dr. Clinton Warner, 36, of 2491 Dale Creek, Dr. N. W.

# 8 Doctors Arrested in Hotel Sit-In

The Atlanta Constitution

Atlanta Jour.

By KEELER McCARTNEY

Eight Negro physicians were arrested Monday at the Biltmore Hotel cafeteria while attending the Atlanta Graduate Medical Assembly and were placed under $100 bonds each on charges of violating the Georgia anti-trespass law.

Jour. 2-21-61

They were permitted to sign their own bonds, and the Fulton County Medical Society, sponsor of the assembly, and the hotel management both said they would be welcomed back to attend the remaining two-day meeting.

**MANAGER EXPLAINS**

P. 15

Diedrich O. Beusse, vice president and general manager of the Atlanta Biltmore Hotel Corp., said food facilities in the hotel would not be available to them but they would be free to attend technical meetings and exhibits as they had in the past.

Beusse said he requested the eight to leave the premises when they appeared in the hotel cafeteria line, explaining that was the requirement of the state anti-trespass law as he understood it.

**SOCIETY NOT INVOLVED**

A spokesman for the Fulton County Medical Society stressed two points:

1. The society sponsors the assembly as a three-day educational forum for physicians from all over the Southeast and that all qualified physicians are invited to attend.

2. The request for Negro physicians to leave the cafeteria was made by the hotel management and did not involve the society.

**REFUND PROMISED**

Beusse said he informed one of the physicians that his $15 registration fee would be returned to him and the physician left. Cross-examined by attorney D. L. Hollowell, Beusse said the fee had been paid to the society and that the hotel had "an understanding" with the society that Negroes could attend but could not have use of food facilities or rest rooms.

Dr. Albert M. Davis, 42, of 529 Waterford Rd., NW; Dr. Louis V. Reese, 37, of 214 Simons Ter., NW; Dr. John T. Gill Jr., 42, of 1508 Mosley Dr., SW; Dr. James Bertram Ellison, 43 of 2724 Hedgewood Dr., NW; Dr. Roosevelt P. Jackson, 40, or 50 Lindwood Rd., SW, and Dr. George C. Lawrence, 41, of 2856 Collier Dr., NW; Dr. F. Earl McLendon, 54, of 1370 Sharon St., NW, and Dr. Clinton Warner, 36, of 2491 Dale Creek Dr., NW.

# 8 NEGROE PHYSICIANS SEIZED IN ATLANTA

The New York Times

Special to The New York Times.

ATLANTA, Feb. 20—Eight Negro physicians attending a medical society meeting today at the Biltmore Hotel were arrested after they demanded service in a white cafeteria.

New York

Two policemen removed them at the request of D. O. Beusse, vice president and general manager of the Biltmore. He said they had refused to leave the cafeteria in the hotel lobby.

They were charged with violating a state trespass law and bound over for trial in Fulton County Court under $100 bonds following a hearing in Municipal Court. Judge James Webb allowed them to sign their own bonds.

Jour. 2-21-61

The doctors contended that payment of $15 registration fees for the three-day session of the Atlanta Graduate Medical Assembly entitled them to lunch.

Dr. David Henry Roar, acting chairman of the assembly, denied this. He said that only those members who had bought tickets to three luncheon seminars were entitled to eat.

# Dr. King Says 'Segregation Is Dead'

## He Asks Nonviolence In Sit-Ins Here

By ORA SPAID

Dr. Martin Luther King, the man who has had the most to do with setting the spirit of the current Negro movement against segregation, spent yesterday in Louisville.

In five speeches, before various groups, he was, in turn, insistent that segregation is morally wrong, vigilant in demanding that desegregation move ahead rapidly, and firm in the resolution that the campaign against segregation be nonviolent.

The young Atlanta pastor came at the invitation of Southern Baptist Theological Seminary, where he spoke to 1,400 in a chapel service, to another 500 students at a question-and-answer session, and before a faculty meeting.

**Gets Standing Ovation**

At the close of his question period with students, he was given a standing ovation. Seminary officials said it was the first time such a thing had happened in the chapel there.

Dr. King met later with the Mayor's committee on integration and the steering committee leading the Negro campaign for desegregation in downtown Louisville. That meeting was in the Plantation Room of the Sheraton Hotel.

In the afternoon, he addressed a standing-in-the-aisles crowd of more than 1,000 at Quinn Chapel A.M.E., 912 W. Chestnut. He was there to speak to the high-school students who have conducted sit-ins and demonstrations here, but the crowd included many of their parents, pastors, and a number of white persons.

**Professors Impressed**

In all appearances, Dr. King was forceful but quiet-voiced. He wore a dapper black suit with a gray striped tie and was taken from place to place in an undertaker's limousine with a police escort.

Accompanying him part of the time was Dr. Nolan P. Howington, professor at the seminary and former pastor of First Baptist Church, Little Rock, where Arkansas Governor Orval Faubus and former Congressman Brooks Hays were members.

Seminary professors particularly were impressed by Dr. King. "That was the gospel," commented several after hearing him.

And at Quinn Chapel, he was often interrupted with cheers and applause and stamping.

**'Negroes Aren't Hungry'**

This came, for example, when he said, "Segregation is as dead as a doornail and the only thing uncertain is the day it will be buried."

There was applause, too, when he said of sit-ins, "This is not a lot of noise over a hamburger. Negroes aren't hungry. This is a demand for respect."

Applause was at its highest point whenever he mentioned the suffering that Negroes would endure to destroy segregation, such as "We will die, if necessary."

He cautioned Negro leaders that "This is no time for ego battles" and warned against any race for publicity. "This is a time for everybody to get together."

*Some of his remarks of the day:*

"In seeking first-class citizenship, the Negro must never use second-class methods.

"We do not seek to defeat the white man, but to win his friendship and understanding. If segregation were to end at 9 o'clock tonight, at 8 o'clock tomorrow morning we will have to live with these people."

At the seminary, he drew on the Greek derivatives of the word "love" to point out the "levels of love." He said that the nonviolent movement drew from the "agape" concept of love rather that the "eros" concept, which is romantic love. He said agape meant that "you can love a man you cannot like. . . . Jesus said you should love your enemies; He did not say you should like them. . . . You can love the person while hating the deed."

It is necessary also, he said, "to avoid the internal violence of the spirit." Nonviolence follows 'the spirit of Christ and the operational technique of Gandhi."

Dr. King repeatedly warned against use of physical violence as a technique, admitting that while force may bring victory, it is only temporary victory, never permanent peace.

He said the Negro must "not seek to rise from disadvantage to advantage. Black supremacy is as dangerous as white supremacy. We do not wish to trade one tyranny for another."

**Muslims Condemned**

Speaking of the Black Muslims, a fanatic movement for Negro supremacy, Dr. King said, "All Negro leaders must condemn Negro nationalist movements, and all do."

He noted that estimates of the Muslim movement's size vary from 60,000 to 100,000 and added, "I can name 10 Negro churches that have a total membership of more than 100,000."

The Muslim movement is minor among the 19,000,000 Negroes in the United States, he said, and "I don't believe it will ever have any great growth or gain although it will continue to exist and appeal to certain people."

He pointed out that sit-ins offer "a moderating influence, a way out for the Negro that says, 'You don't have to hate to get free.'"

He told the Mayors committee that one of the primary principles in racial negotiations is "be honest. I say the same thing to the white people that I say to Negroes."

In line with this, he was just as adamant before that committee in calling for "moving toward desegregation in Louisville at a forthright pace" as he was at Quinn Chapel. But he tempered his remarks by saying, "I am realistic enough to know that the border states can move along with a firmness and forthrightness that we can't get in the Deep South."

He pictured the Negro drive for integration as "not merely to get 19,000,000 Negroes free, not merely the tension between Negro and white, but tension between justice and injustice. The shape of the world today doesn't permit us the luxury of an anemic democracy."

He mentioned the "inspiring example" of school integration in Louisville and said "there is enough good will in your community to move now at a forthright pace."

Throughout the day, he often quoted from poets, prophets, scholars—Bryon, Carlyle, Lowell, Langston Hughes, Plato, Hugo, Aristotle.

*He closed his remarks to the Mayor's committee with a prayer by a slave preacher:*

Lord, we ain't what we ought to be,
Lord, we ain't what we want to be,
Lord, we ain't what we're gonna be,
But than God, we ain't what we wuz.

Staff Photo

COFFEE BREAK for Dr. Martin Luther King, left, came yesterday during his visit to Southern Baptist Theological Seminary. With the Atlanta pastor are, from left, Dr. John R. Claypool, pastor of Crescent Hill Baptist Church; Dr. Nolan P. Howington, seminary professor, and Frank Stanley, Jr., member of the Louisville Negroes' steering committee.

SIT- INS
REV. MARTIN LUTHER KING

38a 1961

# Negro Youths 'Used'? Quiz Set

The Courier-Journal
Louisville Ky.

## Judge To See If Demonstrators 'Being Exploited'; Bishop Denies It

Mon. 3-13-61

Juvenile Court Judge Henry A. Triplett said yesterday that he would investigate the possibility that Negro youths involved in downtown antisegregation demonstrations here "are being exploited."

Triplett issued a 300-word statement after conferring with Chief Probation Officer Charles C. Dibowski and Assistant County Attorney Edward T. Ewen.

*In his statement Triplett said:*

"It is the fervent hope of this court that the responsible leaders of this community will resolve the issues involved in a dispassionate atmosphere either by negotiations or appropriate legal proceedings and not by the use of children as a substitute."

Triplett declined to elaborate on any possible action he might take. The investigation would be made under normal court procedure, he said.

**'They Are The Leaders'**

The steering committee of Negro leaders seeking integration of all downtown businesses said it would withhold comment on Triplett's statement until after a meeting scheduled for later last night.

*But Bishop C. Ewbank Tucker, a member of the steering committee, said:*

"Nobody is exploiting those teen-agers. They are the leaders. They unanimously wanted to demonstrate. And keep in mind, this follows the pattern of what's going on across the country."

Six youths who were arrested Saturday during demonstrations were released yesterday from Children's Center after Jefferson County Circuit Court Judge Blakey Helm issued a writ of habeas corpus.

**Other Youths Released**

They were detained after other arrested youths were released, juvenile authorities said, because they "were arrested twice within a short period of time and identical charges (deliquency and disorderly conduct) placed against them."

Two 18-year-old youths were charged with disorderly conduct and loitering and released under $100 bond.

Official records disagree as to the total number of juveniles arrested. Police first announced that 24 had been arrested, but records in the Crime Prevention Bureau indicate that 27 juveniles were detained. Juvenile Court figures listed 23 arrested juveniles.

All the juveniles were paroled to their parents, except the six detained in the Children's Center.

**No Holding Order Issued**

Judge Helm said he released those six because Judge Triplett had issued no order holding them in Children's Center.

"Further." he said, "the charge is a misdemeanor. Although they've been arrested before, they've never been tried. There is no justification for classifying these six youths differently from the others who were arrested."

A petition for the release of the youths was filed with Judge Helm Saturday night. Appearing before him yesterday when he made his decision were Dibowski and Ewen representing the County and attorneys J. Earl Dearing, Alfred Carroll, and Charles J. Lunderman and Bishop Tucker representing the six youths.

**Dual Role Is Claimed**

In his statement, Triplett maintained that the Juvenile Court has a dual role in the community—that of concerning itself equally with the welfare of children and the community.

He said usual procedures for such charges had been followed in holding the six juveniles Saturday night.

Louisville Ky.

*He also pointed out:*

"At the request of Negro adult leaders 17 cases with identical charges have been scheduled for trial this Thursday, March 16, 1961.

Heretofore, the court and its staff have requested the Negro leaders and the children involved to exercise judgment and restraint pending the trial on the merits of these charges.

**'Proclaimed Intentions'**

"Although this request was made by the court, adult Negro leaders have publicly proclaimed their intentions to continue the use of children in demonstrations.

"It is significant that no application has been made to either a State or Federal court for an adjudication of the questions involved.

"Under these circumstances, the Juvenile Court cannot and will not close its eyes to the possibility that children are being exploited."

# Nothing New For Easter Campaign Still In Effect

The Louisville Defender
Louisville Ky.

Negro leaders here temporarily suspended demonstrations against segregated public accommodations as negotions resumed with the Mayor's Bruce Hoblitzell emergency integration committee but said that they would resume "unless progress is made."

The Rev. W. J. Hodge, president of the Louisville branch of the National Association for the Advancement of Colored People (NAACP), added that "the nothing new for Easter selective buying cammpaign was still in effect."

Thurs. 3-23-61

"The negotiations with the Mayor's committee," said Rev. Hodge, "have not progressed in any direction to warrant any comment at this time. If no progress is made, the demonstrations will resume," he said.

Rev. Hodge, Frank L. Stanley, Jr., assistant to the publisher, Defender, and African Methodist Episcopal Zion Bishop C. Ewbank Tucker are co-chairman of the steering Committee of Negro leaders coordinating the integration movement. Rev. Hodge, Bishop Tucker and Stanley have been the chief negotiators.

Stanley and Rev. Hodge agreed that progress was being made after Tuesday's meeting with the Mayor's Committee. They sai dseveral establishments have begun to desegregate. The Negro leaders had visited Frankfort and talked with the Governor last Wednesday following wholesale arrest of 178 adults and students during stand-in and picketing demonstrations at Fourth street theaters and restaurants.

Stanley said earlier that "we prefer negotiations to produce progress. But if negotiations do not, then we will have to depend on a resumption of demonstration to produce progress in this area.

"The downtown merchants, "stated Stanley, "are slow and stubborn in thier response to request for desegregation. Louisville's move is not totally unique since similar anti-segregation protests are being urged in 32 other southern cities. This has reulted in the arest of 3.014 students throughout the South," he said.

Over 3,000 persons attended a mass rally Sunday at West Chestnut Street Baptist Church to contribute $2,104 to the student protest movement to eliminate racial segregation in public accommodations. The money will be used to defend adults and students arrested in connection with the demonstrations. Negroes have now contribute $4,500 in three previous meetings.

Dr. Grace M. Jamse, chairman of the Finance Committee, said her committee was encourage and thankful for the support and contributions given by the community. She cautioned, however, that more funds were needed to carry on the fight for "equality."

Louisville Ky.

Dr. James said that those wishing to contribute to the fund may contact Rev. W. J. Hodge, Fifth Street Baptist Church, or mail proceeds to the Louisville NAACP in care of the minister.

**Another mass rally is scheduled for tonight at 8:00 P. M. at the Greater Good Hope Baptist Church, 26th and Grand Aves Speakers will include Frank L. Stanley, Jr., Rev. Hodge, Bishop Tucker and Rev. Sampson.**

The "Let's Meet for Freedom" rally at West Chestnut Street was the largest turnout since the initial rally at Zion Baptist Church two weeks ago. There was a standing-room-only crowd inside the West Chestnut Street auditorium while others listened in the basement and from loud speakers outside.

Herbert Wright, national director of Youth and College activities for the NAACP, told the audience that the National office was ready to give full support, including financial aid, to the anti-discrimination movement here.

Rev. Hodge, however, said that the local organization had no plans to accept aid from the parent body in the demonstrations here. The minister added that the "encouraged by the size and enthusiasm of the overflow crowd."

**Minister's Conference**

Bishop Ernest L. Hickman of the African Methodist Episcopal Districts of Kentucky and Western Tennessee has invited all ministers in Louisville and adjacent areas to meet at Quinn Chapel Church, 912 W. Chestnut, Friday, March 24 at 12:00 noon.

The Bishop stressed that the invitation was open to "all" ministers irrespective of denomination, race, color or creed. The meeting will be in the form of a luncheon conference.

# Negroes Call Off Buying Boycott, Rule Out Derby Demonstrations

## Mayor Thanks Businesses, Committee

Negro leaders yesterday called off the no-buying campaign in downtown Louisville and announced there would be no Derby-weekend desegregation demonstrations.

Mayor Hoblitzell extended his personal thanks to members of the Negro steering committee and expressed the hope that demonstrations would not be resumed.

He also thanked restaurant operators and other businessmen who have co-operated with him and his emergency committee.

**Results Are Cheered**

Frank Stanley, Jr., one of the three cochairmen of the Negro steering committee, told a cheering crowd at Quinn Chapel that 88 restaurants and two movie theaters have desegregated.

Noting that "we have the force to shame Louisville before the world this weekend," Stanley said the steering committee made "a most crucial decision" not to use that force in demonstrations.

"Our purpose," he said, "is not demonstrations but integration, not publicity but desegregation."

*Stanley said three factors contributed to the decision:*

1. The presence of "conservatives" in Louisville who might use violence against demonstrators.

**Court Volume Cited**

2. The police will be spread thin over Derby weekend and might be unable to provide proper protection for demonstrators.

3. If arrests of demonstrators took place, the release procedure might be delayed because of the large volume of court business expected on Derby weekend.

Stanley added, "What we do for Derby weekend is not indicative of our actions for Monday. We shall return."

He noted that talks are continuing with four movie thaters that have agreed to desegregate by June 25. The steering committee is seeking an earlier date, he said.

**Check To Be Made**

A check will be made, Stanley added, to see that places agreeing to desegregate do not revert to segregation. If they do, he warned, they can expect new demonstrations next week.

The Rev. W. J. Hodge, another member of the Negro steering committee, announced the end of the economic boycott, which began February 23.

He noted that it was first designed for the period preceding Easter but was extended when Negroes did not achieve the desired results.

His announcement that the boycott is now officially over brought cheers from the crowd, but Mr. Hodge warned that the boycott may be resumed.

**Mentions Employment**

Among goals sought he mentioned the hiring by downtown firms of Negroes to "dignified" positions.

Laughter and tears blended as the announcements were made. The crowded room was filled with students who have marched in demonstrations and gone to jail. Also present were about 12 white adults.

Lists containing the names of restaurants that have desegregated were handed out at the door as the crowd dispersed. They proved to contain 92 names instead of the 88 originally announced.

**Says 80 Pct. Integrated**

Mayor Hoblitzell's statement said a survey by his committee on integration indicates that more than 80 per cent of the seating capacity of all public eating places in the downtown district are now integrated. This figure, he said, is exclusive of bars and establishments that serve food incidentally to their main business.

*Here is the text of the Mayor's statement:*

"On April 25, on the recommendation of my committee on integration, I requested all downtown restaurants to voluntarily desegregate on or before Monday, May 1. We also requested that in the interim no further demonstrations be held and that the steering committee set up procedures for checking all downtown restaurants to determine the extent to which the request for desegregation had been honored.

**Congratulate Businessmen**

"At the outset, I would like to congratulate and personally thank those restaurant owners and operators who have honored this request. The community owes them a debt of gratitude for their public-spiritedness in effecting desegregation in an orderly manner. I also would like to personally thank the members of the steering committee for their co-operation in calling off downtown demonstrations and conducting their investigations in an orderly manner and reporting the results to the Mayor's office.

"Results of our survey indicate that more than 80 per cent of the total seating capacity of all public eating facilities in the downtown district are now integrated. The figures on which this estimate is based are exclusive of bars and similar establishments that serve food only incidentally to their main business, which the steering committee itself had dropped from its lists.

**Notes Test Results**

"As of yesterday, the steering committee reported to the Mayor's committee that there are only 32 segregated restaurants left in the downtown area based on tests made on Monday and Tuesday of this week. Upon the recommendation of the Mayor's committee and the steering committee, I have sent the following telegram to all 32 of these public eating facilities

"My emergency committee joins me in requesting that you agree to desegregate your restaurant facilities by this coming Saturday in view of the many establishments which have acceded to my previous request. If you have already taken this step and the information has not reached me, please communicate the facts to me at your earliest convenience. If you find some unusual or peculiarly difficult problem affecting your decision, I request that you meet with my emergency committee for further discussion next Tuesday at 4 p.m. at City Hall."

**'Proud Of Progress'**

"I am proud, and I think we can all be proud, of the progress that has been made toward integration of our downtown establishments in the past few weeks. The results have been more successful than probably any of us, or the general public, fully realizes. I consider it truly marvelous.

"Under the circumstances, the Mayor's committee and I would strongly urge that there be no more mass demonstrations as we feel that this very probably would hurt rather than help the cause of integration by creating resentment and by tending to alienate some of those who to date have been strong supporters of the local integration movement. The committee's objective, and my objective, as Mayor, is to have a community of free citizens conducting their lives and businesses successfully and harmoniously—one with another."

**List Is Given**

*Here is the list of desegregated business establishments released by the Negro steering committee:*

A & B Restaurant, 105 W. Oak; Akins Restaurant, 832 W. Main; Arnold's Restaurant, 111 W. Broadway; Bar-B-Que Heaven, 514 S. Fifth; Blue Boaor on Fourth and Blue oar on Walnut; Bright Spot Hamburger, 915 S. Fifth; Brown Theatre, 315 W. Broadway; Burger Boy, Third and Chestnut; Boone, 460 S. Fifth; California Orange Bar, 310 S. Fourth; Cardinal Inn, 101 Shipp; Chili Bowl, 616 W. Broadway; Chick's Grill, 601 S. Third; Chuck Wagon, 111 W. Broadway; Clark's Snack Bar, 538 W. Jefferson; Cole's Cafe, 236 W. Jefferson; Coffee Pot No. 1, 429 W. Broadway.

Colonade Cafeteria, Starks Building; Country House, 744 S. Fifth; Country Kitchen, 333 W. Oak; Country Kitchen, 621 S. Second; Cunningham's, Fifth and Breckinridge; Dandee Hamburgers, 417 W. Chestnut; Dandee Hamburgers, 454 S. Fifth; Derby Restaurant, 643 S. Third; DeCamillis Restaurant, 451 S. Third; Dizzy-Whiz, 217 W. Broadway; Embry's Restaurant, 528 W. Jefferson; Family Fair, all locations; Florida Orange Bowl, 202 W. Market; Florida Orange Bar, Fourth Street; Frisch's Big BoyZ all locations; Franklin Way, 663 Armory Place; Glenn's Grill, 822 S. First; Glenn's Grill, 125 W. Oak; W. T. Grant Company, 539 S. Fourth.

H. L. Green Company, 544 S. Fourth; Greyhound Bus Cafeteria, 434 W. Broadway; Hathaway, Commonwealth Building; Harley's Sandwich Shop, 432 W. Chestnut; Henry Clay Hotel, 604 S. Third; Hollywood Steak House, 1830 S. Third; J & P Diner, 421 S. Third; Jean's Restaurant, 411 W. Market; Jenn's Bar & Grill, 943 S. Third; Kaufman's, 427 S. Fourth; Knotty Pine Restaurant, 434 W. Chestnut; Kelly's, First and Chestnut; Kentucky Hotel, 430 W. Walnut; Key's Restaurant & Bar, 305 W. Walnut; S. S. Kresge Company, 412 S. Fourth; Kunz's, The Dutchman, 619 S. Fourth.

**Other Places Named**

Leo's Hideaway, 115 W. Jefferson; Leo's Twinburger, 412 W. Chestnut; Leo's Twinburger, Fourth and Liberty; Lucille's Restaurant, 621 S. Second; Luvisi's Restaurant, 448 S. Fifth; Margaret's Place, 115 S. First; Mazzoni's, 208 S. Third; McCrory, 428 S. Fourth; Miller's Cafe, 429 S. Second; O'Bryant's, 101 W. Liberty; Odell's, Starks Building; Old House, 432 S. Fifth; Pott's Restaurant, 305 W. Jefferson; Red Band Restaurant, 303 W. Market; Rockie's, 408 Market; Rialto Theater; Sears & Roebuck, Eighth and Broadway.

Sheraton Hotel; Sheraton Watterson Hotel; Star Five and Ten, 1155 S. Fourth; Stewart Dry Goods, 501 S. Fourth; Swizzle Bar, 420 W. Chestnut; Taylor Drug Stores, all locations; Thompson's Restaurant, 312 W. Jefferson; Times Restaurant, 307 W. Liberty; Topaz Emporium, 971½ Baxter Avenue; University Pharmacy, 1933 S. Third; Walgreen's Drug Stores, all locations; White Castles, all locations; Whizz Burger, 738 S. Fifth; Whizz Hamburger, 427½ S. Fifth; Whizz Restaurant, 421 W. Chestnut; Williams Food Shop, 303 W. Chestnut; Williams Food Shop, 930 W. Broadway; F. W. Woolworth Company, 440 S. Fourth. and Y.M.C.A. Restaurant, Third and Broadway.

## Call Off Louisville Boycott On Derby Eve

LOUISVILLE. — (ANP) — A demonstration by Negroes at restaurants and theaters refusing to serve Negroes in downtown Louisville was called off just prior to the big weekend of the 87th running of the Kentucky Derby at Churchill Downs. The derby annually attracts a large volume of business from out-of-town racing fans.

The boycott was called off after a Steering committee composed of Negroes and headed by Frank Stanley Jr., editor of the Louisville Defender, conducted a survey which disclosed that some 88 restaurants and theaters had desegregated and decided to serve Negro patrons.

Stanley thus indicated that the conditions set by the committee for ending the boycott had been met. He stated, however, that if the restauranters and theater owners welched on their promise, the boycott would be reinstituted.

Stanley announced the decision at a meeting at Quinn Chapel, attended by both Negroes and whites Friday. He said all the committee wanted in the first place was desegregation and the hiring of Negroes in "dignified" positions at downtown establishments.

The action followed an appeal by Mayor Hoblitzell to both sides, and to the businessmen in particular to heed the desegregation request. Afterwards the mayor extended his thanks, obviously not without relief at what he must have perceived might have been disaster at derby time had the boycott continued.

# Court Order Limits Pickets To 2 At Each Of 22 Eating Places

The Courier-Journal p. 1
Louisville Ky. Fri. 5-5-61

## Also Bars Interference With Firms

Circuit Court yesterday limited antisegregation pickets to two at each of 22 eating places here.

In a restraining order signed by Judge Blakey Helm, the court also prohibited interference with the firms or their customers.

Judge Helm signed the restraining order about 2 hours after an injunction suit had been filed by attorneys Jack M. Lowery, Jr., and Wilton R. Long, Jr., representing the newly formed Committee for Business Freedom.

It was the first resort to the injunctive powers of Circuit Court in the weeks-long efforts by Negroes toward racial integration of places where food is served.

**Will Ask For Dismissal**

Under court rules, the restraining order will remain in effect until the defendants come into court and get it dissolved.

J. Earl Dearing, attorney and member of the Negro steering committee, said a motion will be filed this morning asking that the restraining order be dismissed.

He and other members of the steering committee denied that demonstrators are doing the things prohibited by the court. Also, they noted that some of the 22 firms filing the suit have never been involved in the demonstrations.

*Firms granted the restraining order are:*

Kupie Double Burger, 456 S. Fifth; Carlisle's Cafe, 1918 Colgan; Tropical Orange Bar, 647 S. Fourth; Spa Bar, 218 W. Breckinridge; Chuck Wagon Cafe, 111 W. Broadway; Turner House Restaurant, 970 S. Third; Teek's New York Bar, 517 W. Broadway; M. and S. Grill, 1726 W. Market; Gardner's Restaurant, 6281 Strawberry Lane; Casa Grisanti, 1000 Fehr; Bill Boland's Dining Room, 3708 Bardstown Road; Ideal Cafe, Fifth and Broadway; Dinner Bell Restaurant, 303 W. Kentucky.

Also, Williams Food Shop, 440 W. Market; White Swan Restaurant, 566 S. Fifth; W. and F. Coffee Shop, 504 S. Third; Dubb's Oyster Shop, 4532 W. Broadway; East End Cafe, 1605 Story; The 127 Bar, 127 S. Preston; Sandy's Pub, 2203 Garland; Hasenour's Restaurant, 1028 Barret and 300 E. Breckinridge; Music Man's Grill, 511 W. Walnut.

**2 Groups Defendants**

Defendants are the National Association for The Advancement of Colored People and the Louisville Chapter of The Congress on Racial Equality. Eleven individuals were named codefendants.

*The court restrained the defendants and anyone acting with or for them from:*

1. Forcing entrance into, interfering with the business of, or refusing to obey requests to leave the business establishments of the plaintiffs.

2. Addressing the owners or employees in offensive or abusive language.

3. Harassing the plaintiffs' establishments or customers with chants or yells of an inflammatory or disorderly nature.

Louisville Ky

**Blocking Prohibited**

4. Blocking entrances or waiting areas of the businesses.

5. Blocking sidewalks in front of the places or squatting on the sidewalks there.

6. Using more than two pickets at each place of business, the two pickets to come no nearer than eight feet from the place of business.

7. Soliciting other persons to do these acts.

8. Soliciting persons under 21 years of age to commit any of the acts.

9. Threatening, cursing, insulting, or molesting owners, employees, or customers of the places.

10. Attempting by any means to coerce the plaintiffs into serving the defendants as customers.

**Order Cites Emergency**

After reading the complaint and eight affidavits, the judge signed the order, which said there appears to be a state of immediate emergency at the plaintiffs' places and that a danger exists to the peace and safety of the community.

The order also said that the firms stand to lose substantial amounts during the Kentucky Derby weekend as a result of any "mass disturbances or disorders" at the places. Local police protection will be inadequate to protect against an emergency, the judge said.

The suit alleged that defendants have announced plans to increase their demonstrations at a time when local residents and Derby visitors frequently partake of alcoholic beverages and when policemen are engaged in directing traffic to and from Churchill Downs.

**Suit Asks $2,000 Damages**

The suit asked $1,000 damages plus $1,000 punitive damages. In issuing the restraining order, Judge Helm required the plaintiffs to post $5,000 bond for protection of the defendants pending any further action.

*The 11 individual defendants, members of the Negro steering committee are:*

J. Earl Dearing, the Rev. Sam R. Gilliam, the Rev. W. J. Hodge, the Rev. F. G. Sampson, the Rev. D. E. King, Beverly Neal, the Rev. Joseph B. Reid, Arthur Smith, Frank L. Stanley, Jr., Bishop C. Ewbank Tucker, and Neville Tucker.

*Notified of the suit, the steering committee issued a statement saying:*

"It is our opinion that this is a group of frustrated, misguided businessmen. They have failed to grasp the basic issues . . . . They cannot restrain or enjoin the Negro community. An injunction action will simply accelerate the (desegregation) movement."

**Will Try To Oust Lowery**

One of the plaintiffs' attorneys, Lowrey, is an assistant Commonwealth's attorney. The steeirng committee said it would seek his resignation, asserting, "He cannot represent the State, which is promulgated to a policy of desegregation, on the one hand, and represent a group of segregationists on the other."

Commonwealth's Attorney Laurence E. Higgins said he would investigate to see if the State is "promulgated to a policy of desegregation" as the committee says.

**Higgins Lays Down Rules**

*Meanwhile, he had this to say about Lowery's position:*

1. It must not interfere with his work at the Commonwealth's attorney's office.

2. His clients must not call on him to discuss business with him at his office in the Commonwealth's attorney's office.

3. He must not use his position as an assistant Commonwealth's attorney to aid his clients.

4. He must not give the impression that the Commonwealth's attorney's office has anything to do with the case.

Higgins said he would ask Carl Ousley, first assistant Commonwealth's attorney, to get a report from Lowery on his absence from his office yesterday morning.

**'Receipts Cut In Half'**

*Extracts from some of the affidavits filed with the suit:*

**Lowery**—At a meeting with members of the Negro steering committee Monday, members said "their unalterable purpose was to integrate all businesses in Jefferson County and they would permit nothing to stand in their way. They stated that their people were excited to such a pitch of frenzy that no fear of arrest, authority, or other considerations would stop them . . ."

**Mrs. Gladys Seger,** Music Man's Grill, 511 W. Walnut—Since demonstrations began at her place "my business receipts have been cut in half."

**Ralph F. Grove,** Kupie Doubleburger, 456 S. Fifth—"Negro minors took my containers of sugar and poured them out behind the booths. They put salt into the sugar and vice versa. They poured ketchup and mustard out over the booths and tables. The place was a complete bedlam and I was helpless to do anything to control it. Finally the police arrived and made approximately 40 arrests."

**Sherry Williams,** Williams Food Shop, 440 W. Market—"Even with the officers of the Louisville Police in my business we were unable to get out the front door. . . ."

Several complained that the demonstrators used vulgar language.

Lowery told Judge Helm that Louisville Police Chief William E. Bindner "will tell you the situation at this moment is critical."

# Race Issue Downtown Held Easing

The Courier-Journal
Louisville Ky.

## More Firms Reported Set To Integrate

Wed. 3-22-61

Tension over the drive for racial integration of downtown businesses appeared to ease yesterday with the announcement that "several additional" establishments have desegregated and negotiations are under way with others.

The announcement was made jointly by Mayor Hoblitzell's emergency integration committee and the steering committee representing Negroes and others who are advocating the end of segregation in downtown restaurants and theaters here.

No one attending the joint conference at City Hall would identify any of the firms involved.

### No Demonstrations Held

There were no demonstrations yesterday. Negro students, who have been assembling daily at Quinn Chapel A.M.E. Church, 912 W. Chestnut, were told they would not meet again until next Tuesday.

The Mayor's committee and the steering committee also will not meet again until Tuesday.

*The joint statement read:*

"We had a constructive meeting. The situation at this point looks hopeful. Several additional business establishments have desegregated. Negotiation with several other business executives are now in progress. Other leading businessmen have agreed to negotiate with Negro representatives."

### Comments Optimistic

Release of the committees' statement was accompanied by optimistic comments from several Negro leaders attending the meeting.

"The situation is looking much brighter," attorney J. Earl Dearing said.

"The atmosphere is more congenial," the Rev. C. Ewbank Tucker, bishop of the Kentucky conference of the A.M.E. Zion Church, commented.

Negro leaders were also optimistic when they reported after the meeting to students at Quinn Chapel.

"We had a constructive meeting that has given us some signs of hope," Frank Stanley, Jr., said.

Stanley said that the weekly "community informational meeting" sponsored by the steering committee would be at 8 p.m. tomorrow at Greater Good Hope Baptist Church, 1100 S. 26th.

### Resolutions Adopted

Two resolutions, one endorsing integration of businesses and the other praising the Mayor's committee, were adopted by other groups yesterday.

*A resolution of the executive board of the Kentucky Council of Churches said, in part:*

"(The board) urges downtown Louisville businesses to put into effect policies which admit all persons to their services and facilities."

Directors of Louisville Central Areas, Inc., adopted a resolution "supporting the Mayor's committee in its work and its attitude . . . and furthermore expresses the board's full confidence in the committee."

# Ninety-Two Restaurants Integrated

The Louisville Defender
Louisville Ky.

Negro leaders hinted today that integration efforts now aimed at segregated downtown eating establishments and theaters would move into other areas were discrimination based upon race or color exists.

Frank L. Stanley, Jr., Co-Chairman of the Steering Committee of Negro leaders, said the Committee was now studying plans for a proposed "Selective Buying" campaign to be directed only toward those businesses that refuse to hire qualified Negroes as clreks or in other capacities than menial.

The Rev. W. J. Hodge also a Co-Chairman of the Committee, said earlier that the committee would take under consideration a boycott against the Louisville Transit Company to hire Negro bus drivers. The ministers remarks came after he observed Negro drivers of city buses in St. Louis.

"Employment", said Stanley, "is still of paramount importance to members of the committee and the Negro public." He cited several figures showing that the Negro percentage wise occupy the least amount of jobs with few in white collar capacities.

The Committee and the Louisville NAACP ended its 3-month boycott of the downtown area last Saturday. The boycott, orignally intended to end at Easter time, was extended through Derby day two days prior to Easter.

Stanley cited the fact that 92 restaurants had desegregated their facilties through their own volition, sit-ins or through request of Mayor Bruce Hoblitzell as reasons for the ending of the boycott of the area. He added that although all theaters and restaurants were not integrated, a measure of accomplishment in the area was achieve to warrant the calling off of the boycott.

Demonstrations against the remaining segregated establishments were suspended a week prior to Derby Day at Mayor Hoblitzell' request to allow for peaceful desegregation by restaurant proprietors upon their own decision.

A day prior to Derby, when a resumption of sit-ins seemed imminent, 22, segregated businesses filed suit against the Steering Committee. CORE and the NAACP seeking a permanent injunction against sit-in or stand-in demonstrations.

Judge Blakey Helm signed an order granting a temporary injunction but lifted the ban on the number of pickets Saturday afternoon. The temporary injunction had limited 2 pickets to each establishment.

Attorney J. Earl Dearing, who represents integration leaders and organizations with attorneys James A. Crumlin, Neville M. Tucker and Charles J. Lunderman, has decided not to appeal the temporary injunction. The temporary order will remain in effect until a hearing is set for a permanent injunction.

Dearing emphasized that demonstration could be resumed if they stayed within the confines of the injunction. These are against forcible entry, disruption or interference with a business, using abusive language, blocking entrances or exists, refusing to leave premises when asked or encouraging others to commit any of the acts.

Stanley said that demonstration have definitely not been ruled out by student and adult leaders. "In fact," said Stanley, "demonstrations are highly probable at this time. He said that meeting with proprietors of for today at Quinn Chapel AME Church, 912 W. Chestnut.

Mayor Hoblitzell has set meetings with students were set segregating restaurants during the first part of the week. Two resaurants of the original 32 remaining desegregated, integrated Monday.

# 118 Restaurants, Six Theaters Are Segregated

The Defender
Louisville Ky.

A committee composed of white and Negro city leaders, called at the request of Governor Bert T. Combs and Lt. Governor Wilson Wyatt have reportedly set April 1 as a deadline for complete desegregation of downtown Louisville.

Courier 3-25-61

The committee was hurriedly called together by Mayor Bruce Hoblitzell after an upheaval of student conducted stand-ins protesting segregated practices of downtown department store lunch counters, restaurants, hotels and theaters and the announcement of a Easter "non-buying" campaign by the NAACP.

Kaufman's of Kentucky, 427 S. Fourth, and Stewart's Dry Goods Company, 501 S. Fourth, reportedly were chosen to be the first to lower racial bars at restaurants within the stores. Kenneth Williams, Stewart's president; and Robert Milius, president of Kaufman's, were both present at the meetings.

### 118 Still Segregate

Frank L. Stanley Jr., assistant to the publisher, Louisville Defender and a co-chairman of the Non-Partisan Registration Committee, said that a report he had prepared and presented to Mayor Hoblitzell, showed 118 restaurants, six theaters and 2 hotels remain segregated in the downtown area.

Stanley, Rev. W. J. Hodge, president of the Louisville NAACP, Atty. J. Earl Dearing, president of Kentucky Conference, NAACP, Charles T. Steele, Executive Director of the Urban League; The Rev. Philip Smith, pastor First Unitarian Church The Rev. F. G. Sampson, NAACP vice president; and Dr. George A. Kimbrough, a physician and chairman of the Louisvillian Unitarians for Social Action, represented those asking for complete integration of Louisville facilities.

Mayor Bruce Hoblitzell issued a statement after meetings of the Committee last Friday stating that integration leaders had agreed to a "60-day stay and in-

Courier 3-26-61

Stanley, speaking at the Non-Partisan Awards Banquet, branded the Mayor's statement as "erroneous". "We," said Stanley, "did not agree to this but stated we must have something concrete by tomorrow morning (Saturday) for the students will be waiting."

### Not Sell Students Cheap

"Negroes," said Stanley, "are tired of seeing their leadership divided in a series of meetings. We have met in conferences and received promises—but to no avail. We will not go behind closed doors and sell these youngsters cheap," he said.

Rev. Hodge said that the "nothing new for Easter" campaign was still in effect. The shoppers holiday plan calls for Negroes to refrain from shopping in the area bounded by Oak Street To Main and First to Ninth. Rev. Hodge said that the campaign began Monday and would extend through April 3.

Integration leaders made it plain that continuation of the student protests depend upon the day to day progress of negotiations by the Mayor's Committee. The Committee have meetings set for each day this week with Negro leaders and store owners, restaurant and hotel heads.

Stanley said that although some progress has been made toward completely desegregation of downtonw Louisville, we shall not permit it to be "empty progress."

### Integration Now

"We," said Stanley," are demanding desegregation now. Time breeds only delay and de-

lay in turn breeds chaos," he said. He also emphasized Hodge's comment that the "shoppers vacation" had not been withdraw and urged full support of the campaign.

Other members of the Committee are Dilman Rash, chairman, president of the Louisville Title Company; Thomas Ballantine, vice-president of Glenmore Distillers; William Harrison, chairman of Louisville Central Area, Inc., and head of Taylor Drug Stores; George W. Norton, president of WAVE, Inc.; Barry Bingham, president of the Courier-Journal, The Louisville Times and WHAS; John M. Hennessy, Jefferson Circuit Court Clerk;

Henning Hilliard, a broker; John Acree, Jr., president of Lincoln Income Life Insurance Company; Archibald P. Cochran, president of Anaconda Aluminum Company and Henry Offut, president of Kentucky Trust Company.

# Negroes Request Appeal By Mayor

The Courier-Journal
Louisville Ky.
Thurs, 5-4-61

## Want Holdout Restaurants To Integrate By Tomorrow

**Negro leaders yesterday requested Mayor Hoblitzell to urge the remaining segregated restaurants and theaters in downtown Louisville to integrate by noon tomorrow.**

Negro spokesmen denied the request constituted an ultimatum posing the threat of renewed demonstrations on the eve of the Kentucky Derby.

But two of the three designated spokesmen for the steering committee guiding Negro integration efforts said they personally would favor a resumption of demonstrations if the committee's requests are not met.

**Ask Immediate Meeting**

The steering committee's proposals were delivered to Hoblitzell in midafternoon along with a request for an immediate meeting with the Mayor's emergency integration committee.

Hoblitzell declined to convene his committee, noting that it had met earlier in the day and is scheduled to meet again at 2:30 p.m. today. He said he would submit the steering committee's proposals to the Mayor's committee at today's meeting, to which the steering committee also will be invited.

*Frank Stanley, Jr., and Bishop C. Ewbank Tucker, two of the three designated spokesmen for the steering committee, said the group's proposals to the Mayor were adopted at a meeting Tuesday night. The proposals were for Hoblitzell to:*

1. Issue a public statement "calling on the restaurants and theaters that are continuing to refuse service to Negroes to desegregate by 12 o'clock Friday."

2. "Send a personal letter on official stationery over the Mayor's signature to the restaurants and theaters who have refused admittance to Negroes on Monday and Tuesday, urging them to desegregate by 12 p.m. Friday."

3. "This statement should include that the City police force would not be a party to maintaining discrimination and the segregative policies of proprietors of public establishments."

**Testing Completed**

Hoblitzell already has issued one public statement, a week ago, requesting segregated restaurants to integrate by this past Monday. As a result, the Negro steering committee called off mass demonstrations and set out on a program of testing the places to see how many complied.

Stanley said the testing—which was extended to cover downtown theaters—was completed Tuesday. The tests showed 31 eating places and four theaters still refusing to admit Negroes, according to Stanley.

Stanley and Bishop Tucker said the reason for asking for an immediate meeting of the Mayor's committee was to clear the way for a new round of testing of the reaction of the remaining segregated establishments to the proposed new request for integration.

**Reporters Excluded**

Reporters were excluded as Stanley and Bishop Tucker delivered the steering committee's proposals to Hoblitzell.

Afterwards, Hoblitzell told reporters that he already had planned to issue a new public statement or send letters or telegrams to all downtown restaurants, "reporting what has been accomplished and complimenting the progress that has been made."

The Mayor declined to say whether the new statement would include another plea for segregated establishments to integrate. "You know we are going to be on this to try to finish it up," he said.

**'Too Ridiculous'**

As for the request that his statement or letter pledge that police "would not be a party to maintaining discrimination and the segregative policies of proprietors," Hoblitzell declared:

"That is too ridiculous to even talk about. The Police Department has never made an arrest (during integration demonstrations) for inside sit-ins or sit-downs, or for peaceful picketing. They have arrested only to preserve order, and to prevent the blocking of entrances and public ways."

Stanley, reporting on the conference with Hoblitzell, said, "The Mayor did not agree to include the theaters (in any new letter or statement). Nor did he agree to the time being set for noon Friday, or with the wording or thinking of the steering committee's proposal regarding the use of police."

Louisville Ky.

**'Not An Ultimatum, But'**

Both Stanley and Bishop Tucker said the proposals do not constitute an ultimatum. "But personally, and not speaking for the steering committee, I would favor a resumption of the demonstrations if our requests are not met," Bishop Tucker said. "I agree with that," Stanley added.

The third designated spokesman for the steering committee was not present. The two attending said the Rev. W. J. Hodge was "otherwise occupied in negotiations with representatives of some of the larger downtown restaurants."

Stanley said the decision on whether demonstrations are to be resumed will be made tomorrow by the steering committee and announced at a 3 p.m. meeting of students and adults—"Negroes and whites—anyone interested"—at Quinn Chapel, 912 W. Chestnut.

**Sponsorship Denied**

In another development, Fred K. Latham, president of the Louisville Restaurant Association, issued a statement denying that group is sponsoring the newly formed Committee for Business Freedom.

Formation of the committee was announced Saturday by attorney Jack Lowery, Jr., who said he and attorney Wilton Long had been hired to represent it.

Latham noted that news stories have said the new committee's members is made up largely of downtown restaurants. Said Latham:

"According to my information the Committee for Business Freedom's membership consists mainly of outlying taverns and some restaurant operations. Certainly the downtown area as such is not predominantly represented on the committee. It should be clearly understood that the Louisville Restaurant Association is not sponsoring the committee."

Staff Photo

PRAYERFUL DEMONSTRATION . . . Negro students and adults, who have been demonstrating against segregation in downtown restaurants and theaters, yesterday turned to a prayer-singing meeting at Quinn Chapel A.M.E. Church. About 450 persons attended.

# Combs Joins Integration Talks As Committee Meets In Secret

The Courier-Journal
Louisville, Ky.
4-1, 3-17-61

## Negroes Hold Prayer Session

Governor Combs entered integration talks at City Hall yesterday as Negroes substituted prayer for demonstrations.

The Governor was closeted for 2½ hours with Mayor Hoblitzell's emergency integration committee and two officials of the State Commission on Human Rights.

Afterward, Combs said: "It a very informative discussion. . . . We're going to play it by ear."

**'Mutually Requested'**

Negro integration leaders called on Combs in Frankfort Wednesday. Asked if either they or the Mayor's committee had requested his presence here, Combs said only, "It was mutually requested."

In Juvenile Court, Judge Henry Triplett overruled a defense motion that he vacate the bench in trials of 17 youths and one adult arrested in demonstrations and postponed trialers of their cases.

About 450 Negro students and adults met as usual at Quinn Chapel A.M.E. Church, 912 W. Chestnut, yesterday afternoon. But instead of marching downtown again, they spent the period singing and praying on the general theme of brotherhood.

**Whites Join Group**

Three white ministers, 15 white students from Louisville Presbyterian Theological Seminary, and two professors from the seminary joined them.

One of the integration leaders asked if the demonstrations were called off because of the Mayor's - committee meeting. He replied: "I would simply say that we felt that this is the day a large amount of religious emphasis should be placed by local ministers to the students and adults who have been demonstrating."

Later he added, "We are prayerfully hoping for positive results from the Mayor's committee and the downtown merchants."

**To Report This Afternoon**

There was no indication whether demonstrations would resume today. Those attending were told to report to the church again this afternoon.

White ministers attending yesterday are the Rev. Dalton Love of Flora Heights-Parkland Presbyterian Church; the Rev. Ivan Shelburne, Jr., of Shawnee Christian Church, and the Rev. Olof Anderson, Jr., executive secretary of the Louisville presbytery. The two professors are Dr. L. C. Rudolph and Dr. A. C. Winn.

Shortly after the Mayor's committee went into a closed meeting at 2 p.m., the group was joined by Galen Martin, executive director of the State Commission on Human Rights, and Jesse Dukeminier, Lexington, vice-chairman of the commission.

**Joyner With Governor**

Combs and Felix Joyner soon appeared and joined the meeting. Joyner is the head of a State Government-reorganization study and executive director of the Kentucky Turnpike Authority. His presence was not explained.

When Combs was asked afterward about the possibility of future meetings between him and the committee, he said, "We're going to play it by ear."

Hoblitzell explained that Martin and the State commission's chairman, the Rev. Robert W. Estill, Lexington, called on him at his home last Friday night and asked that "certain things be done." He said he told them they would have to take that up with the committee and he would call a meeting.

P 20

**None Give A Hint**

None of the participants would give any hint about what went on in the meeting. Asked if any further meetings were scheduled, Hoblitzell said: "Not as far as I know now. We are going to let things sit for a while. It's pretty evident that with all this excitement you can't get things done."

Hoblitzell said the committee was ready to meet "anytime, anywhere," but that Negro leaders had not requested any meeting with it.

Talks between representatives of the Negroes' steering committee and the Mayor's committee broke down March 9 after a report of the Mayor's committee on its progress in opening downtown businesses to Negroes did not satisfy the Negro leaders.

**Protests Were Resumed**

The Negroes then resumed downtown demonstrations, stand-ins, and picketing. More than 200 Negroes have been arrested since then.

A star football player from Louisville, Leonard Lyles, added his voice to the demands for integration yesterday. He wrote Governor Combs, he said, that "to be a Negro citizen of Louisville is to be ashamed of my city."

Lyles, who played here while a student at the University of Louisville and now is a halfback with the San Francisco Forty-Niners professional team, wrote: "Many of my friends will not come to see me for the simple reason that they feel Louisville is backward segregated place and has nothing to offer Negroes. . . .

**Individual Trials Granted**

"Regardless of personal achievements, I can never escape being a native of Louisville, Ky. I hope Louisville is proud of me and I sure want to be proud of Louisville. It makes a man feel very good to be able to go any place that he would like to go."

While rejecting a motion that he disqualify himself from hearing the integration cases, Juvenile Court Judge Triplett did grant individual trials to the 18 persons before him yesterday.

Defense attorney James A. Crumlin said individual trials provide "the only way we can safeguard their rights. They are charged with an offense (disorderly conduct) we do not think it was possible for them to have committed under the circumstances."

**Dates Are Set**

The cases of five youths arrested February 20 inside Stewart Dry Goods Company will be heard at 1 p.m. April 8. The trials for Kerwin D. Kerr, 39, and 12 youths arrested in sidewalk demonstrations February 23 will be at 10 a.m. March 30.

The motion to continue the cases was made by Assistant County Attorney James Thornberry, who said that one of the prosecution witnesses could not appear yesterday because of illness.

Crumlin, former state chairman of the National Association for The Advancement of Colored People, said his motion that Triplett vacate the bench was made on the basis of Triplett's published statements on the situation in Monday's Courier-Journal.

**Had Pledged Probe**

Triplett had said he would investigate the possibility that Negro teen-agers taking part in downtown demonstrations were being "exploited."

Triplett's statements had definite overtones of prejudice in a case pending before the court, Crumlin said.

Thornberry said Triplett overruled the motion on the grounds that it was made too late and that it does not have sufficient legal grounds.

Crumlin said defense attorneys today will ask County Judge B. C. Van Arsdale to appoint another trial commissioner for the demonstrators' cases. If the request is denied, then attorneys have the right of appeal to Circuit Court, Crumlin said.

**Defendants Wait Outside**

Triplett heard the motion and made his rulings in a closed hearing. The defendants and their parents and witnesses waited in an anteroom outside the courtroom. The young people have been paroled to their parents. Five other youths arrested in demonstrations Tuesday and held in Children's Center were paroled to their parents Wednesday.

Kerr, 6303 Camp Ground Road, a member of the Congress of Racial Equality, was arrested on a charge of contributing to the delinquency of a minor.

**Report Received**

Mayor Hoblitzell acknowledged he had received a report that "outsiders"—that is

nonresidents—have been helping to oragnize and direct the demonstrations.

"But I told the man who called to tell me this that the only one I was aware of was Reverend Sampson, who I have heard tell about demonstrations in other cities where he has been. However, Reverend Sampson now lives here and has a church."

The Rev. Frederick G. Sampson is pastor of Mount Lebanon Baptist Church, 2224 W. Chestnut, having taken the post in December. He is member of the steering committee representing groups advocating integration.

# Mayor Asks Integration By May 1

Louisville Mayor Bruce Hoblitzell, in his strongest statement todate on integraion here, yesterday called for the desegregation of downtown places of public accommodations by Monday, May 1.

Hoblitzell issued the statement following a closed meeting between he, the Mayor's emergency integration committee and the Steering Committee of Negro leaders Tuesday afternoon at City Hall.

Representatives of the Steering and integration committee with Mayor Hoblitzell returned Monday night from an all-day conference with Mayor Tucker of St. Louis to study that city's progress in integration which has desegregated over 200 establishments in 3 weeks.

**Hoblitzell statement read:**

"We are faced with an extremely serious situation which needs an immediate solution. As I have said before with the full approval of the Mayor Committee, integration of downtown public accommodations is not only morally right and economically feasible but is also inevitable.

"We must have the cooperation of all the involved groups, including the patrons, in order that integration can be accomplished in an orderly fashion. This we do not have today.

"Under these circumstances, after consultation with an upon the recommendation of the Mayor's Committee, I am hereby requesting that no later than Monday, May 1 the operators of all downtown public eating facilities integrate.

"Meantime, I am asking that groups of three or four Negroes each, under the supervision of the Steering Committee, check all downtown facilities to determine whether his request to desegregate has been honored.

"I also am asking the Negro checking committees to report to the Mayor's office full results of their investigations.

**Call O Demonstrations**

"I request that there be no further demonstrations during this testing period, and in no event prior to May 3."

Negro leaders indicated that they would cooperate with the Mayor's plan. It means that demonstrations will be curtailed until after May 3.

The Steering Committee had previously insisted that the reason the St. Louis plan had worked successfully was because of the strong leadership of Mayor Tucker.

They insisted that Mayor Hoblitzell declare as Mayor Tucker that "the city government may not use its authority as an arm of the state to enforce discrimination against its citizens within the meaning of the Federal Constitution.

The Mayor reportedly refuse to issue this statement called for by the Negro leaders.

# Lexington Youths Resume Pickets; Injunction Set

Lexington, Ky. — Attorneys representing the Congress of Racial Equality here have asked that the Fayette Circuit Court to dismiss an injunction against stand-ins sought by the management of the Kentuckv Theater.

Attorney James A. Crumlin, of Louisville, asked the removal of the injunction on the grounds that the complaint bought by the theater did not state a cause of action upon which relief could be granted.

The injunction was sought against CORE after 11 adults were arrested conducting demonstrations in front of the theater earlier his month. The management of the Strand theater had sought a similiar injunction which is still pending before the courts.

The Stand is operated by the Phtoenix Amusement Company of Lexington. The Kentucky is under the management of M. Switow and Sons Enterprises, Inc.

The 11 adults arrested at the Kentucky are slated to appear for arraignment on charges of breach of the peace this week. The hearing on the injunction will be heard on May 4 before Circuit Judge Joseph J. Bradley.

CORE resumed picketing of the theater last Friday. The Kentucky managemnet stated that he had advised CORE to rseume the demonstrations since the theater last Friday. Atty. Crumlin said that he had advised CORE to resume the demonstrations since the theater operator violated his part of the agreement upon which hinged the discontinue of the of the pickets and in effect there was no ggreement.

# 22 Arrested In Lexington Demonstrations

Lexington, Ky. — Twenty-two Negro and white demonstrators protesting segregation were arrested and charged by police with breach of the peace outside a movie theatre Monday.

Those arrested belonged to the Congress of Racial Equality (CORE) who have been conducting sit-in and stand-in demonstrations in the Bluegrass for several months. Monday's demonstrators were arrested participating in a stand-in in front of the Kentucky Theater.

Police Lt. Morris Carter said that 11 adults and 11 juveniles were included in those arrested inclhding two white persons. Police were summoned to the theater to investigate "a riot in progress".

Owners of the Stand Theater here filed suit on February 21 to restrain members of CORE from conducting stand-ins a tthe mofie house.

Named in the suit was Miss Julia Lewis, president of Lexington CORE; Dr. Abby Marlatt, head of the University of Kentuck School of Home Economics; Daniel S. Claster, U. of K. sociology instructor; and seven members of the organization.

Breach of the peace charges had been filed against six CORE members earlier during a stand-in at the Strand. The charges against the members, including Miss Lewis, were dismissed in Police Court hearings.

Carter said that Frank Petro. 66. a theater employee, was struck during the demonstrations. He complained of pains but was treated and released from the hospital.

Police said that demonstrators had "blocked" the entrance to the theater shouting and singing "loudly". Carter said that a crowd soon gathered in front of the Kentucky blocking traffic on E. Main St.

Those arrested continued to sing while being carted off to jail. The juveniles werer eleased in custody of their parents. Police said the arrests were made in an attempt to prevent violence, personal injury or property damage.

# Ministers Condemn Mass Arrests

The Louisville Ministers and Deacons Conference have unanimously approved a resolution condemning the mass arrests by police of 510 juveniles and adults in the last two months, protesting racial discrimination at downtown restaurants and theaters through peaceful pickets and stand-in demonstrations.

The resolution was submitted by the Rev. M. M. D. Perdue, pastorl of Emmanuel Baptist Church, and chairman of the groups public relations committee, before a joint monthly meeting of the organization with the Louisville Pastor's Conference which is composed of white clergymen.

The Pastors Conference voted to delay action on the resolution until their regular meeting next Monday.

The resolution stated that the "good and fair name of our city and the character of our citizens and the world wide reputation we hove gained as a community of racial tolerance has been so grossly misrepresented" by the mass arrests.

"Such demonstrations have received the oral support of practicolly all the major religious bodies of the United States of America, the major political conventions of our country and many other representative bodies of public opinion".

The resolution also stated that the demonstrations are a results of "new motivations" and the methods of picketing is "growing, spreading pattern which will not stop at hamburger stands, but will move into new areas where racial segregation exists".

The religious group soid that the Louisville arests are more than in any other city of the nation in dealing in like situations. They referred to the arrests as being similar to those described by President Kennedy in his oddress on Cuba as "police state methods".

The Baptist group called for police and city officials to reexamine their "strategy in dealing with the current situation without resorting to their present tactic of moss arrest.

The joint conference, which represented ministers of the Long Run and Central Association of Baptists of the Louisville Area, was held at the Walnut Sttreet Baptist Church, 1101 S. 3rd St.

# Negroes Demonstrate Here; 14 Arrested

## N.A.A.C.P. Chapter Announces Plans For 'Shopping Vacation' Downtown

The campaign by Negroes here against discrimination brought two developments yesterday.

1. Fourteen Negro youths were arrested during a series of "demonstrations" against downtown stores and theaters.

2. Plans for a Negro "shopping vacation" in the downtown area during the Easter season were announced by the Louisville chapter of the National Association for The Advancement of Colored People.

The demonstrations began in midafternoon. Groups of from 10 to 15 Negroes and a few whites paraded or stood in front of department stores and theaters on Fourth Street.

### Cafeterias Are Targets

The Blue Boar Cafeterias on Fourth and Walnut were also targets.

Police patrolled the area. Five youths were arrested when they allegedly blocked the entrance to the Mary Anderson Theater and were charged with disorderly conduct and delinquency.

Four were juveniles. The fifth was 18. The juveniles were sent to the Children's Center.

### Six More Arrested

About an hour after the first incident, six more teen-agers were arrested at the Mary Anderson Theater and charged with disorderly conduct and delinquency. Two others were arrested at the Kentucky Theater, and a 17-year-old girl was arrested at the Ohio Theater.

The girl was turned over to her parents. The other youths, ages 16 and 17, were sent to the Children's Center.

The Rialto Theater closed its box office for awhile, and the Ohio Theater moved its box office into the lobby.

The demonstrators were all young. A spokesman said they represented all schools in the city and the University of Louisville. They were refused admission to restaurants, at Stewart Dry Goods Company and Kaufman's of Kentucky, as well as the Blue Boars and the theaters.

### Will Begin Monday

The Rev. W. J. Hodge, president of the local chapter of N.A.A.C.P. and pastor of Fifth Street Baptist Church, announced plans for the "holiday."

Negroes are being asked, he said, to stop shopping in an area between First and Ninth and Oak and Main. The "vacation" is scheduled to begin Monday and continue through April 3.

The N.A.A.C.P. president said the "vacation" would not be a boycott but a protest against racial discrimination in stores, restaurants, and theaters.

It has been discussed, he explained, for about a month. A final decision came, he said, after five juveniles were arrested Monday in a "stand-in" at Stewart's basement tearoom.

The N.A.A.C.P. estimates that there are more than 75,000 Negroes in the Louisville area and that they do about $18,000,000 of business annually in the downtown area.

Robert L. Milius, president of Kaufman's of Kentucky and vice-president of the Louisville Retail Merchants Association, said the association will have no comment for the present.

Milius said the tearoom at Kaufman's, closed once before because of Negro demonstrations, was closed again Saturday.

The N.A.A.C.P. leader said Negroes here were inspired by the success of a similar protest movement in Richmond, Va., recently. There, he said, big stores ceased to discriminate against Negroes.

### 'So Ineffective'

Mayor Hoblitzell's Civic and Religious Advisory Committee seemed "so ineffective," he said, that the N.A.A.C.P decided "not to bother it any more."

He claimed evidence of widespread support from Negro leaders for the "shopping vacation," but said that during the period the N.A.A.C.P. will attempt to talk to business leaders in an effort to reach an acceptable agreement.

The Congress of Racial Equality is co-operating with the movement, the N.A.A.C.P. president said, but is confining itself largely to demonstrations. Both C.O.R.E. and N.A.A.C.P. members have taken part in recent demonstrations, he said, including the one which caused the Blue Boar Cafeteria on Walnut Street to close Wednesday evening.

Some members of the group also paraded before the Fourth Street Blue Boar, but it was not closed. The Walnut Street Blue Boar reopened yesterday.

Staff Photo

DEMONSTRATORS MARCH in front of the Walnut Street Blue Boar Cafeteria as part of their campaign to end alleged discrimination against Negroes. The Blue Boar was one of many targets in the downtown area yesterday. Theaters and department stores were also picketed.

# Business-Integration Action At Standstill

Silence surrounded yesterday's activities concerning integration of downtown businesses and theaters.

Members of the Mayor's emergency committee on integration and a Negro steering committee met for more than 2 hours at City Hall. No statement was issued after the private session and participants generally declined comment.

At Quinn Chapel A.M.E Church, where an estimated 350 Negro students gathered the Rev. W. J. Hodge said the meeting was "very discouraging." Mr. Hodge, one of the steering-committee spokesmen, did not elaborate, and other Negro leaders declined comment.

**Students Hear Stanley**

Frank Stanley, Jr., another steering-committee spokesman, addressed the students in a session closed to reporters. Previous meetings of the students were open.

City Consultant Roy Owsley, who presided at the City Hall session in the absence of vacationing Mayor Hoblitzell, said only that the two groups had a regularly scheduled meeting set for Tuesday.

The Negro groups have also scheduled an "Easter Prayer Pilgrimage" for 2 p.m. Sunday at Jefferson County Courthouse. A spokesman said City and County officials have been contacted about the meeting, which is slated as a religious observance.

**Liberties Union Acts**

In other action yesterday, the executive board of the Kentucky Civil Liberties Union urged an end to "racial segregation in theaters, restaurants, and other places of public accommodation."

The board, in a letter signed by its chairman, Edgar A. Zingman, also urged it be remembered that antisegregation demonstrators "are not common miscreants and, even when arrested, should not be treated as such."

The K.C.L.U. letter went to the Kentucky Commission on Human Rights, with copies to Mayor Hoblitzell, Juvenile Court Judge Henry Triplett, and newspaper executives.

**Four Points Made**

The group backed up its plea with four points, the first that "in all of its forms, racial segregation is opposed to the spirit of a clearly stated constitutional principle."

The K.C.L.U. also said that segregation "denies the dignity and worth of individual human beings (and) disturbs the peace and harmony of communities where it is practiced."

Also, according to the letter, segregation "causes colored people all over the world to look askance at American democracy and tends to advance the cause of communism in Asia and Africa."

Associated Press Wirephoto

TWO CHECKED OUT . . . A Jackson, Miss., policeman escorts two Negro students from the main public library building used only by whites. Nine Negroes were arrested yesterday when they ignored police orders to leave.

# Ministers Back CORE, NAACP, "Non-Buying"

The Louisville Interdenominational Ministerial Alliance issued a statement today giving their "unequivocal support" to Negro leaders in the integration crisis and the non-buying campaign.

The statement came on the heels of remarks Monday by the Rt. Reverend C. Ewbank Tucker, Bishop of the Kentucky Conference, African Methodist Episcopal Zion Church attacking the shoppers holiday plan.

However, Bishop Tucker, who represents 6,000 Negroes in Kentucky, said in a statement today that "he was supporting the NAACP's shopping vacation" from the entire area as specified by the civil rights organization.

"Although some downtown businesses," said the Bishop, "have served Negroes, we have been the friend to them by spending our money and having hardly any return to our community through jobs.

"We owe no debt or obligation to them," he said, "We have done them a favor. Downtown stores have not done us a favor."

Speaking at Quinn Chapel Church, Tucker said earlier that "he was not in complete accord with the plans. "I don't think," said Tucker, "that we should boycott our friends who have previously desegregated."

Bishop Tucker, who had previously joined the stand-ins at Kaufman's of Kentucky, Stewart's Dry Goods Company and Ben Snyder department stores, said he favored an alternate plan that would imposed selective buying curbs against those businesses that refused Negro patronage.

The minister's statement said, "we support wholly the program offered by Frank Stanley, Jr., the NAACP and CORE. We further support the downtown boycott and the student picketing demonstrations."

"We stand by all hese efforts," continued the statement, "unequivocally and have no desire to see any of them altered."

The statement was signed by Rev. Joseph R. Reid, President, Rev. H. M. Greene, Chairman and the Revs. R. E. Lee, and D. G. Smith, Committeement.

# Man Fined In Demonstration Protest

## Says He Will Appeal Verdict

The Courier-Journal

A man accused of trying to "break up" an integration demonstration on Fourth Street March 15 was fined $25 in Police Court yesterday for disorderly conduct.

The defendant, George K. McCormick, 62, of 1730 S. Third, said he will appeal the fine to Criminal Court.

Police told Judge Hugo Taustine that McCormick walked through a line of Negro marchers in front of the Ohio Theater, waving his arms and shoving people out of the way. McCormic also cursed the paraders and police, according to testimony.

McCormick testified he was only trying to make his way through the demonstrators, whose "game of ring-around-the-rosie" blocked his progress on the sidewalk. He described the parade as "illegal according to the Supreme Court of the United States."

Seven adult demonstrators were arrested along with more than 100 juveniles during the parade and picketing of theaters. Charges against the seven adults were continued to April 11.

# C.O.R.E. Unit Promises Halt To Picketing

## 11 Members Face Lexington Trial Soon

Lexington, Ky., April 4 (AP)— The Congress of Racial Equality agreed Tuesday not to picket or demonstrate at the Kentucky Theater here until after 11 C.O.R.E. members are tried April 26.

However, a dozen or so young Negroes lined up at the theater"s ticket window Tuesday night. They were orderly and left before Lexington police could determine whether they were C.O.R.E. members.

Charged with breach of peace, the 11 were released on $100 bond each after appearance in Police Court.

### Doorman Slightly Hurt

They and 11 juveniles were arrested Monday night at a stand-in demonstration during which a demonstrator allegedly struck and injured slightly a 66-year-old doorman, Frank B. Petro.

Police moved in when bystanders began yelling at the milling, singing demonstrators after the incident.

Previous C.O.R.E. demonstrations at the Strand Theater ended in late February when a still-pending Fayette Circuit Court injunction against them was obtained by the theater's owners.

# Tell Louisville Stores To Mix

LOUISVILLE, Ky. — The Mayor's committee on integration has urged Louisville businesses to 'desegrate all public accommodations."

As the committee met, the management of two major department stores — Kaufman's and Stewarts — announced that they would integrate their restaurant facilities. Louisville CORE had conducted stand-ins and had continued negotiations at these stores for more than six months.

In its first major statement since the committee was formed Feb. 24 following the arrest of more than 70 CORE and NAACP Youth Council members, it said, "It is desirable that the inevitable action take place before the generally good atmosphere of the Louisville community deteriorates."

The statement was issued after a three-hour closed meeting at city hall. The committee is expected to report "definite progress" to integration leaders.

The statement said in part: "The Mayor's committee urges business establishments in Louisville to desegregate all public accommodations. The Mayor committee bcllives that desegregation is morally right and economically expedient, and that it is desirable that the inevitable action take place before the generally good atmosphere of the Louisvillel community deteriorates."

## Downtown Facilities Desegregating

# Louisville, Ky., Sit-Ins Pay Off

The Courier (Courier Press Service)

LOUISVILLE, Ky.—Perseverance is finally beginning to pay dividends for militant crusaders who haven't allowed 289 arrests to halt their concerted drive for integration of downtown facilities here.

**• Bishop S. Ewbank Tucker told The Courier Saturday that "a number of restaurants and theatres are in the process of being desegregated. Within the next 30 days the whole problem will probably be solved."**

The statement was issued on the heels of an emergency meeting called at 6 P.M. Friday evening between Negro leaders and the Mayor's committee. Police authorities had warned of threatened violence by white high school youths.

Sat. 4-1-61

**NEGRO LEADERS** declared, "We feel that it is the primary responsibility of the school administration to maintain order and decorum. Disciplinary procedures should be adopted. If the situation gets out of hand, then you've got the police."

Partial success came last week, when several unidentified establishments agreed to bow to the relentless force of integration.

This encouraging news came in a joint announcement by Mayor Bruce Hoblitzell's Emergency Integration Committee, composed of businessmen, and the steering committee of the crusading organizations — CORE, the local NAACP, and the Non-Partisan Registration Committee.

■

**THE STATEMENT,** which followed a city hall conference of leaders of both factions, read:

**"We had a constructive meeting. The situation at this point looks hopeful. Several additional business establishments have desegregated. Negotiations with several other business executives are now in progress. Other leading businessmen have agreed to negotiate with Negro representatives."**

Though things are looking up, the crusaders are maintaining unity and enthusiasm with a series of mass rallies at local churches.

Last Sunday, 2,100 Negroes and a few whites, packed the auditorium, basement and area surrounding Chestnut Street Baptist Church, to hear a speech by Herbert Wright, national director of Youth and College Activities for the NAACP.

■

**SO FAR, NEGROES** have contributed more than $6,000, which will be used to defend the students and adults arrested in connection with integration demonstrations, Dr. Grace M. James, chairman of the Finance Committee, reported at the last rally.

Meanwhile, the protest has received open support from the Kentucky Council of Churches. In a resolution, the council said:

**• The board urged downtown Louisville businesses to put into effect policies which admit all persons to their services and facilities."**

The optimism of the determined protestors was expressed by AME Zion Bishop S. Ewbank Tucker, Frank Stanley Jr., and the committee's attorney, Earl Dearing, all leaders in the crusade. "The atmosphere is more congenial . . . there are signs of hope . . . the situation is looking much brighter," they said.

**LOUISVILLE PROTEST LEADERS** — Vital figures in the fight to integrate downtown Louisville, Ky., facilities are, left to right: The Rev. W. J. Hodge, president of the local NAACP; Frank L. Stanley Jr., chairman of the Non-partisan Registration Committee, and Bishop C. Ewbank Tucker, vice chairman of CORE.

## Bishop Tucker Leader in Fight

The Pittsburgh Courier P. 2

# Louisville Arrests Reach Total of 289

Pittsburgh Post Dat: 3-25-61

LOUISVILLE, Ky.—With the arrest of 175 more juveniles and adults during a quiet demonstration here last Tuesday, the total number of arrests in the dramatic fight to end segregation of downtown facilities, reached the staggering figure of 289.

Among those taken into custody today by police were crusade leaders Rev. W. J. Hodge, president of the Louisville NAACP and pastor of the 50th Street Baptist Church; Rev. S. S. Sampson, vice president of the NAACP and pastor of Mt. Lebanon Church, and Frank C. Stanley Jr., co-chairman of the Non-partisan Registration Committee.

During a court hearing on the cases last week, action was postponed until March 30 and April 8. All the defendents, most of whom are teen-agers, are presently out on bond supplied by the three sponsoring organizations.

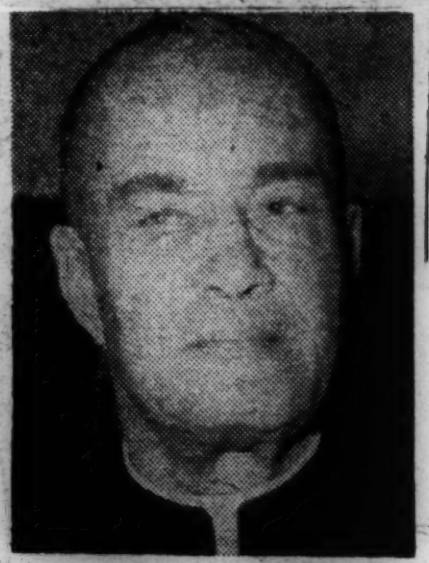
**Following the latest arrests, a delegation of protest leaders representing the NAACP, CORE and the Non-partisan Registration Committee, met with Kentucky Gov. Fert T. Combs, who vowed to use the influence of his office to effect a satisfactory settlement between Negroes and Louisville businessmen.**

Governor Combs came to Louisville the following Thursday, where he helped resume negotiations between the crusaders and Mayor Bruce Hoblitzell's Emergency Integration Committee, composed of ten store owners.

■

**PREVIOUSLY,** similar negotiations with the Mayor's Committee had been broker off due to a failure of the committee to set a definite date when desegregation would take place.

Bishop C. Ewbank Tucker of the AME Zion Church, vice chairman of CORE, informed The Courier that the interest shown by Governor Combs has raised the hopes of all that a setlement will soon be reached.



**BISHOP C. E. TUCKER**
**. . . "we intend to see this thing through"**

**According to Bishop Tucker, the Governor said he believed the situation was not a hopeless one and that it could be resolved.**

**In spite of the arrests, crusade leaders have temporarily called off the demonstrations in an attempt to reach an agreement around the conference table.**

Last Thursday's scheduled demonstration was cancelled. Instead an inspiring religious service was held at Quinn Chapel Church. It was attended by more than a thousand area Negroes, and 15 white student ministers and professors from near-by Presbyterian Theological Seminary. Rev. Z. E. King of Zion Baptist Church was in charge.

■

**AS A FOLLOW-UP,** a mass meeting was held Sunday evening at Chestnut Street Baptist Church, where the protestors pledged that they would not back down, even if current negotiations failed.

Bishop Tucker voiced the opinion of most Louisville Negroes, when he said, "We intend to see this thing through all the way, even if it takes a year or two or more!"

38a 1961

KENTUCKY

SIT-INS
JUDGE HENRY A. TRIPLETT

# Attys. Urge Triplett To Vacate Bench

Attorneys for Negro students arrested in connection with anti-segregation pickets and stand-ins in the dowtown area over a two-week period have made a motion that Juvenile Court Judge Henry A. Triplett disqualify himself in the hearings for his remarks that the students "may be exploited" by adults.

Atty. James Crumlin made the motion Monday at a hearing of 6 juveniles in Judge Triplett's court room. Judge Triplett overruled the moition "without prejudice" on the grounds that it was "not in writing" and did not state a complaint.

Crumlin is co-counsel for the students with Attys. J. Early Dearing, Charles J. Lunderman, Neville M. Tucker and Bishop C. Ewbank Tucker, also an attorney who has been acting in an advisory capacity.

A new motion drawn up by the attornyes filed yesterday before the court reportedly stated hat "no case, civil or criminal, should be tried in the public media of newspapers or radio."

The attorneys reportedly felt that Judge Triplett's remarks in the newspapers were a "breach of judicial ethics" and he should therefore vacate the bench in the students's trials.

The cases of the six juveniles, who appeared before Judge Triplett with thir parents, were continued until April 1. Hearings on 21 other cases are slated for hearing this afternoon also in Juvenile Court. One adult will face charges of contributing to the delinquency of a minor.

### Exploit Youths

Judge Triplett said after the hearing that "he personally did not plan an investigation" into the possibility of the students being exploited by adult Negroes of the Community. He added that any inquiries would be under normal procedure.

Earlier, Judge Triplett issued a statement which read in part — "It is the fervent hope of this court that the responsible leaders of this community will resolve the issues involved in a dispassionate atmosphere either by negotiations or appropriate legal proceedings and not be the use of children as a substitute."

A Steering Committee of Negor integration leaders attacked Judge Triplett's comments stating that "Juvenile Court was being used as an instrumentality of segregationists".

"This is a student movement, as evidenced by the arrest of some 2,500 studnets over the country. Adults would be derelict in their duties not to furnish advise and guidance to these students," said a statement signed by Bishop C. Ewbank Tucker, Frank L. Stanley, Jr., and Rev. W. J. Hodge, co-chairman of the steering committee.

Rev. Hodge further stated that "an investigation by Juvenile would be welcomed for we are sure that it would bear out what we have been saying over and over that this is a student movement."

The Rev. D. E. King, pastor of Zion Baptist Church, and a member of the steering committee added that "Judge Triplett was not wholly informed" of the student protest movement.

"He," said Rev. King," revealed his lack of information regarding the sociological pattern of sit-ins across the nation. His comments have inspired adult Negroes to greater participation in the demonstrations."

# Louisville Fight Continues Despite Integration Gains

The Pittsburgh Courier
Pittsburgh, Pa.
4-8-61

LOUISVILLE, Ky.—Though the trend toward integration is gathering steam here, with eight more restaurants serving Negroes and 21 others negotiating with crusade leaders, attorneys for the protesting group are carrying the battle to a legal level.

**• In court last week, the astute lawyers sought to clear the 272 demonstrators, mostly juveniles, who were arrested during the past two months, by attacking the constitutionality of Louisville's disorderly conduct ordinance, which they were accused of violating.**

The ordinance, which fails to define disorderly conduct, and merely sets the penalty for it, was renounced by Judge Henry Triplett, who heard the case. He said, "I have had considerable concern; I've never liked that ordinance, but I'm not prepared to say it is unconstitutional until I see some law on it."

**• As a result of the hearing, charges against 12 young demonstrators were dismissed in Juvenile Court, at least until the matter of constitutionality is decided. Two other cases, which were postponed to a later date, are significant in that they will affect the outcome of 25 other cases, all involving teen-agers.**

Lawyers in the case were Attys. Neville M. Tucker, J. Earl Dearing, C. J. Ludeman and James A. Crumlin.

■

**WITH THE UPTURN** in events no more anti-segregation demonstrations have been held in the past two weeks.

They have been replaced by inspirational meetings, and climaxed on Easter Sunday with a Prayer Pilgrimage in which several thousand protestors marched quietly to the Jefferson County Court House.

Meanwhile negotiations are continuing between the mayor's all-white Emergency Integration Committee and the steering committee representing the relentless Negro desegregation movement.

■

**REV. C. EWBANK Tucker,** Bishop of the AME Zion Church, and one of the leaders, issued the following statement after one of these conferences.

"I am more optimistic as a result of the joint meeting . . . the gloom and disappointment of the leaders have been resolved, and with a continuation of the present progress, we feel that the problem of desegregation in public establishments will be satisfactorily resolved."

# D. C. Ordinance Under Fire In Sit-In Cases

The Louisville Defender
Louisville, Ky.

Disorderly conduct and delinquency charges against 12 students arrested during stand-in demonstrations at Fourth Street theaters and restaurants. were dismissed in Juvenile Court this week but others were delayed pending a hearing on the constitutionality of the ordinance.

The cases of 15 adults arrested during the demonstrations will be heard in Police Court on April 11. Included are those of the Rev. W. J. Hodge and Frank L. Stanley, Jr., co-chairmen of the Steering Committee of Negro leaders; and the Rev. F. G. Sampson, a member of the Steering Committee.

The students and adults are represented by Attys. Charles J. Lunderman, Neville M. Tucker, J. Earl Dearing, and James T. Crumlin.

Judge Henry Triplett sustained a motion by attorneys for the students to "quash" the charges "on the grounds that the warrants did not state a public offense".

Atty. Lunderman said that two of the cases were delayed until a ruling is made on the motion brought by the defense attorneys. He said that Judge Triplett had taken the motion under submission.

Attorneys argued that the city disorderly conduct ordinance was unconstitntional, because "it set no standard that would enable a person to determine conduct that is prohibited."

"Under the present ordinance," said Lunderman, "it would be up to the Judge and prosecutor to determine what conduct is construed as disorderly".

Lunderman said that the remaining cases involving the students were re-assigned because all were contingent upon the legality of the ordinance and motion before the court.

# 272 Arrested In Louisville Easter Boycott

Louisville Defender
Louisville, Ky.
Courier-Associate
Jackson, Miss.
Sat. 4/8/61

**Louisville, Ky., April 1—272 arrests have been made here to date in connection with the NAACP-sponsored withholding of patronage campaign against the downtown shopping area.**

**The arrests stem from the NAACP's "Nothing New For Easter" drive against segregation and involves the city's 75,000 Negroes.**

**Local NAACP President, the Rev. W. J. Hodge, estimates that Negroes spend $18 million annually here.**

# NAACP Board Backs Steering Committee

The Louisville Defender
Louisville, Ky.

Integration leaders urged a crowd numbering four thousands persons attending an Easter afternoon Prayer Pilgrimage, to continue a "non-buying" campaign directed at downtown stores until merchants agree to desegregate public facilities and hire Negroes in clerical and sales positions.

The "nothing new for Easter" selective buying campaign originally was intended to withhold Negro patronage from the downtown area until after the holiday. Negro leaders cited the slow progress of desegregation in restaurants and department store lunch counters as reasons to continue the program.

Frank L. Stanley, Jr., a co-chairman of the Steering Committee of Negro Leaders, sponsors of the Pilgrimage, warned that "If no continuing progress is made with Mayor Bruce Hoblitzell's Emergency Integration Committee, we are going to demonstrate again".

The Rev. W. J. Hodge said that Negroes will now be asked to support the organization's "Nothing New for Derby" campaign. Boundaries of the extended campaign are same as in the "Nothing New for Easter" campaign. These are: From Main to W. Oak and First to 9th Sts.

The Pilgrimage was held on the steps of the Jefferson County Court House, Armory Place and W. Jefferson. The crowd, with a sprinkling of white persons in attendance, heard alternate speeches from Negro leaders, prayers and singing. Integration leaders emphasized that the Pilgrimage was not a "demonstration".

The actual number of those attending the Pilgrimage was deceptive because of many persons listening from parked cars in nearby parking lots and Armory Place. Despite the presence of police, segments of the crowd spilled into W. Jefferson.

The Rev. W. J. Hodge, president of the Louisville NAACP, and another co-chairman of the Steering Committee of Negro leaders, reassured those present that Negro leaders were not seeking personal acclaim or positions in state or city governments in the integration movement.

### "The Normal Life — Hell"

Rev. Hodge described the movement as having the undertones of a great spiritual and moral crusade. The pastor of Fifth Street Baptist Church, Rev. Hodge said that the quest for Negro rights was merely an effort to bring into reality "the revelations of God".

Arthur Smith, a Central High School senior and president of the NAACP Youth Council, asked that the non-buying campaign be continued and urged further adult support of students.

"Many people have said that they had to have something new and wanted to go back to the normal life," said Smith, "but what is the normal life? If it is going through the back door for service and suffering other indignities, then life here is hell and we may as well make a sacrifice and go on to the promise land".

Stanley said that of the 125 segregated downtown establishments, only 15 have agreed to integrate and not one store has agreed with the Steering Committee to promote present Negro employees to a clerical or sales position.

Stanley, executive assistant to the Publisher of The Louisville Defender, urged the group "not to ask what the integration movement can do for you but what they can do for the movement".

### Not Give Up

He emphasized that the one thing Negroes could do was to withhold their patronage from downtown stores until the desegregation process is accomplished.

"Dr. Martin Luthtr King, Jr., said to Louisville," said Stanley, 'If 50,000 Negroes in Montgomery can walk in dignity, 75,000 Negroes in Louisville can stop buying in protest'."

Stanley asked if the Negro community would be "so weak" as to quit the fight in spite of the fact that Africans are dying daily for freedom and in America 3,014 students have gone to jail. 21 of whom are on chain gangs?

The crowd shouted emphatic "No's" to Stanley's remarks. He said that Louisville Negroes will show that they have the courage and determination of their convictions".

The Rev. D. E. King, a member of the Steering Committee, presided at the Pilgrimage. Another speaker was the Rev. F. G. Sampson, also a member of the Steering Committee.

The Executive Board of the Louisville Branch of the National Association for the Advancement of Colored People voted unanimously to back the Steering Committee in the extension of the Non-Buying Campaign in the downtown area.

# Louisiana Jails German 'Rider'

Washington Post

HAMMOND, La., Sept. 2 (AP) — An elementary school teacher from West Germany with almost no knowledge of English remained in jail today after his arrest for disturbing the peace.

Willie Heinrich Hoever, 30, of Issum, Germany, was arrested yesterday after he was refused service at the Negro lunch counter of the Greyhound bus terminal here.

Police made the arrest after he refused to move to a white counter at the request of a waitress.

Hoever will be arraingec Tuesday in city court. He is be held on $500 bond.

Heather Fraser, 34, of Mid delsbrough, Yorkshire, Eng land, a spokesman for the group of 24 foreign students touring the country, said in Memphis, Tenn., "It was just a language barrier mistake. A waitress told him to move but he doesn't understand much English and he sat there. The police came. Some Negroes in the cafe were crowding around If they hadn't carried him away there might have been trouble."

The other 23 foreign students arrived in Memphis last last night, confused and tired. They said Hoever was simply trying to buy some breakfast.

Hammond City Attorney Gordon Causey said Hoever had "No identification, no passport and no visa" when arrested. The German said his papers were in his luggage which had left Hammond on the bus.

Mayor John C. Morrison said "The man could easily have been confused." He had no other comment.

Miss Fraser said the group arrived in McComb, Miss., after leaving Hammond, and a newsman asked if they were Freedom Riders. "Some of our group didn't even know what a Fredom Rider is," she said.

Hoever is touring the United States after serving as a counselor at a New Hampshire camp under the sponsorship of the Committee on Friendly Relations with Foreign Students.

## West German Teacher Held In Race Case

Atlanta Journal and Constitution

HAMMOND, La., Sept. 2 (AP)—An elementary school teacher from West Germany with almost no knowledge of English remained in jail Saturday after his arrest for disturbing the peace.

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Police made the arrest after he refused to move to a white counter at the request of a waitress.

Hoever will be arraigned Tuesday in City Court. He is being held on $500 bond.

Sept. 3, 1961

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Atlanta, Ga.

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## Foreign Student Arrested In La. As A 'Sit-In'

Atlanta Daily World 9-8

Wed. 9-6-61

(NEW ORLEANS — (UPI) — A foreign student, arrested as a "freedom rider" in nearby Hammond La., said here Monday he meant to cause no trouble when he tried to eat in the Negro section of a bus station restaurant.

Atlanta, Ga.

Hammond officials reported Willi Heinrich Hoever, 30, of Issum, Germany, was arrested Friday and charged with peace disturbance after refusing to leave the Negro lunch room.

"It was not my intention to cause any trouble," Hoever told United Press International here.

"I am a guest in this country. I did not know I was breaking the law."

But Hammond Police Chief Robert W. Smith said Monday, "we didn't arrest him until he made it clear that he knew what he was doing."

Hoever was part of a group of foreign students touring the South He said the group continued without him to Memphis and Nashville Tenn. after his arrest in Hammond.

Smith said Hoever was released to Richard Pauliz of the German consulate in New Orleans pending his trail, which was set for 2 p.m. Tuesday in Hammond.

"I want only to get back with my group," Hoever said in a thick German accent. "I think they are in Nashville."

# La. Supreme Court Upholds Convictions Of 4 Sit-Ins

The Louisiana State Supreme Court last Thursday upheld the conviction and sentence of four Congress of Racial Equality members for a sit-in demonstration September 17, 1960, at the lunch counter of McCrory's Store, 1005 Canal Street.

The high court, in an opinion by Associate Justice Frank W. Summers, upheld Criminal District Court Judge J. Bernard Cocke in convicting Sydney Langston Goldfinch, a former Tulane University student; Rudolph Lombard, CORE leader and former Xavier University student, Miss Oretha M. Castle, a student; and Cecil W. Carter, Jr., a student.

Each was fined $350 and sentenced to serve 60 days in the Parish Prison.

Their case will be appealed to higher courts, The Louisiana Weekly learned.

## BULLETIN

An early appeal to the U. S. Supreme Court is plannned in the case of four CORE members whose conviction in the New Orleans Criminal Court was upheld last week by the Louisiana Supreme Court. The announcement was made Monday by Attorneys Robert Collins, Llois Elie, Nils Douglas and John P. Nelson, who represented the four.

PROTESTED "JIM CROW"

The charges grew out of the students' sit-in demonstration in protest against racially-segregated lunch counters in the Canal Street department store. The racially mixed group was refused service as they sat together, the "white" lunch counter was closed, and the manager ordered them to leave. Police arrived and arrested them.

Justice Summers' opionion said that the pertinent part of the 1960 state law they were charged with violating dealt with taking temporary possession of any parts of a place of business after the person in charge ordered them to leave.

DENIES "RACE" ISSUE

ORETHA CASTLE

The opinion said, in part: "We are, therefore, called upon to determine whether the enactment of the questioned statute is such action by the state as is prohibited by the 14th Amendment...A reading of the statute readily discloses that it makes no reference to any class, race or group and applies to all persons alike regardless of race.

"The right to prevent a disturbance on one's private property and the right to summon enforcement officers to protect that right are rights which every proprietor has whenever he refuses to deal with a customer for any reason, and the exercise of these rights does not render his action to be a conspiracy between the proprietor and the peace officer.

"NO JIM CROW LAW"

"There is presently no anti-discrimination statute in Louisiana nor is there any legislation compelling the segregation of races in restaurants or places where food is served.

"...There being no law of this state, statutory or decisional, requiring segregation of races in restaurants or places where food is served, the contention that the action of the officials here is discriminatory is not well-founded for that action is not authorized by state law..."

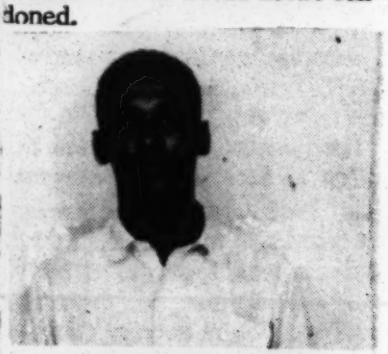
BOYCOTT STILL ON

The opinion, therefore, places the sole responsibility for the segregation of races on lunch counters upon the various stores since it points out that state law does not require such separation.

The boycott of the McCrory and Woolworth Stores which maintain segregated eating facilities has been in effect since last September.

National offices of the stores, however, were quoted early this year as saying racial segregation at lunch counters in their branch stores would not be condoned.

CECIL W. CARTER, JR.



RUDOLPH LOMBARD

SYDNEY GOLDFINCH

# Petition Is Addressed To Top Officials

The Louisiana Weekly New Orleans, La.

Two local groups which have been involved in picketing and sit-ins at white businesses in the New Orleans area have petitioned the mayor and governor of Louisiana to refrain from arresting demonstrators until the recently passed state laws can be interpreted.

The joint resolution Tuesday was released by the Consumers League of Greater New Orleans and the Congress on Racial Equality. The action followed a mass-protest demonstration staged by the two organizations on last Saturday when members picketed a St. Claude street super market, later marched on the City Hall and Louisiana Supreme Court buildings' doorsteps where petitions were read.

New Orleans, La.

According to Rev. Avery Alexander, CLOGNO's president, copies of the resolution were sent in addition to Mayor deLesseps Morrison and Gov. Jimmie Davis, to the President of the United States, Senators Ellender and Long, the attorney general of the United States, the majority and minority leaders of both the House of Representatives and Senate.

The resolution pointed out that the U. S. Supreme Court has declared that "any laws which supress peaceful and non-violent picketing are contrary to the constitution of the United States," in a direct action on acts 60, 70 and 80 passed during the regular session of the state legislature in 1960.

According to the resolution many New Orleans' citizens have been arrested and jailed by the authority contained in the statutes which makes picketing "illegal by groups other than labor unions."

The resolution further demands that all be done to prevent police abuse and that arresting be halted until the laws can be interpreted by the courts.

An earlier announced picketing again of Puglia's super market on St. Claude street Saturday was successfully carried out without a recurrence of the previous week's action when nine members of the Consumers League were arrested by state police.

Rev. Alexander stated that the police were very helpful to the group and that Major McNamara and Capt. Trosclair of the New Orleans Police Department, gave instructions to the group on "how to lawfully picket."

New Orleans, La.

"The following steps were given us," said Rev. Alexander, then naming them as, to keep marching and moving; refrain from conversing with anyone; to walk on the strip side of the sidewalk; do not block driveways; not to molest the customers and to keep the number of spectators down to a minimum.

Rev. Alexander retraced last Saturday's actions stating that a protest prayer service was conducted first on the stairs approaching the City Hall in the Civic Center. Rudolph Lombard, president of CORE, presided and prayer was asked by Rev. Alexander. Lombard read the petition, and the marchers moved to the State Supreme Court building where a like ceremony was conducted, with prayer being offered by the Rev. John B. Morris, pastor, First Free Mission Baptist Church. Rev. Louis Landrum dismissed the group.

Some 200 participated in the several protest demonstrations. A pre-screening and orientation meeting was held at St. James African Methodist Episcopal Church, 222 No. Roman Street and the group marched, while being escorted and shadowed continuously by policemen, to the Civic Center area. On completion of reading of the petition the band of freedom seeking men and women moved in procession to Canal Street, marching in protest around the square of Canal, No. Rampart, Iberville and Burgundy streets.

ELEVEN CORE MEMBERS QUESTIONED

Some eleven members of CORE engaged in picketing Saturday on Canal Street, Woolsworth and McCrory's stores, were apprehended and taken to the First District headquarters for questioning. Arrested were four whites, including Sydney Goldfinch who was questioned for several hours and released, Jill Finsten, Coral Gables, Fla., a Newcomb College freshman; Barbara Brent and Bob Heller, a Tulane University student.

Jerome Smith, Nathaniel Harry, David Dennis, Clarence McCall, A. D. Moore, Jr., Oscar Jones and Patricia Adams were the seven Negro students arrested. All were questioned and later released.

# The Sit-Ins: Court to Rule

The Sunday Star
Washington, D.C.

**The Supreme Court on Monday agreed to review Baton Rouge sit-in convictions and ruled invalid a series of Louisiana school segregation laws.**

Jan 3-26-61

In fighting against discrimination and for what he believed were his rights, the Negro last year came upon a new tactic. Some saw in it shades of Gandhi's "passive resistance."

This, of course, was the lunch-counter sit-in. A group of Negroes, often college students, walk into a drugstore, for example, sit down at a whites-only lunch counter and refuse to budge unless they are served.

In many cases, the proprietors or managers simply closed down the food service. In some cases, they called the police who arrested the demonstrators.

The tactic has proved surprisingly effective in some areas. It has won agreements from many establishments which ended discrimination. It has spurred peaceful interracial talks which obtained the same results.

## Legal Questions

But leaving aside the moral question, are the sit-ins legal? What about the question of property rights and the matters of trespassing and disturbing the peace?

Last Monday, the Supreme Court decided to review three cases involving 15 or more Negro lunch-counter demonstrators who refused to leave a Baton Rouge store and were arrested and convicted of disturbing the peace.

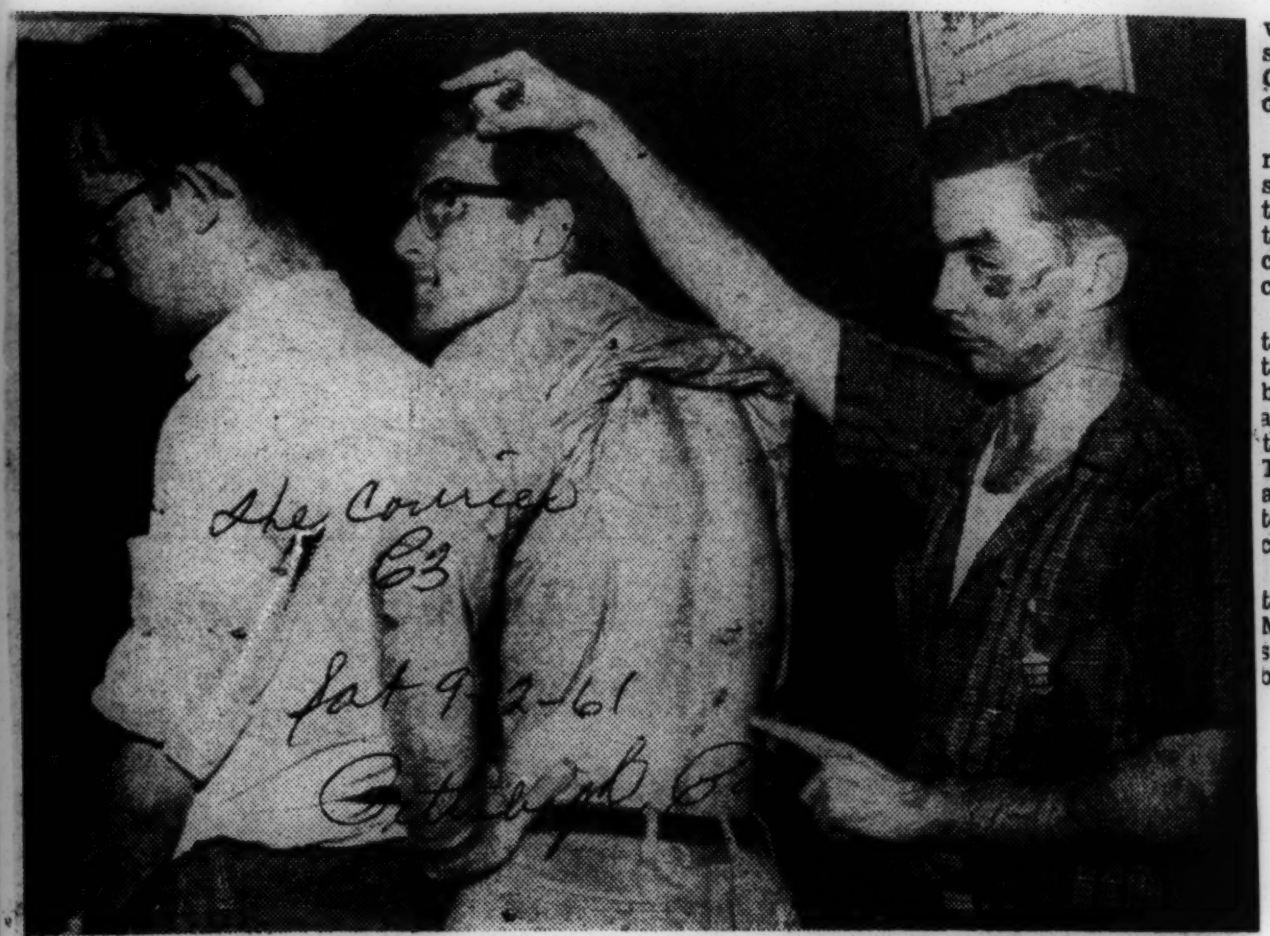
The court, which in recent years has rarely ruled against Negroes in racial cases, may shed some light on the above questions before it adjourns for the summer.

The invalidation of laws enacted by the State of Louisiana in its efforts to bar integration of the public schools in New Orleans was expected.

The decision was foreshadowed by the court when, last December 12, it denied a request that it stay a ruling by a three-judge Federal Court which knocked out the State statutes.

It appears that integration of Louisiana public schools is legally assured. But it may be a long, long time before the actual accomplishment on a State-wide basis.

SEPTEMBER
ALEXANDRIA- SIT -IN
C O R E PICKETS



**CAUSE POLICE SIT-IN**—Some 19 Negro members of the Congress of Racial Equality staged a sit-in outside the office of New Orleans Superintendent of Police Joseph Giariusso, to protest the beating, by police, of the above three white CORE members. The three white "Freedom Riders" were beaten by New Orleans police after they bucked the "traditional way of life" in the South. The 19 Negro CORE members then staged a sit-down strike at the superintendent's office. Four left, but the remaining 15 were arrested and booked with refusing to move on, holding an unlawful assembly, and vagrancy by loitering in a public place.

# CORE Pickets 5 Restaurants In Alexandria

Alexandria, which narrowly averted sit-in demonstrations last year, saw its first racial demonstrations yesterday as 15 Negro and white members of the Congress of Racial Equality picketed five downtown restaurants.

Police said only two incidents occurred, when passers-by attempted to wrest a placard from one of the demonstrators, and when an onlooker loudly protested the pickets.

No arrests were made, police said.

Mayor Frank Mann said representatives of CORE met Friday with city officials to discuss the Alexandria law governing picketing. He said the demonstrators had notified police of the time and place of the picketing.

**"Picketing Workshop"**

The demonstrations were described as "a picketing workshop" by spokesmen for the CORE-sponsored Northern Virginia Action Institute.

The institute for the past two weeks has been holding instruction sessions for 35 students who paid $150 each to learn what was described as methods of non-violent action against racial discrimination.

Edward N. Blankenheim, 28, a CORE field secretary, said the picketing followed attempts at negotiations with each of the restaurants to lower race bars.

The city last year averted sit-in demonstrations when a mayor's bi-racial committee persuaded some restaurants and lunch counters to desegregate.

**Where Pickets Were**

The restaurants picketed yesterday were the 403, at 403 King street; the Feed Bag, at 429 King street; Shumans, at 516 King street, and the two Tom Thumb restaurants, at 524 and 724 King street.

Meanwhile, trustees of the Mount Vernon Unitarian Church, 1275 Fort Hunt road where CORE is holding its institute, have asked Fairfax County to delay enforcement of a zoning violation complaint.

Joseph J. Remington, chairman of the board of trustees, said he has asked the county to discuss the complaint that the church is violating the occupany provision of the zoning code.

The church trustees wrote to County Zoning Administrator William T. Mooreland: "We believe (your) concern with our activities raises the fundamental question of religious liberty. The logical extension of (your) action in our case would tend to restrict the freedom of all churches in Fairfax County."

In notifying the church of the zoning violations, Mr. Mooreland set a deadline for stopping the institute activities by 8 a.m. tomorrow.

38a 1961

LOUISIANA

AUGUST
NEW ORLEANS- SIT-INS
15 NEGROES ARRESTED ($100 BONDS)

# Sitdown' Charge Nets $100 Bond For 15

NEW ORLEANS (AP)—Municipal Judge Paul Garafalo Wednesday set $100 bonds for 15 Negroes who were arrested shortly after midnight for holding a "sitdown" demonstration outside Police Supt. Joseph Giarrusso's office.

But the 15 remained in jail pending disposition of three state charges which will be heard in criminal district court.

The demonstrators were arraigned in Judge Garafalo's court on charges of refusing to move on. The state charges consist of unlawful assembly, vagrancy by loitering in a public place and remaining in a place after being forbidden to stay.

Judge Garafalo continued the cases until the state charges are disposed of.

The demonstrators, who said they were members of the Congress of Racial Equality, said they were protesting the alleged beating of three "Freedom Riders" by New Orleans police prior to returning to Jackson, Miss., for appeal trials, were arrested in the predawn hours Aug. 13 after a disturbance was reported in the house where they stayed.

They were booked on vagrancy charges but the cases were tossed out in Municipal Court.

The three riders afterwards charged they had been beaten while in jail. Giarrusso denied the charges.

The CORE members gathered outside Giarrusso's office shortly before midnight and began singing hymns. Police told them the singing was interfering with operations of the nearby communications center and they were warned they would be arrested if they stayed.

Four Negroes left and after another warning, police arrested the 15.

38a 1961

LOUISIANA

SUPREME COURT
SIT-INS

# Sit-Ins Reaching Supreme Court

The Courier-Journal
Louisville, Ky.
Sun. 3-26-61
p4

## Appeals To Be Heard Next Fall In Conviction Of 16 In Louisiana

From Wire Dispatches

Washington, March 20.—The Supreme Court agreed Monday to consider its first cases arising from the Negro sit-in campaign in the South.

The court granted review of the convictions of 16 Negro students for sitting at "white" lunch counters in Baton Rouge, La. All drew sentences of four months in jail, with three months to be suspended on payment of $100 fines and costs.

According to the evidence, the proprietors did not seek to have the demonstrators prosecuted as trespassers. The police had the idea of arresting them, and they were prosecuted for breach of the peace.

**Say Freedoms Violated**

The students were convicted of violating a Louisiana statute that makes it a crime to act "in such a manner as to unreasonably disturb or alarm the public." The state courts found that the continued presence of the Negroes at the lunch counters might have led to such a disturbance.

In their Supreme Court petition, the students said their convictions unconstitutionally violated their right to freedom of expression and were not supported by any actual evidence of breach of the peace.

The State, responding, said there was no doubt that the managers and owners of the concerns did not want the demonstrators there and that the demonstration could have led to violence.

**Refused Earlier Appeal**

As for freedom of expression, the State said the students could have expressed themselves in newspapers, radio or television, but had no right to do so by going on private property where they were not wanted.

Only two weeks ago, the Supreme Court refused to hear a sit-in-case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla.

**Rejects Integration Delay**

The court gave no explanation, but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

In another case, Louisiana's various efforts to block the desegregation of schools in New Orleans were held unconstitutional.

The Supreme Court issued a court two-line order that said simply that lower-court decisions were affirmed. There was no dissent.

The main effect Monday's decision may have is to end some of the difficulties the New Orleans School Board has been having in borrowing money until tax receipts come in.

The New Orleans banks have taken the position that they cannot risk extending credit to the School Board until the State's several attempts to put the board out of business have been brought to a legal dead end. Apparently that happened Monday.

The Supreme Court action Monday affirmed three separate decisions of a three-judge Federal District Court in New Orleans.

**Rejects Reporter's Appeal**

The first, made August 27, enjoined Governor Jimmie H. Davis from taking control of the New Orleans schools away from the School Board. The decision also struck down State laws making it a crime to supply public funds to integrated schools and empowering the governor to close integrated schools.

The second decision, made November 30, and the third, on December 21, dealt with a long series of statutes passed by the Louisiana Legislature in two special sessions. They, too, were enjoined as unconstitutional.

In another action Monday, the court rejected an appeal by Mrs. Vi Murphy, a reporter for the Colorado Springs Gazette-Telegram, who received a 30-day contempt sentence for refusing to disclose a news source to the Colorado Supreme Court.

# Louisiana Sit-In Case Could Be Most Decisive

The Louisianr Weekly
New Orleans, La.
Sat. 3-18-61

WASHINGTON (ANP) - Court observers interested in a Supreme Court reaction in the sit-in demonstrations are anxiously awaiting the outcome of a sit-in case now before the high tribunal involving 17 Louisiana Negroes.

This case, unlike the Florida sit-in appeal denied by the high court last week, has run the full course in state courts. The Supreme Court has not yet said whether it will hear arguments in the Louisiana case.

The two-pronged issue involved -- which has been widely debated by lawyers across the nation in addition to those for and against sit-ons -- is chiefly this: Does the law dealing with trespass of "private" property outweigh the rights of one who enters a "public" facility as an invitee who may make purchases in one department but is denied service in another, in this case at the lunch counter.

Some southern store operators contend their businesses are private. Sit-in supporters, on the other hand, declare that these stores are open to transact business with the public and accept Negro patronage in all departments except the lunch counters.

The import of the action by the Supreme Court last week was not made clear. The court merely said it would not hear the appeal. Observers speculated the refusal may have been based, at least partially, on the fact that the case had not gone through Florida's highest courts. The appeal came to Washington from the circuit court for Leon county, which affirmed the municipal court.

The Tallahassee demonstrators were convicted under a city ordinance proscribing acts of disorderly conduct, breaches of the peace, and unlawful assembly.

They were convicted in Municipal Court in Tallahassee in connection with sit-in demonstrations at a Woolworth store Feb. 20 and March 12, last year. Each received a sentence of 60 days in jail or a $300 fine.

In New York, James Farmer, national director of the Congress of Racial Equality, said he hoped the decision does not mean the court intends to avoid the issues raised by the sit-ins. Farmer's group organized the Tallahassee demonstrations.

On the negative side of the issue, as far as sit-in supporters are concerned, is the view by other observers that refusal to hear the Florida case by the Supreme Court could mean, in effect, that no important constitutional of civil rights was involved.

In their brief to the tribunal, the defendants asserted that their arrest was a violation of their right of free speech and their right of contract, meaning their liberty to do business with the restaurant. It is still uncertain at this point exactly why the court refused the appeal.

# LOUISIANA SIT-IN CASE BEFORE COURT

Birmingham World p. 3

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Oct. 3-18-61

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## At Hearing of Route 40 'Sit-ins'

# Diner Owner Curses Negro

(Courier Press Service)

BALTIMORE — "Black bastard, just try and eat in my place."

These words spouted from the mouth of Thomas Doxanos, owner of the Double T Diner, as Percy Sutton, New York Branch President sauntered past during preliminary hearings involving the U. S. Route 40 "sit-ins" of four NAACP officials and Courier reporter Evelyn Cunningham.

All five pleaded "not guilty," and requested a jury trial at the hearings which were continued.

**● The case came about a week ago last Friday, when Mr. Sutton, Miss Cunningham, Rev. Robert Sherard, pastor of the Congregational Church and president of the Corona-East Elmhurst, (N. Y.) NAACP branch; Paul Dennis of New Rochelle, N. Y., and Dr. Eugene Reed, president of the New York State Conferences of Branches sought service at Brooks' Williamsburg Inn Restaurant and Motel in the White Marsh area along U. S. Route 40.**

Present at the hearings into the case were Atty. David Jaffe, personal observer of the New York State Attorney General Louis J. Lefkowitz and Miss Cunningham's personal lawyer; Atty. Gloris E. A. Toote, assistant counsel of the Workmen's Conpensation Board at Fullerton Magistrates Court.

**BALTIMORE NAACP** lawyers Juanita Jackson Mitchell and Paul Cockrell wired Mr. Lefkowitz, thanking him for his support and welcoming "any assistance from New York State in protecting a New York resident."

**● Miss Cunningham also wired Gov. Nelson Rockefeller seeking his "aid and cooperation as a New York resident."**

When arrested last week, Miss Cunningham wrote, "When they fingerprinted me. I think I died a little. From here on out, dying a little will be easy."

**SITTIN' IN**—Four of the five "Freedom Riders" who attempted a sit-in demonstration at a diner, outside Baltimore on Route 40, are shown being escorted to jail. Courier columnist Evelyn Cunningham (not shown), was among those arrested. They were testing restaurant segregation policies along the controversial route.

At the church, a meeting in Baltimore's cornerstone, Julius W. Hobson, eastern director of the Congress of Racial Equality (CORE), told those who were going to demonstrate for integration "Your demonstration in Baltimore today is timely."

Rev. Logan Kearse, leader of the demonstrators, said the NAACP had 22 lawyers to provide legal service. He added cash and property had been pledged for bonds, if necessary.

About a third of the persons assembled in the church were white. They came from Howard and Catholic universities in Washington, and Morgan State and Goucher colleges in Baltimore. There appeared to be a scattering of others from Pennsylvania and New York.

* * *

**JUST BEFORE** the meeting ended, Kearse read from a telegram which he said was being sent to Gov. J. Millard Tawes:

"We recognize and appreciate the promised integration of some of the public facilities on U. S. route 40. However, we cannot be satisfied with anything less than the total elimination of all racial injustice in our society."

Friday, CORE's Hobson said every effort would be made to prevent sit-ins Saturday along U.S. 40 or "anywhere in Maryland, because we have a commitment to the state."

* * *

**THE ANTI-INTEGRATION** group is going ahead with plans to have a caravan of more than 100 automobiles carry signs along U.S. 40 proclaiming the right of restaurant owners to serve whomever they please.

# U.S. 40 Sit-Ins Off; Baltimore Is Aim

## Anti-Integration Group Counters With Right-of-Choice Demonstration

BALTIMORE, Nov. 11 (AP)—More than 200 white and Negro students Saturday called off plans for sit-in demonstrations along U.S. 40, and determined instead to cover the city of Baltimore in protesting segregation in public places.

Meanwhile, a group of segregationists—the Maryland Petition Committee — assembled on the highway just outside Baltimore for a projected peaceful parade upholding the right of restaurant owners to serve only those they pleased.

# 500 Riders hit Route 40 diners

BALTIMORE

Below freezing temperatures failed on Saturday to dim the ardor of an estimated 500 Freedom Riders who staged a series of anti-discrimination demonstrations along Route 40.

Fourteen persons were arrested as a result of the demmonstrations which were staged at both Maryland and Delaware restaurants along the highway.

The demonstrations were backed by the Congress of Racial Equality (CORE) and among the persons arrested was the editor of the CORE magazine, James Peck.

Mr. Peck is one of the original Freedom Riders. In May he was brutally beaten in Birmingham, Ala. Fifty-seven stitches were required to close his wounds.

THE SATURDAY demonstrations got underway late in the morning, after the protestors attended a briefing session at Baltimore's Enon Baptist Church.

There they were told to remain seated in the places visited until the trepass law was read to them, and then to leave and picket the establishment.

In Maryland, police have evolved a technique for handing sit-in demonstrations that calls for the reading of a law against trepassing, as a prelude to arrest.

If the person does not leave a place after the law is read, then the owner may swear out a warrant for that person's arrest.

AFTER THE SATURDAY briefing session, the riders left the church in cars with about five persons to each car.

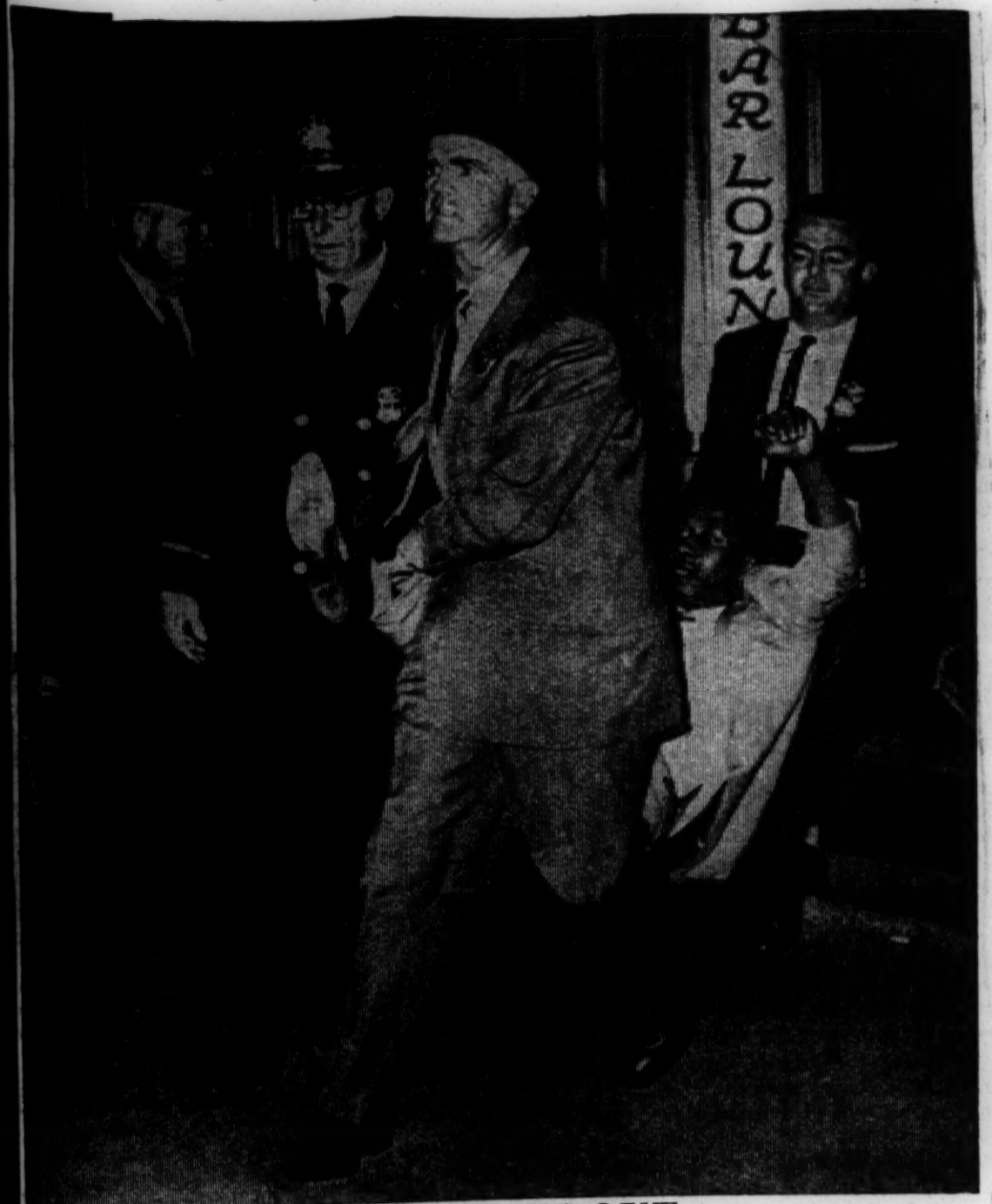
Meanwhile, other demonstrators gathered at the southern end of the New Jersey Turnpike, for the ride on the highway leading from the Delaware Memorial Bridge to Baltimore.

**At most of the places visited in Delaware, the demonstrators were served, even though several of the managers admitted that they would resume their policy of segregation as soon as the demonstrators left.**

Even on the northern part of the highway in Maryland, restaurant owners served the groups, but it was in the southern part of the highway that discrimination took over.

TROUBLE ERUPTED at Aberdeen, a small town, which depends for its existance on the nearby Aberdeen Proving Ground, a military establishment.

NOVEMBER
SIT-INS




THIS WAY OUT

An unidentified demonstrator is helped from Hooper's Restaurant in Baltimore by police detectives. The man was one of 38 persons arrested as several hundred persons staged "sit-ins" throughout the city in protest to racial segregation by restaurants. All but nine of those arrested were freed Sunday after posting collateral.—AP Wirephoto

# 9 Desegregation Leaders Arrested After 'Sit-Down'

BALTIMORE (AP) — Nine desegregation leaders, deliberately courting arrest, were taken into custody Saturday in a downtown restaurant which does not serve Negroes.

All were charged with violating Maryland's trespass law.

The nine pushed their way through revolving doors of Hooper's Restaurant on West Fayette Street and sat down. Others did not make it and stood outside with picket signs.

Police at Annapolis disclosed the arrest of 10 others, both white and Negro, late in the day after they attempted to enter a restaurant near the state capitol. The sergeant on duty identified them as one from Ohio, one from Illinois and the others from Philadelphia.

**PASTOR HELD**

Among those held was the Rev. Logan Kearse, pastor of the Cornerstone Baptist Church and chairman of a group of more than 300 persons who spread all over the city seeking admission to restaurants.

The others held were William Hanson, White, of Cincinnati, Ohio, a veteran of "freedom rides" in Mississippi where he served a jail term; Miss Barbara Jacobs, 23, white, employe of the city welfare department; William Shaw, Baltimore real estate man; Miss Felice Loveless, 19, of Howard University, Washington; chairman of the Student Non-Violent Committee at Howard University; George A. Hacklay, Rockville, Md. and Carol Louise Johnson, Baltimore.

The arrests came after assistant manager John Richardsn read the trespass law. He and manager Robert Harper had tried to hold the revolving doors but were unable to do so.

The manager offered to serve the white demonstrators but Hanson said: "We don't feel in conscience we can eat if these others are not served."

**'LITTLE ITALY'**

Others of the demonstrating group contented themselves with merely picketing establishments where they were denied service.

There were no serious disturbances at any of the 40 establishments visited by squads of five or six whites and Negroes.

The biggest gathering was in the "Little Italy" section, where a crowd of between 300 and 400 stood around for awhile watching the picketing.

The demonstration was in place of a possible parade along U.S. Route 40, a Washington-New York highway frequently used by African diplomats.

The Congress of Racial Equality two days ago called off a mass "freedom ride" because about 35 restaurants along the highway had agreed to desegregate. Some of Saturday's demonstrators were members of CORE, but acting as individuals.

The groups mainly came from Maryland and the District of Columbia. They were joined after noon by about 60 from New York and Philadelphia.

# Hagerstown Eyed As Target for Sit-In

Washington Post D 2B
Wed 11-15-61

BALTIMORE, Nov. 14 (AP) Leaders of a massive demonstration scheduled for next Saturday against segregated Maryland restaurants say the sit-ins "may extend as far away as Hagerstown."

A committee planning the antisegregation drive met in Baltimore last night and afterward scheduled another meeting for Wednesday ngiht. A final, general meeting of demonstrators was set for Saturday morning.

Washington, D.C.

The Rev. Logan Kearse, leader of the group, said, "We intend to cover equally as many restaurants as last Saturday and possible many more."

Last Saturday, hundreds of Negroes and whites staged demonstrations in Baltimore and Annapolis. Thirty-three were arrested.

Three, all women from Philadelphia, declined bond and were jailed.

As a result of last week's demonstrations and with the threat o fan even larger turnout this week, officers of the Maryland Restaurant Association announced a special meeting of the board for Thursday to consider withdrawing support of a State-wide equal accommodations bill. The meeting was called Monday night afte ra general membership meeting. The board announced last Oct. 17 it would support passage of the equal accommodatilnoges —fil5ssasli hipE dations legislation.

There was no mention of the demonstration during the association meeting, though several restaurateurs complained that they were being "walked on" by the demonstrators. .

Gordon Carey, field director for the Congress of Racial Equality, said the national organization would give its full support to the Saturday demonstration.

Mr. Kearse asid his group would not demonstrate on Rte. 40 northeast of Baltimore, in accordance with a previous announcement by CORE to stay off that highway until at least Nov. 22.

# Five Freed on Bail After Maryland Sit-In

The Christian Science Monitor p. 6 Sat 10-28-61

By the Ass

Baltimore

Five New York Negroes were arrested Friday night after staging a sit-in demonstration at a U.S. Route 40 restaurant about seven miles from downtown Baltimore.

Baltimore county police charged four men and a woman with trespassing at the Double-T Diner. The accused were released in $103 bond each and a hearing was scheduled in magistrate's court at Fullerton for 7 p.m. next Friday.

The Congress of Racial Equality (CORE) had previously announced that a "freedom ride" would be held Nov. 11 at the heavily traveled highway which runs northeast of the city toward the Delaware line.

But a man who telephoned the Associated Press after the incident, and described himself as a spokesman for the demonstrators, said Friday night's sit-in was not connected with CORE.

The caller, who identified himself as Louis Lomax, an author from Jamaica, N.Y., said he and his wife and the five arrested were in the party which entered the Double-T and took seats at the counter.

**Trespass Law Read**

Mr. and Mrs. Lomax left after diner owner Thomas Doxanos read them the trespass law, but the other five remained and were arrested.

Police identified those arrested as Paul Dennis, New Rochelle, N.Y.; The Rev. Robert D. Sherrard, East Elmhurst, N.Y.; Percy E. Sutton, New York City; Dr. Eugene Reed, Amityville, N.Y., and Mrs. Evelyn Haynes, New York City.

Mr. Lomax said the group earlier tried to stop at the Williamsburg Inn, several miles farther to the northeast, but the owner had closed the restaurant.

"He apparently had been tipped that we were on the way," Mr. Lomax said.

Mr. Lomax said the group was on the way to Washington, D.C., to attend a human rights conference, and had told cameramen and newsmen in New York that "if we get hungry along the way, we'll stop for food."

**Newsmen on Hand**

Newsmen apparently trailed the demonstrators, and a waitress at the Double-T said cameramen took photographs as the demonstrators entered.

Mr. Lomax said it was agreed in advance that if there was any likelihood of arrest, only five would remain on the scene. Mr. Lomax was to leave and "give the story to the press."

He commended the arresting officers as being "kind, working with great dispatch, and models of law and order."

Mr. Lomax said all those in the party were members of the National Association for the Advancement of Colored People, but that the sit-in was not promoted by the NAACP. He described Dr. Reed as president of the New York State Conference of NAACP Branches.

Bail was arranged, Mr. Lomax said, through Mrs. Juanita Jackson Mitchell of the Baltimore NAACP.

Maryland state police, county police, and town police as far away as Aberdeen, about 30 miles northeast of Baltimore, had been alerted several hours before the demonstration occurred.

# Five Negroes Arrested In Sit-In at U.S. 40 Cafe

The Evening Star Washington D.C. Sat 10-28-61

BALTIMORE, Oct. 28 (AP).—Five New York Negroes were arrested last night after staging a sit-in demonstration at a U. S. 40 restaurant about seven miles from downtown Baltimore.

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**Jamaica Author**

The caller, who identified himself as Louis Lomax, an author from Jamaica, Long Island, N. Y., said he and his wife and the five arrested were in the party which entered the Double-T and took seats at the counter.

Mr. and Mrs. Lomax left after diner owner Thomas Doxanos read them the trespass law, but the other five remained and were arrested.

Police identified those arrested as Paul Dennis, 40, New Rochell, N. Y.; the Rev. Robert D. Sherrard, 39, East Elmhurst, N. Y.; Percy E. Sutton, 40, New York City; Dr. Eugene Reed, 38, Amityville, N. Y., and Mrs. Evelyn Haynes, 44, New York City.

Mr. Lomax said the group earlier tried to stop at another inn, several miles further to the northeast, but the owner had closed the restaurant.

"He apparently had been tipped that we were on the way," Mr. Lomax said.

Mr. Lomax said the group was on the way to Washington to attend a human rights conference today, and had told cameramen and newsmen in New York "if we get hungry along the way, we'll stop for food."

**Trailed by Newsmen**

Newsmen apparently trailed the demonstrators, and a waitress at the Double-T said cameramen took photographs as the demonstrators entered.

Mr. Lomax said it was agreed in advance that if there was any likelihood of arrest, only five would remain on the scene.

He commended the arresting officers as being "kind, working with great dispatch, and models of law and order."

Mr. Lomax said all those in the party were members of the National Association for the Advancement of Colored People, but that the sit-in was not promoted by the NAACP. He described Dr. Reed as president of the New York State conference of NAACP branches.

Bail was arranged, Mr. Lomax said, through Mrs. Juanita Jackson Mitchell, of the Baltimore NAACP.

# Negroes told to call off ride plan Nov. 11

The Baltimore News Sun 10-29-61

BALTIMORE, Md., Oct. 28 (AP)—Gov. J. Millard Tawes sternly advised leaders of a scheduled "freedom ride" demonstration today that he will not yield to their ultimatum and "the people of this state are going to resent" it.

The governor spoke out in response to a statement earlier this week that the Nov. 11 demonstration along Route 40 would be canceled only if the Maryland Legislature was called into special session beforehand to consider a statewide law against restaurant discrimination.

"In effect, they have offered me and members of the General Assembly an alternative," the governor stated.

"Call a special session in November or face the consequences. Under no circumstances can the governor of Maryland or the General Assembly yield to such an ultimatum."

Baltimore News

## Call off urged

THE GOVERNOR'S second statement directed to the Congress of Racial Equality (CORE) to call off the Veterans' Day demonstration was distributed in advance of another incident in which five Negroes were refused food in a Route 40 restaurant.

Sun 10-29-61

Five members of the National Association for the Advancement of Colored People were arrested Friday night at a diner outside of Baltimore.

Leaders of CORE have announced between 750 and 1,000 persons will participate in the demonstration two weeks from today.

Tawes asserted he does not "question the right of this organization to embark on such a program. I do question the wisdom of such action."

He said he has endorsed the principle of open public accommodations throughout Maryland and added, "We are nearing a solution to this problem."

"Thus, the entrance of the freedom riders can serve no other purpose but disrupt an already delicate situation," Tawes stated.

Representatives of the State Department, with the announced support of President Kennedy, have been trying for weeks to quietly convince owners of restaurants on Route 40 to discontinue discrimination.

# Negroes Ask High Court Rule On Maryland Sit-In Decision

ANNAPOLIS, Md. (AP) — Five Negroes who conducted a carousel "sit-in" at an amusement park near Washington, D.C. plan to ask the Supreme Court to review their trespassing convictions, upheld by the Maryland Court of Appeals.

Claude B. Kahn of Chevy Chase, Md., counsel for the defendants, said Wednesday he is preparing a petition to take the case before the Supreme Court.

"We feel that this case presents as good a pattern of facts as any of the sit-in cases," Kahn said.

**FIVE ARRESTED**

The Negroes — William L. Griffin, Marvous Saunders, Michael Proctor, Cecil T. Washington Jr. and Gwendolyn Green — were arrested at the privately-operated Glen Echo amusement park in Montgomery County, Md. June 20, 1959. They refused to leave a carousel ride after being ordered to do so by a park guard.

The park was later opened to Negroes.

The Maryland court held last June 8 that they deliberately violated "a lawful policy of segregation" in the park.

At the same time, the high court reversed the convictions of three Negroes and two white persons arrested in a separate demonstration in a restaurant at the park. The court said the park policeman had no right to order them out of the restaurant, which was under separate lease. The demonstrators had not been ordered out by restaurant operators, although they had been refused service.

**COURT APPEAL**

That case is not involved in the appeal to the Supreme court.

Kahn said the appeal would be based primarily on constitutional issues, including the question of whether the state can assist the owner of a public establishment in enforcing a segregation policy.

The defendants were convicted of trespassing under a 1900 statute. The high court said the park owner "had a right to contract only with those persons it chose o deal with."

# Rink arrests may set off 2nd sit-in conflagration in Montgomery County

The Afro-American p. 20 Sat. 10-28-61

Baltimore, Md.

By FRANK HUNT
WASHINGTON

"I think the whole thing is ridiculous. And unless the county council acts on behalf of all the citizens, this sort of absurdity will continue."

Mrs. Mary Williams, president of the Montgomery County branch of the NAACP bitterly deplored the arrest of five youths and a Rockville minister at a Rockville roller skating rink last week.

She noted that colored persons are allowed in the Congressional Plaza Rink only if they are with a white group.

"This is the sort of hypocrisy which marks race relations in this country," she added.

"Our county officials are crowing that race relations are good here, and everything is fine. And yet we run into discrimination at every turn," she decried.

* * *

**THE DEMONSTRATION** was in protest to the county council's inaction on appeals to passing a public accommodations law which would rule out segregation in places which cater to the public, according to Mrs. Williams. Montgomery County civil rights groups have been lobbying for such a law over the past year in a campaign largely marked by a rash of demonstrations during the summer of 1960 which resulted in the desegregation of Glen Echo Amusement Park and several restaurants and movie theatres in the area.

The County's Human Relations Council, set up at the height of the racial disturbances recently recommended that the County Council pass the much desired anti-discrimination law.

**"THE COUNCIL maintains that it does not have the power to enforce an anti-discrimination order but they do have the power to be undemocratic,"** Mrs. Williams asserted, apparently referring to the county's power to arrest anti-discrimination demonstrators.

* * *

**THE SKATING** rink demonstration may spark a renewed campaign similar to the summer of '60, with repeated demonstrations against segregated public facilities in Montgomery County, according to informed sources.

**THE DEMONSTRATORS** arrested last week were Andell Gaunt, 18, 605 Douglas Ave., George Hackley, 26, 13 Martins Lane Rev. John D. Murdock, 42, pastor of the Clinton A.M.E. Zion Church, and three juvenile girls, all of Lincoln Park, Rockville, Md.

The juveniles were released in their parents' custody pending juvenile court action, while the three adults were released on $200 bond, pending a trial Monday, Oct. 23.

Rev. Murdock said when the group approached appeared at the entrance, the man in the enclosed ticket booth was apparently about to sell them tickets, when the manager of the place, Mrs. June Hutchinson appeared.

* * *

**"NOW YOU folks had better get out and get out now because you are not going to enter this rink. We operate on a segregated policy,"** Rev. Murdock quoted Mrs. Hutchinson.

* * *

**WHEN THE** group refused to budge, a side door was opened to let in white patrons until county police arrived ten minutes later.

While they waited, Mrs. Hutchinson expressed sympathy for the demonstrators' cause, but maintained that "I have other people's money tied up in this business and I can't afford to lose it", the minister said.

# Juries to Try 3 Negroes

The Washington Post

Three Negroes charged with trespassing at the Congressional Plaza Shopping Center skating rink chose yesterday to be tried by jury when they appeared in Montgomery County People's Court.

The three declined to leave the roller rink after they were refused tickets and were arrested.

Thurs. 10-24-61

They are: Andell Gaunt, 18, of 605 Douglas ave.; George Hackley, 26, of 13 Martins la., and the Rev. John D. Murdock, 42, rector of the Clinton A. M. E. Zion Church.

Three 16-year-old girls were also arrested. They will appear in Juvenile Court.

Washington Pc

The $200 bonds on each of the adults were continued pending their trial in Circuit Court.

# County NAACP Plans Sit-Ins to Wipe Out Racial Barriers

By Alan L. Dessoff
Staff Reporter

Picketing and sit-in demonstrations are being considered by the Montgomery County chapter of the National Association for the Advancement of Colored People in its drive for a County anti-discrimination law.

Mary Y. Williams, chapter president, said she has seen no progress in the move to eliminate the racial barrier in public places.

"If nothing is done, picketing would be our only alternative. I'm very anxious to picket," she said.

In the meantime, she continued, the NAACP will meet Thursday night with the County's Human Relations Commission to discuss the problems of racial discrimination.

Under way now is a drive to collect petition signatures to present to the County Council in a call for action, Mrs. Williams said. She said the Council has not answered her request for a public hearing on an anti-discrimination ordinance.

# 4 Baltimore White Coeds Arrested On Sit-In Charge

BALTIMORE (AP)—Four Goucher College students and a companion who psent part of Friday night in jail on trespass charges stemming from a sit-in demonstration said Saturday that the restaurant manager never read them the prescribed trespass ordinance before their arrest.

All five of the demonstrators are white.

A spokesman for the coeds from the all-girl college said three of their companions were read the trespass ordinance and left the restaurant. The four arrested, however, were not read the ordinance, the spokesman said.

In a statement, the girls contended that the restaurant manager, David Klitenic, barred the entrance of the group until police arrived, at which time he allowed them to enter the Baltimore Country Restaurant, peaceably.

**RAD ORDINANCE**

Klitenic then read the trespass ordinance to a Negro companion with the girls,a nd he immediately left, the statement said. Another Negro and a white student at a separate table also were read the ordinance and

The restaurant manager then approached the table where three of the Goucher students were siting with a male companion and asked police to place them under arrest, the statement said.

The four asked that the respass ordinance be read to them, but Klitenic refused, according to the statement.

Another Goucher student was arrested as she approached the table where the four were sitting.

All were charged with disorderly conduct and released after posting collateral. A preliminary hearing was scheduled for Monday.

# Rockville Sit-in Case Dismissed

A tresspass charge against a Rockville Negro who staged a one man sit-in demonstration after he was ordered to leave a diner was dismissed yesterday by Montgomery County State's Attorney Leonard T. Kardy.

Edward A. Johnson, a bondsman of 900 North Stonestreet ave., was arrested April 5 at Stanley's Diner in Rockville. Police said he was denied service at the establishment and was asked to leave but remained at the counter.

Kardy said he discussed the matter with Johnson, his attorney, and Stanley Carver, owner of the diner, and all agreed to the dismissal of the charges.

The Montgomery County branch of the NAACP has referred to the incident in its campaign for a County anti-discrimination ordinance. The NAACP also has asked Rockville to adopt such a law.

# Stage 'Sit-In' At Mich. Rink

Chicago Defender

BAY CITY, Mich. — (UPI) — A group of Negro youths is staging a "stand-in" demonstration at a roller skating rink here.

Chicago Sun-Times

1-(21-27)-61

The youths said the demonstration is to protest Monday night closing of the rink, Skateland.

P. 12

A year ago, a suit was filed in Circuit court charging Skateland with racial discrimination.

The suit was dropped when Skateland agreed to let Negroes use the rink on Monday nights.

The Rev. Obie Mathews said the rink now claims to be a private club and has been closed on Monday nights. Mathews, a Negro minister, said the "private club" claim is not substantiated.

38a 1961

MISSISSIPPI

AUGUST
JACKSON-
TEN NEGROES-SENTENCED TO FOUR MONTHS IN JAIL AND FINED $200 . .PARK SIT-INS

10 SENTENCED

# Mixers Fined In Park Sit-In

Jackson News 8J
Sues 8-22-61
Jackson Miss

Municipal Judge James L. Spencer yesterday sentenced 10 Jackson Negroes to four months in jail and fined them $200 each as the result of three park sit-ins which he said they conducted to have "other people become irritated" and create an incident.

The 10 were arrested in three different groups at the municipal zoo and Livingston Park earlier this summer.

All were convicted of breach of the peace, the same law under which nearly 300 "freedom riders" have gone to jail here this summer.

Their attorney, Jack Young, immediately appealed the convictions to Hinds County court.

On trial in municipal court today were James M. Hopkins Jr., and Amos C. Brown, arrested June 9 in the zoo; Elihu Osby Jr., Maxine Jewell Gardner, Jimmie Dell Knight, and Charles Wesley Purnell, arrested in the zoo June 22; and Eddie Jean Thomas, Percy D. Thornton, Charles D. Brice, and Mary Lou Bell, arrested in a picnic area of Livington Park July 5.

All are Negro youths.

**SOUGHT INCIDENT**

Spencer said that testimony given by Police Capt. J. L. Ray concerning the arrests convinced him the Negroes went to the Park and the zoo "for the purpose of having other people become irritated and for the purpose, apparently, of creating an incident."

"To my knowledge the zoo has been used together by colored and white people for many years, apparently without incident."

Ray testified he arrested the 10, along with three juveniles, when they refused police orders to "move on" from officers who felt their presence "under the circumstances", would create a breach of peace. He said he arrested the first two groups while officers working under his supervision arrested the third.

He said he was sent to the park after the first group appeared in answer to a complaint to police. Another person in the zoo told a park policeman that if you can't move them we can," Ray said.

The second time, he testified, he told the group to leave the area and eight left.

**MISCONDUCT REPORTED**

Among those who refused, Ray continued, was one who shoved another child away from a water fountain and another couple who embraced as they sat on a park bench.

The third group was arrested in a picnic area of the adjacent Livingston Park, Ray testified.

38a 1961

MISSISSIPPI

SIT-IN
JACKSON, MISS.

**STILL SUFFERING** — W. R. Wren, left, 81, last week showed NAACP Field Secretary Medgar Evers his arm which was broken by Jackson, Miss., police. Mr. Wren was among a group peacefully assembled outside Jackson [illegible]se on March 29, awaiting outcome of trial of NAACP sit - in students. Police used clubs, blackjacks and attack dogs to disperse group. NAACP is sponsoring "Operation Mississippi" in an all out drive to end Mississippi bigotry.

38a 1961

MISSISSIPPI

JULY

JACKSON- SIT-IN

# Promoting Sit-In Sends 2 To Jail

## Negro Leaders Convicted Of Contributing To Delinquency Of Minor

By United Press International

JACKSON, Miss., July 18. — Two Negroes were found guilty Tuesday of contributing to the delinquency of a minor by persuading him to stage a lunch counter sit-in.

City Judge James Spencer gave James Luther Bevel, 24, and Bernard Lafayette, 20, the maximum penalty — six months in jail and $500 fines.

Their attorney, Jack Young, said no appeal bond would be posted pending their trial Wednesday on the same charge involving other minors.

**Both College Students**

Lafayette and Bevel, both college students at Nashville, were among the first group of so-called "Freedom Riders" to come here May 24. They served time in jail for breaching the peace and, after being freed on bond, went to work organizing demonstrations among local Negroes.

Bevel is a field director for the Congress of Racial Equality and Lafayette is a leader of the Jackson Non-Violent Movement.

Luvon Brown, 16-year-old Negro, testified that Lafayette and Bevel drove him on July 12 to Walgreen's drug store, where he was arrested for breach of the peace after he sat at a lunch counter and refused a police order to move on. He was convicted of a misdemeanor.

Spencer said Brown's testimony showed the defendants were instrumental in causing Brown to be arrested and convicted. The defendants did not testify.

Police Capt. J. L. Ray read a statement the boy made to police saying Lafayette and Bevel instructed hi mto refuse to move away from the lunch counter when ordered to do so by officers. But the boy refused to sign the statement.

**Boy Testifies**

In halting testimony, the boy said he first met the defendants at a meeting at Tougaloo College, where they were organizing a non-violence movement. He later agreed to participate.

On the day of his arrest, Brown said, Lafayette and Bevel first took him to the State Office Building, where he tried to buy a hamburger at a white-only concession stand. But the clerk told him, "It will be a long time before you get your hamburger," and ignored him.

He said they then took him and another boy to Walgreen's after giving him $1 to buy a tooth brush for use in jail. He bought the tooth brush and then sat at the counter.

# TWO CONVICTED IN MISS. SIT-INS

## Jackson Pair Is Fined, Sentenced to Jail

JACKSON, Miss. (AP) — City Judge James Spencer convicted two Jackson Negroes Wednesday for breach of the peace in the city's first lunch counter sit-in.

Spencer fined them $200 and sentenced them to four months in jail.

The two were Luvaghn Brown, 16, and Jimmie Travis, 18.

In the sit-in trial, policeman L. D. Holiday testified he found the two Negroes seated at the white lunch counter of Walgreen's Drug Store Tuesday and ordered them to move. He said a crowd of people was gathering around the two and he felt it best to tell the Negroes to move on.

Holliday said he arrested the Negroes after they refused to obey a second order.

**DO NOT TESTIFY**

The two Negroes did not testify and their attorney, Carsie Hall, cross examined only briefly.

Meanwhile, 17 Los Angeles riders left by Greyhound bus and were expected to arrive in New Orleans Friday. Their trip to Jackson will be arranged by the sponsoring Congress of Racial Equality.

Meanwhile, Hinds county Sheriff J. R. Gilfoy clamped down on visitors to jailed riders, saying he would screen them carefully. In addition, he forbade the sending of medicines to rider prisoners on grounds they might contain harmful ingredients. Gilfoy said medical attention and medicines were available from the jail physician.

In New Orleans, Judge John Minor Wisdom of the United States fifth circuit court of appeals authorized rider Elizabeth Wyckoff of New York to appeal her case to his court.

**ACCORD REACHED**

Miss Wyckoff, 46-year-old free-lance writer, has attacked the constitutionality of the application of the breach of peace laws against riders seeking to desegregate transportation facilities.

Federal district Judge Sidney Mize of Gulfport refused to hear her appeal, saying she should have gone through the state courts first.

At Little Rock, Ark., "freedom riders" agreed Wednesday to stop their bus-riding assault through the South in exchange for suspended fines and jail sentences.

Municipal Judge Quinn Glover convicted the four on breach of peace charges and fined each $500 and gave them six month jail sentences, the maximum penalty. If they would go home, he said, he would suspend judgment.

After more than an hour of conferences, which included long-distance telephone calls, the riders accepted. They had planned to go on to New Orleans before their arrest Monday night.

They were released from jail pending their departure.

38a 1961

MISSISSIPPI

OCTOBER
McCOMB, MISS. SIT-IN ATTEMPT

# White and 114 Negroes Held After Racial Melee

Atlanta Constitution p. 20
Thurs 10-5-61

McCOMB, Miss. (AP)—Police Chief George Guy said Wednesday 14 Negro students and one white were arrested during a scuffle on the steps of City Hall. They were protesting the dismissal from school of four Negroes arrested earlier in a sit-in attempt.

Guy said Pike County sheriff's deputies "had to take the white man away from the scene because they were fixing to kill him."

The police chief said two or three white men tried to pull him away and took punches at him before the officers got there.

A reporter asked Guy if officers arrested the white men attacking the Negro sympathizer.

"They left before we could get to them," Guy said.

The Congress of Racial Equality in Jackson identified the white man as Bob Zellener, 22, of Atlanta, a field worker for the Student Non-Violent Coordinating Committee.

Guy said four Negro students were arrested about two months ago in a sit-in attempt at a Woolworth store and released Saturday on $1,000 bonds. He said they were in the group arrested Wednesday.

He identified them as Brenda Travis, Ike Lewis, Bob Talbert and Curtis Hays, all 18 or 19 years old.

Desk Sgt. J. L. Glover said, "They're the ones who started the whole thing. School officials wouldn't let them back in because of the way they had acted."

38a 1961

NOV.

MISSISSIPPI SIT-IN

# Jail Two Illinois Men In Mississippi 'Sit-In'

WINONA, Miss. — (UPI) — Two Negroes traveling from Illinois to Mississippi were arrested after entering a cafe customarily used only by white bus passengers.

Freddie Moore and Nathaniel Moore, both of Alton, Ill., were jailed on breach of peace charges. They face a hearing in justice of the peace court Monday.

The Negroes, both about 20, got off a bus from Memphis at the Continental Trailways station and entered a cafe in the terminal, regarded by local law enforcement officers as the terminal's white waiting room.

Sheriff E. W. Patridge, who was in the cafe at the time, ordered them to "move on out." They refused, saying they wanted something to eat. He repeated the order, they refused and he arrested them.

Trailways employes recently removed all segregation signs from the terminal, including the cafe which is operated under separate management, to comply with an Interstate Commerce Commission order.

However, police and sheriff's officers stay in the cafe to direct passengers to segregated rooms.

Freddie Moore is Nathaniel Moore's uncle. They said they were en route to Indianola, Miss., to visit relatives. Both are natives of Indianola.

# Trials Set for 119 in Race Protest

McCOMB, Miss., Oct. 5 (AP) Officers today untangled details of a mass demonstration by 118 Negroes and one white man and began preparation for trials in city and youth courts.

Police said a white man attacked the lone white demonstrator before officers rescued him. He was jailed for his own protection, they said.

City Judge Robert Brumfield will try 19 of the demonstrators over 18 years old and Judge Hansford L. Simmons will conduct youth court for 100 junior and senior high school pupils.

The pupils walked out of a school program yesterday in what they called a protest against officials for not allowing two sitin demonstrators to reenter school immediately.

School officials said Brenda Travis, 16, and Isaac Lewis, 20, were released from jail Saturday on $1000 cash bond. They were arrested after a sitin attempt at the McComb bus station Aug. 30.

When pupils at the school program asked if the two would be reinstated, officials said they could not make a decision until school records were checked.

The group walked out and, after a meeting, paraded on the streets with signs calling for equal rights.

The demonstration ended on the steps of City Hall when they started praying and making speeches. They were arrested for disturbing the peace and bond was set at $100 each.

The jailed white man, 22-year-old Bob Zellner of Atlanta, is a field worker for the Student Nonviolent Coordinating Committee.

During the demonstration, officers also arrested the Rev. Donald Lloyd Gadson, 25, of Detroit, and Robert Moses, 26, of New York, both Negroes. Moses has been conducting voter registration schools in the McComb area and Gadson arrived Monday to help in the work.

# 114 Negroes Arrested In Near-Riot

## McComb Pupils, One White Man Arouse Townspeople

McCOMB, Miss. (AP)—One hundred fourteen Negro pupils and one white man awaited the setting of a trial date today after a mass arrest following a demonstration on the City Hall steps.

The group—junior high and high school students—protested the expulsion from school of four Negroes arrested earlier in a chain store sit-in.

Police said a number of white men punched the lone white demonstrator before police rescued him. He was jailed "for his own protection," police said.

Demonstrators marched with signs through the streets of McComb—in southwest Mississippi—and made speeches outside the City Hall.

Police said they booked all of them on breach of peace charges. A hearing date may be set today.

Twenty-one pupils over 18 and the lone white man were held overnight in Pike County jail in nearby Magnolia, Sheriff Clyde Simmons said.

### LED BY CORE MAN

The Congress of Racial Equality at Jackson identified the white man as Bob Zellener, 22, Atlanta, Ga. CORE said he is a field worker for the Student Nonviolent Coordinating Committee.

Police said most of the pupils ranged from 12 to 18 or 19.

Those under 18 were released in their parents' custody. They were to apear in juvenile court, police said.

Police desk Sgt. J. L. Glover said "everyone of them (the demonstrators) were carrying some kind of sign calling for equal rights, voting privileges and the like. You couldn't even read some of them.

"We didn't bother them while they were on the streets, but when they congregated on the steps of the City Hall, blocked the doors and started making speeches, we began arresting them."

Police Chief George Guy said sheriff's deputies had to spirit Zellener from the scene because an angry group of white men "were fixing to kill him."

Guy said two or three white men tried to pull him away and took punches at him before officers got there. Guy said the assailants left before deputies could arrest them.

### ARRESTED AT WOOLWORTH

Guy said the four Negro students were arrested about two months ago in a sit-in attempt at a Woolworth store. They were released Saturday on $1,000 bonds. The four were in the group arrested Wednesday, he said.

Guy identified them as Brenda Travis, Ike Lewis, Bob Talbert and Curtis Hays, all 18 or 19.

"They're the ones who started the whole thing. School officials wouldn't let them back in because of the way they had acted."

The students issued a statement saying they would "suffer whatever punishment" the two expelled students would endure.

Police said most of the students go to Burgland High School. A few attend a Negro junior high school.

# Negro Students In Protest March Are Suspended

MCCOMB, Miss. (AP) — Supt. R. S. Simpson said Friday 118 Negro students who participated in a protest march to City Hall have been suspended from school.

Simpson said the students would be readmitted Tuesray on a probation basis. They walked out of a school assembly program Wednesday in protest against school officials not immediately reinstating two Negro sit-in demonstrators.

The superintendent said Brenda Travis, 16, and Isac Lewis, 21, the sit-inners, would not be allowed to re-enter now. He said Lewis dropped out of school last year.

The two were arrested Aug. 30 for a sit-in attempt at the McComb bus station and were released last Saturday on $1,000 bonds.

Police announied the arrest of Curtis C. Bryant of CcComb, President of the Pike County branch of the National Association for the Advancement of Colored People. He was charged with contributing to the delinquency of a minor girl.

# Rights Protesters Plead Innocent

By the Associated Press

McComb, Miss.

Nineteen demonstrators arrested for protesting the suspension of two Negro students remained in jail Friday with no indication bond would be posted.

The 18 Negroes and one white man—part of a group of 119 demonstrators arrested Wednesday afternoon for demonstrating on the steps of City Hall—will go on trial Oct. 23 on disturbing - the - peace charges. Ten of the group have also been charged with contributing to the delinquency of a minor.

The other 100 demonstrators, all juveniles, will go before Youth Court Judge Hansford L. Simmons at a later date.

Thursday the 19 were arraigned before City Judge Robert Brumfield. All pleaded innocent to the charges. Bond was set at $100 on the peace charge violation and $200 for the others.

Negro attorney Jack Young, who represented the 19, said no arrangements had been made for posting bond. All were returned to the Pike County jail at nearby Magnolia.

The McComb Enterprise-Journal, in an editorial written by publisher Oliver Emmerich, a moderate on the integration issue, said the Negro parents should use parental authority to curb the demonstrations.

He said the community and parents should not let such things happen under the influence of outside agitators. "The Negro people will accomplish nothing by resorting to such childlike tactics," he added.

Most of the demonstrators were from Burgland Junior and Senior High School, a modern brick-and-glass educational plant located near a new Negro housing project.

The students had walked out of a school assembly Wednesday, because they said officials would not allow Brenda Travis and Isaac Lewis, to re-enter school immediately.

Police had arrested the two Aug. 30 after a sit-in attempt at the McComb bus station. They were released last Saturday after posting $1,000 cash bonds.

Included among those arrested Wednesday was Robert Zellner, white field worker for the Student Nonviolent Co-ordinating Committee from Atlanta.

Two others, the Rev. Donald Lloyd Gadson of Detroit, Mich., and Robert Moses of New York, both Negroes, were also arrested. They were conducting voter registration schools in the McComb area.

McComb is a big railroad center and a hub of the Mississippi oil industry. It is located about 80 miles south of the state capitol at Jackson and has a population of 10,000.

In Atlanta, the Rev. Martin Luther King Jr., Negro integration leader, said he has asked Attorney General Robert F. Kennedy for an immediate investigation of what he called "an apparent reign of terror" in McComb.

The Rev. Mr. King said he sent the telegram requesting a federal probe "as president of the Southern Christian Leadership Conference and as a concerned American citizen."

The leader of the Atlanta-based organization charged in the telegram that "intimidation and general harassment have become the order of the day" in McComb.

# Negroes Jailed After Protest

## High School Students March In McComb, 114 Arrested

From Our Press Services

M'COMB, Miss., Oct. 4. — A group of 114 Negro high school students marched on City Hall here Wednesday afternoon in protest to "discrimination" and were arrested after violence erupted on the steps.

Police said they began arresting the Negroes after one of the leaders was knocked dodn.

Desk Sgt. J. L. Clover said the students marched down city streets, and "every one of them was carrying some kind of sign calling for equal rights, voting privileges and the like. You couldn't even even read some of them.

"We didn't bother them while they were on the streets," he said, "but when they congregated on the steps of City Hall and started making speeches we began arresting them."

Sgt. Glover said every time a student would finish his speech, "we would arrest him. We did this until they were all arrested.

"They could have caused trouble."

The students were led by Bob Zellner of Montgomery, Ala., a white college student and a field secretary for the Student Non-Violent Co-Ordinating Committee.

A spokesman for the group claimed Zellner was choked by a white man on the city hall steps and a Negro co-worker, Bob Moses, was knocked down by a policeman and beaten by a white man.

Police Judge Robert Brumfield said charges of disturbing the peace would probably be placed against members of the group over 18 years of age. He said those under 18 were being paroled to their parents Wednesday night. Announcements were read on radio stations, advising that parents could pick up their children at the police station.

However, Charles Jones, a committee worker who was not in the group of demonstrators, said a "mass meeting" was to be held later Wednesday night and there are "indications that many adults would like to join the children in jail."

Jones said the students walked out of Burgland High School Wednesday afternoon and marched in two's, carrying placards, to City Hall.

He said at least one member of the group was threatened by a white man before reaching City Hall. At City Hall, he said, the students gathered at the front door and one mounted the steps and attempted to read a petition complaining about the treatment of Negroes. He was arrested, said Jones, as were others who followed suit.

Officials said they would not issue a statement on the matter until an investigation is completed. But they said the arrests were made after one of the group's leaders was knocked down. Officers said they did not know who struck the blow.

The students' walk-out was touched off, Jones said, by the refusal of school authorities to allow two students to register for the fall term.

They are Brenda Travis and Isaac Lewis, who were arrested last August during a bus station "sit-in" here.

The Student Non Violent Co-Ordinating Committee has been conducting a voted registration drive among Negroes here.

# School Settles March Dispute

## Sit In Students Allowed To Return To Class At McComb High

By DAVID D. CARPENTER

United Press International Staff

McCOMB, Miss., Oct. 5. — A spokesman for 116 Negro high school students who marched on city hall Wednesday said they reached agreement with school authorities Thursday.

Charles Jones, a field secretary for the Student Non-Violent Co-ordinating Committee, said th eauthorities had agreed to allow two students who participated in a sit-in here last August return to school.

The anti-segregation march, which brought on violence and the arrests of all 116 students, was touched off by refusal of school authorities to accept the two as students.

But Mr. Jones said a series of meetings Thursday morning resulted in acceptance of the two youths and he said no further demonstrations were planned.

**Peace Charges Filed**

Disturbing the peace charges were filed against al lthe students plus three adults, a Negro minister and two other field secretaries for the student non-violent movement, who were in the march.

Most of the students were released to the custody of their parents soon after their arrests and will be tried later in youth court.

But the adults and 16 students above the age of 18 were held and arraigned in Pike County Court here late Thusday—all on distubing the peace chages and nine on additional chages of contibting to the delinqency of minos.

All pleaded innocent and their trials were set for Oct. 23. Bonds were set at $300 for those who face two charges and at $100 for the others.

All were represented by Jack Young of Jackson, a Negro attorney who has represented most of the more than 300 protest riders to be arrested in Jackson—80 miles north of here—this year.

Jones said one of the non-violent workers in Wednesday's march, Robert Moses, age 26, of New York City, was beaten on City Hall steps. He said the other, white college student Bob Zellner, age 22, of Montgomery, Ala., was choked. Officers said they arrested the demonstrators after one of their leaders was knocked down and hundreds of white persons gathered at the scene.

The Negro minister who was arrested is Rev. Donald L. Gadson, age 25, of Detroit.

**Conduct Vote Drive**

Still another non-violent field secretary, Charles Sherrod, 22, of Virginia, was Thursday morning was jailed for resisting arrest. Police Chief George Guy said officers intended only to question Sherrod but that he resisted them and was arrested at the committee's local headquarters. Jones claimed that the officers knocked Sherrod down but Chief Guy denied this.

Chief Guy said charges of contributing to the delinquency of minors may be filed later against employes of the non-violent committee, and possibly others over 18. The committee has been conducting a drive to register Negroes to vote in this area.

Chief Guy said Zellner would have been killed Wednesday if officers had not moved in. Pike County Sheriff Clyde Simmons agreed. "We managed to get Zellner and Moses to jail before any real trouble started," Sheriff Simmons said.

Mayor C. H. Douglas commended law officers for their handling of the matter.

Isaac Lewis and Brenda Travis, the two students who were forst not allowed to register for classes, were arrested in a bus station sit-in here Aug. 30. They were jailed until Saturday, when they were freed under bond.

Pike County, which borders Louisiana to the south, has a population of about 19,500 whites and 15,500 Negroes.

MISSISSIPPI NAACP SIT-INS LIBRARY

# 800 Negroes Hear Read-In Try Praised

About 800 Negroes attended a meeting at the Lynch Street Masonic Temple last night and heard leaders of the National Association for the Advancement of Colored People praise read-in students, condemn local law enforcement officials, and urge a boycott of white merchants.

The NAACP has been conducting a telephone and house-to-house campaign for several weeks seeking to stimulate the boycott, but no evidence that it has been successful has been noted by merchants.

Clarence Mitchell of Washington and Julie Wright of Atlanta urged the boycott in addresses at a National Association for the Advancement of Colored People mass meeting in protest of arrest of nine Negro students from Tougaloo College for invading a white section of Jackson's Municipal Library.

Mitchell is director of the NAACP's Washington bureau and the Wright woman is the organization's Youth Activities Director for the southeast.

Dr. Aaron Henry of Clarksdale, Mississippi president of the NAACP, told the group he sent a telegram to President Kennedy which set off an FBI investigation of police dispersal of a crowd which gathered outside police headquarters during the trial of the nine Tougaloo students two days ago.

The students were convicted in city court of a breach of the peace, setting off the first segregation test case in the state.

The Justice Department had announced earlier it had called for an FBI investigation of the matter but said information indicated that reported violence at the demonstration was between a white man and a Negro and did not involve police.

"It appears that one Negro was beaten by a civilian—not a police officer," the Justice Department said. The civilian has been arrested and charged with assault and battery, the Justice Department's statement continued.

The department spokesman said he had received "assurances from responsible leaders in Jackson that no unnecessary force will be used."

Mitchell, in the address here, asked for additional financial aid from Negroes and blasted Mississippi Sovereignty Commission speaking trips into the North.

The Rev. John D. Mangram, chaplain at Tougaloo who served as master of ceremonies, warned Negroes against violence during integration attempts in Jackson.

Negro leaders presented five persons who claimed they had been injured while being dispersed from the police headquarters area and called for others to stand and announce they had been mistreated.

None stood.

# 15 Refused Service at Sikeston

SIKESTON, Mo. — Fifteen whit and Negro members of the Co gress of Racial Equality who r fused to leave a Sikeston restau rant after the management refuse to serve them together were a rested Saturday, April 22.

Most of the group were student of the University of Missouri, an Herman Thompson, a St. Loui teacher, was the spokesman. Th group also had a lawyer a n there was no disorder. Thompso said they are seeking out and tes ing discrimination against Negroe at eating facilities used by publi bus lines in Missouri. "We ar dedicated to exposing racial di crimination," he said. Thompso teaches at the integrated Sculli elementary school in St. Louis.

Wendell Caskey, manager of th Cyrus restaurant, signed a com plaint charging them with disturb ing the peace. Police Judge E. R Schrader required each member o the group to post a $12.50 bond and to appear before him Satu day, April 29.

Five of the Negro students fron M. U. were: Malvin L. West, o Kirkwood; Jim Masters, of Par ma; Joyce Wallace, of Kansa City; Justyne Williamson, of St Louis and Calvin Brooks of Lil bourn. Two other Negroes wer Vera Williams and Lizzie Jea Lee, of St. Louis.

Others in the group were: Tim Reilly, Molly Schlatman, Mary Lehmann, Susan Diehely, Don Brasher, Royce Bridges, and Mimi Levitt.

The group boarded a bus at East St. Louis, Ill., so they would be traveling in interstate commerce and Charles Oldham, a St. Louis, lawyer, followed the bus in an automobile.

They had no trouble getting service and food at Flat River and Cape Girardeau, but at the Sikeston restaurant there is a separate dining room for Negroes.

# The 'Sit-In' Telecast On Awards Kick

"Sit-in," the special program which was presented as "NBC White Paper No. 2," is the only network film among the three winners of the Robert J. Flaherty Awards for "outstanding creative achievement" in documentary films.

The awards were announced by Yael Woll, director of the Institute of Film Techniques of the City College of New York, which sponsors the annual competition. The awards will be presented tonight at a screening of the winning films held in cooperation with Cinema 16 in New York.

"Sit-in," a study of the lunch-counter sit-in movement in Nashville, Tenn., presented Dec. 20, on the NBC-TV Network, was produced by Albert Wasserman.

NATIONAL NEWSPAPERS PUBLISHERS ASSOCIATION CONTRIBUTED $1,000

# NNPA Contributed To Bowdoin Fund For Expelled Sit-Ins

Atlanta Daily World
Atlanta, Ga.
Jan 2-26-61

Members of the National Newspapers Publishers Association have contributed $1,000 to a scholarship fund set up to bring to Bowdoin College Negro students who have been expelled from a southern college because of their sit-in-activities.

The scholarship fund is named in honor of John B. Russwurm the first Negro publisher and one of the first Negroes to graduate from an American college. Russwurm received his diploma from Bowdoin College, in Brunswick, Maine, in 1826.

In 1960 Bowdoin undergraduates established the Russwurm Scholarship Fund by initiating and successfully raising a fund of $2,000 from Bowdoin undergraduates, faculty, and residents of Brunswick. College officials agreed to guarantee the continuation of a Russwurm scholarship if the student does well academically in the first year at the school.

Longworth M. Quinn general manager of the Michigan Chronicle in Detroit and secretary of the N. N. P. A. said the publishers made individual contributions to the fund. The donation already has been presented to Dr. Leon A. Dickson, of Detroit, who is a graduate of Bowdoin.

Dickson said he had previously talked to Quinn about the work of the committee and other possible ways of improving to some extent relations between the races, especially in the south.

Dr Dickson added, "It was my feeling that, a continuation of a Negro student's education at Bowdoin would be a fine and noble gesture, the education of a [redacted] student at Bowdoin might well, in the years to come, do much improve interracial relations, because of the effects of the liberal New England and Bowdoin attitudes upon such a student who might otherwise never be exposed to a truly liberal environment."

A few weeks later, Quinn attended the annual convention of the National Newspapers Publishers Association in Chicago, where he introduced a resolution that the Russwurm Scholarship Committee be commended, that the N. N. P. A. make a donation of $1,000 to the committee, and that the association recommended that the committee be requested to explore the possibility of extending its aid toward helping to bring white southern students to Bowdoin for study. The resolution was unanimously approved by the convention.

Bowdoin College is one of the top ten small schools in the county. It was established in 1794 and has been closely associated with Negro history. The first Negroes to receive a college degree and a medical degree were graduates of Bowdoin.

Harriet Beecher Stowe wrote her powerful novel, "Uncle Tom's Cabin" while on the Bowdoin campus, where her husband was a professor. A famous Negro artic explorer, the late Mat Henson, who was a member of Admiral Perry's polar expedition, was also a Bowdoin graduate. So was Perry and General Otis Howard, founder of Howard University.

NATIONAL NEWSPAPERS PUBLISHERS ASSOCIATION
CONTRIBUTES $1,000 FOR EXPELLED SIT-INNERS AT BOWDOIN

# Gives Bowdoin $1,000 For Sit-In Students

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38a 1961

OCTOBER

NEW YORK

C O R E - SIT-IN

# CORE Ends N.Y. Sit-In

NEW YORK (AP)—Six members of the Congress on Racial Equality ended an overnight sit-in at a Brooklyn realty office Thursday after a Negro widow and her three children were rented an apartment by the firm.

Margaret Chapman signed a lease for the apartment rental with Ira Management Corp.

The sit-in began Wednesday after, CORE officials charged the realty firm had refused to rent an apartment to Mrs. Chapman because of her race.

Dr. Robert Palmer, president of the Brooklyn branch of CORE, said Ira officials had stated earlier they would rent an apartment to another Negro but declined such an offer to Mrs. Chapman because she used "underhanded tactics."

Palmer denied the claim against Mrs. Chapman.

Ira officials wre unavailable for comment.

38a 1961

NORTH CArolina

SIT- IN
WHITE MAN STAGES BUST STATION SIT-IN

# White Man Stages Bus Station Sit-In

CHAPEL HILL — (UPI) — A white man, who officers said refused to leave the "Negro" section of the Chapel Hill Bus Station grill last week was charged with trespassing.

A similar "sit - in" test attempt by Edward Orton Jr., of Durham, was staged Saturday night.

THE 25-YEAR-OLD Duke University student was said to have refused to leave after being requested to do so. Officers said they made the arrest on the complaint of Proprietor Leo Eliadis.

Police said Orton told them that he felt segregation was "morally wrong."

BOND of $100 was posted for a hearing in Chapel Hill Recorder's Court.

38a 1961

# 'Sit-Ins' To Widen Operations

CHARLOTTE, N.C.—The Student Non-violent Coordinating Committee closed its busy weekend agenda on a high vote calling for sit-iners across the South to extend their efforts into job discrimination, theater stand-ins, recreational facilities, and an all out voter registration campaign.

Also from the meeting held on the Johnson C. Smith University campus, came a unaminous decision t telegram a call to President Kennedy and Sargeant Shiver, newly appointed Peace Corps head, to place Fayette and Haywood Counties in Tennessee on the State Department roster for technical assistance when the progra n is initiated.

Among the high points on the committee's agenda was the stand-in demonstration staged last night before area theaters.

■

**THE MEMBERS** of the Coordinating Committee, Charles Sherrod, Virginia Union University, Richmond, Va., and James Hester, Johnson C. Smith University, Charlotte, N.C., were arrested and placed under a $50 bonds each for alleged trespassing violations.

Also, at the Charlotte theater, the cashier sold a ticket to Edward B. King Jr. of Atlanta, administrative secretary of the committee.

King entered the theater with his ticket and remained five minutes, until the assistant manager, Ed Pearce, revoked the ticket sale on the grounds that the management reserved the right to refuse service to anyone.

**THE CHAIRMAN** of the Committee, Charles F. McDew, Orangeburg, S.C., said that "we recognize the ever increasing need to broadn the base of the sit-in efforts and the Coordinating Committee is going on record as willing to participate whole-heartedly with each co- good faith to supply this broader base for massi vestudent nonviolent direct-action."

SIT-INS - LOUISIANA
GRADUATE FROM CENTRAL STATE COLLEGE

# CSC To Graduate Expelled Sit-In Diploma to Peabody this month

The Afro-American
Life
Sat. 7-22-61
Baltimore Md

WILBERFORCE, Ohio — When a former "sit-in student who transferred to Central State College after being expelled from a Southern university for his part in the sit - in movement, marches down the aisle of Galloway Auditorium to receive his diploma, he will be fulfilling a life-long dream.

Charles Peabody, a tall, serious - minded young man from East St. Louis, Ill., was one of the group of students whose part in the Louisiana "sit-in" activities nearly cost him a college education.

He will be joined on the Central State Alumni list in February by two others from his former school, Janet Hoston of Monroe, La.; and Larry Nichols, of Shreveport, La.

* * *

**BEHIND THEM** will come an almost endless flow of civil rights fighters who have made Central State their harbor after experiencing dismissal from other institutions for their part in movements designed to tear down segregated patterns.

The list has reached the point where future graduation of these students will make very little news because it will have become a common occurrance.

Among its student body, Central State now has Elizabeth Ekford, one of the original "Little Rock Nine"; Delores Poindexter, also of Little Rock, whose NAACP activities there made it "expedient" that she complete her education in California;

Five students expelled from a Louisiana university for participating in sit-ins;

Three who met a similar fate at a Kentucky state-supported college; five "freedom riders"; and any number of students whose activities in breaking down barriers at local restaurants, theatres, amusement parks, parades, etc. have ranked them high on the list of fighters for freedom.

These are students of varied cultural and ethnic backgrounds who all believe in basic rights of men. They are, for the most part, not crusaders, but more aptly to be labeled "angry young men" (and women).

So, when a proud Charles Peabody walks down the Galloway Auditorium aisle Sunday, July 23, at 3:30 p.m., he will be only the first of a host of fighters whose entrance into the society outside of the Central State College walls will mean a strengthening of the civil rights force.

38a 1961

OKLAHOMA

NOVEMBER

OKLAHOMA CITY- SIT-IN S UI T

# DAMAGE SUIT

## Asks $50,000 of Restaurant Operator Seeking Injunction

Blue Blacks Dispel-

Dn. 11-10-61

The merits of sit-in demonstrations will undergo another area legal test soon as a result of two suits filed in Oklahoma district court Friday and Monday, both the outgrowth of recent sit-in demonstrations at the Pink Kitchen cafe, N.E. 23rd and Lottie.

Seeking an injunction to prevent any further sit-ins at his establishment by the NAACP is Merl G. Walker, operator of the Pink Kitchen, whose suit names the state NAACP president, E. Melvin Porter, local president, Mrs. Clara M. Luper, avowed leader and iniator of area demonstrations; Dr. Donald Yates, white ophthalmologist and ordained Disciples of Christ minister; Dr. James Cox, psychiatrist; the Rev. G. W. Pointer, presiding elder of the A. M. E. church, and a list of other veteran demonstrators.

Oklahoma City

Okla.

Walker's suit follows two Saturdays of sit-ins at his cafe which resulted in arrests of the adult members of the predominantly youthful group. In both arrests the adults were arrested outside of the establishment where all had been denied service. Charges brought were "disturbing the peace" and later "obstructing the sidewalks."

A subsequent trial of the first three arrested—A. Willie James, 528 E. Park; Cecil Williams, 936 S.E. 5th; and Billy Macom, 1129 N.E. 8th—saw charges dismissed against them in Municipal court by Judge Hillis Sanford and accounts for the second suit filed Monday which asks $50,000 from Walker for causing "false" arrests.

**File Damage Suit**

The damage suit was filed by Porter, counsel for the plaintiffs, and also one of the defendants named in the injunction suit. The three charge that Walker unlawfully and maliciously caused and procured a warrant to be issued by the police department for their apprehension and arrest.

They further charge that Walker caused them to be "forcibly imprisoned, kept, detained and restrained of their liberty in the city jail of said city for a period of three hours."

The plaintiffs further stated that the acts of Walker caused them a great deal of trouble and expense for their defense, compelling them to pay out a large sum of money for counsel fees and other related expenses. Physically they say they were subjected to "loss of health, nervous prostration and great mental and physical suffering by said imprisonment in jail, and by said arrest and prosecution."

On the other hand, Walked claims that sit-ins at his restaurant endangered lives and violated state fire regulations by blocking the front exit. He also cited 10 points where the demonstrators violated constitutional rights and state laws.

Plaintiffs also claimed violation of city and state laws by Walker in his refusal to serve them.

The recent injunction cited is the second such suit filed recently in an Oklahoma district court. The last suit brought against the NAACP by the Cravens Building saw the judge rule in favor of the plaintiff, but legal loopholes did not halt modified demonstrations at the location.

Last arrests made as a result of Pink Kitchen demonstrations saw Yates, Rev. Pointer, Mrs. Luper and Dr. Cox jailed with Yates spending a night in jail and being the central figure in a prayer service held the following Sunday in the jail halls. Charges against those four demonstrators were dismissed and bond money returned after Judge Sanford declined to prosecute for "lack of evidence."

# Saturday Sit - In Arrests of 4 Bring Mammoth Prayer Service to City Jail

## Pink Kitchen Restaurant Target for Second Week

*By Abram Ross*

Two ministers, one a presiding elder of the AME church, and two other cityans were arrested and some jailed around noon Saturday in front of the Pink Kitchen restaurant, N.E. 23rd and Lottie. They were Dr. Donald Yates, white intergrationist and initiator of the "picket and pray" movement; the Rev. G. W. Pointer, AME church presiding elder; Dr. James Cox jr., local psychiatrist; and Mrs. Clara Luper, NAACP youth leader.

At the time of the arrest the sit-in-demonstrators were standing on the sidewalk about fifteen feet from the entrance of the restaurant. The group admitted attempting to gain entrance, however, when refused they stood outside the restaurant for fifteen or twenty minutes at which time they were arrested and taken to the police station.

**Obstructing Sidewalks**

Upon arriving at the police station the demonstrators inquired as to what charge they were being held. After a thirty minute search, a city ordinance prohibiting obstruction of the sidewalks was found and filed against the group. Dr. Cox and Mrs. Luper were released on twenty-dollar bonds. Rev. Pointer, one of the most well-known Negro pastors of Oklahoma remained in jail until 4:00 p|m| at which time bond was posted. This is the first time a Presiding Elder has ever been arrested here.

**Protest Ordinance**

Dr. Yates, a controversial white integration leader protesting the ordinance, remained in jail until 8:00 Sunday morning. A fifty-car caravan meeting at a east side Rendezvous at 7:30 a.m. arrived at the police station before Dr. Yates release.

The group of one hundred persons, comprised of many denominations joined by Dr. Yates held a fifteen-minute prayer meeting inside the police station.

Dr. Yates read the scripture Galatians 5:1 "Stand fast therefore in the liberty where with Christ hath made us Free, and be not entangled again with the yoke of Bondage."

This prayer meeting was the first ever held at a police station here.

Hillis Sanford, Municipal Judge, presided over the trial which was held Monday, Oct. 30 at 8:00 a.m.

Rev. Pointer and Dr. Cox pleaded innocent to the charge. During the procedings the question arose if a person walks in and asks for service, is he violating a law?" The answer was: "No only if he stays after service is refused."

Judge Sanford postponed his decision until Saturday, Nov. 4, in order that he may have time to study the television films taken at the scene of the demonstration. The Clara Luper trial will be Saturday, Nov. 4 at 8:00 a.m. Attorney Melvin Porter and John Green represented the demonstrators.

The Pink Kitchen was the target of demonstrations for the second Saturday. Last Saturday the demonstrators gained entrance into the establishment, but were refused service by the owner who said he was closing and proceeded to wash the counter with "ammoniated" water when the group did not leave. Charges of distrubnig the peace against three men arrested that Saturday were dropped the following Monday in a Municipal court hearing.

**LOCK-INN FOR SIT-INS** — Two of Saturday's demonstrators arrested in front of the Pink Kitchen, 23rd and Lottie, peer through the bars of a city jail cell after they failed to make $20 bonds. They are the Rev. G. W. Pointer, presiding elder of the A.M.E. church; and Dr. Donald Yates, white integrationist and ordained minister, who protested the city ordinance used in the arrest. Jailed shortly after noon with two other demonstrators, the Rev. Mr. Pointer was released around 4 p.m. when bond was posted while Dr. Yates remained in jail overnight and lead the Oklahoma City Jail's first prayer meeting that morning when a group of 100 jammed the jail hallway. Other two arrested were Dr. James Cox, city psychiatrist, and Mrs. Clara Luper, NAACP youth director.

## Sit-In Drama Set For Saturday Night

"Sit Down, Chillun, Sit Down," will be presented Saturday night, April 29, at Woodson school, 500 N. High. The time is 8 p.m.

"Sit Down, Chillun, Sit Down" is one of the most challenging stories of all time. It features Ruth Lythcott as Barbara Whittaker, Cecil Williams as Mr. Preston, El Centro Coffey as Dr. Liverspoon, and a strong supporting cast including Glendale Brown, Wayne Chandler jr., Troy Rogers, Barbara Collins, Carolyn House and 50 other members of the Sit-In family. Tickets are on sale at the Randolph Drug Store.

38a 1961

SOUTH CAROLINA

BENEDICT COLLEGE STUDENT INJURED
SIT-INS

# Benedict Student Stabber Knifed By White Man

COLUMBIA, S. C.—(ANP)—A Benedict college student, Lennie Glover, was stabbed at a white lunch counter here last week, marking what is apparently the first time a sit-in demonstrator has been injured by a deadly weapon in this state.

The youth's doctor said an exploratory operation revealed some vital organs were punctured, and there was severe loss of blood.

The white man who plunged a knife into the student at a Woolworth's store disappeared into the downtown crowd and was the object of an immediate and intensive police search.

Demonstrators have been attacked before but there have been no known reports of weapons being used. However, Miss Mae F. Moultrie, a student at Morris college, Sumter, S. C., was injured in Sumter recently, when a policeman pushed her face down causing injuries to her chest, legs and he

# Students Sit-In at Greenville Kress

GREENVILLE, S. C.—(ANP)—Greenville's first sit-in attempt since Nov. 28 took place last week at the lunch counter of the S. H. Kress Co. store.

The demonstration was orderly and there were no arrests. There were no sit-ins attempted at three other chain store lunch counters.

Between 25 and 30 young people, most of them of high school age and some in their 20s, gathered at the Kress store at 11 a.m. About a dozen went inside and a few found vacant seats. Manager C. W. West immediately ordered the counter lights put out and the counter closed.

The students stayed in the area and went back to the counter when it was reopened. The lights were turned out and the counter closed for the second time. Shortly afterward, the counter re-opened. This time every counter stool was occupied by a white person.

# Negro Students Demonstrate In Rock Hill

ROCK HILL, S.C. (AP)—Negro students from Friendship College demonstrated at two variety stores here Wednesday.

Three students paraded in front of Woolworth's and McCrory's stores carrying signs.

About a half-dozen students took seats at the white lunch counters in Woolworth's but were not served during their hour to an hour and a half occupancy.

On three occasions a smaller group of Negro students took seats at McCrory's lunch counter but departed each time immediately on request of store personnel.

# 300 Negroes Form Parade At Sumter

SUMTER, S.C. (AP) —Negro demonstrators and police scuffled on Sumter's main street Wednesday before a parade of 300 anti-segrationists was disbanded.

The Negro students formed on the Morris College campus about six blocks from the heart of Sumter's business district and began their march to town using sidewalks on both sides of the street.

Police Chief E. E. McIntosh advisedt he students over a loud speaker to disband and return to their campus. Several of the students in the vanguard ignored the advice and police moved forward to arrest them.

Robert Berryhill, areporter for the Sumter Item, said he saw no blows struck, but that police were forced to wrestle the five demonstrators, including a woman teacher from the college, into waiting patrol cars.

The demonstration heightened tension in this city of 20,000 which had its second serious demonstration within two days. Three Morris College students were arrested during sit-in demonstrations Tuesday. A television cameraman, who filmed the bodily ejection of two of the demonstrators from a drug store, was charged with breacho f the peace and will face trial Monday. Facing a similar charge is the pilotw ho flew the cameraman here.

Morris College, a four-year Baptist-supported school, is located on U.S. 15 six blocks from town. The students formed for their march shortly after noon, but moved only two blocks when Chief McIntosh advised them to return.

Several in the front ranks ignored the warning, but with the arrest oft hose in the front, the others disbanded.

Attested were Clifford Grady Sumner of Waycross, Ga., Abraham Kennedy of Sumter, and David Rayon Jr., of Marion all charged with breach of the peace; Joshua Prieleau of Russellville and Alma Gregg of Washingtonville, N.Y., both charged with breach of the peace and resisting arrest. Bond was set at $100 for each charge.

Officers said Sumner had been arrested previously in a lunch counter sit-in. Miss Gregg was described as a young teacher at the college.

A. F. Finney, a Sumter Negro lawyer, posted bond for Miss Gregg. Bond for the others was expected to be posted later Wednesday.

This is contrary to recent practices of Negro demonstrators who have a "Jail, no bail" slogan and remain in jail by choice rather than post bond."

Trial for the three arrested Tuesday and the five arrested Wednesday was set for 2:30 p.m., Feb. 21. The two white men will be tried Feb. 20.

George Carras, a cameraman for station WSOC-TV in Charlotte, N.C., said his station was tipped by telephone of yesterday's demonstration. Carras and his pilot was arrested when they photographed the demonstration.

Berryhill said there were television cameramen on hand today who apparently had been tipped to the demonstration.

# Negro Sit-In Attempt Stopped

BY UP INTERNATIONAL

Police broke up an attempted march on Sumter, S. C., yesterday by 300 Negro students protesting segregation and eight additional Negro demonstrators were arrested in Atlanta—filling the local jail to capacity.

Sheriff Ralph T. Grimes ordered cots, double-deck beds, mattresses and blankets to take care of the expected overflow at Atlanta's Fulton County jail and warned the Negroes there was no possibility of stalemating arrests.

Grimes said there was almost unlimited space available in other jails throughout Georgia, adding that other sheriffs "will be glad to help, I'm sure."

Seventy-eight Negro sit-in demonstrators, arrested in recent weeks, currently are behind bars. They have announced their intention to remain in jail to dramatize their fight for integration and have made no attempt to raise the $100 bond each under which they are held.

All eight arrested today were ministers. Seven were Negroes and one was believed to be white. They were taken into custody when they refused to leave a lunch counter at a downtown train station when asked to do so.

Their action was regarded as indication that adult Negroes would take a more active role in the integration fight in the future.

The Rev. Martin Luther King was scheduled to speak last night at a mass meeting called for the purpose of making plans for future adult support of students now in jail.

The students who participated in the Sumter demonstration gathered on the campus of Morris College about noon and started a five-block march to the heart of the city. Police halted the marchers after they had gone about two blocks and arrested about five of them.

# Jail Officials Thwart Mob

## York County Demonstration By Negroes Set Down By Statement

By The Associated Press

YORK, S.C., Feb. 12.—State and county officials met about 500 Negro demonstrators at the York County prison farm Sunday and told them "the security of the county jail and county prison will be protected."

The officials then laid down in a statement the ground rules which took some of the steam out of the demonstration.

The statement was prompted by an influx of young Negroes from across the South to focus attention on the imprisonment of several members of their race for law violations during anti-segregation protests.

Authorities had expected 2,000 Negroes to congregate in the Rock Hill-York area for the Lincoln birthday anniversary rally.

### 500 Demonstrator

About 500 demonstrators proceeded to the York County Prison Farm in a motorcade to hearten the imprisoned Negro students. Officials let only members of the prisoners' families enter the prison, and then in groups of 10 each.

The visit was quiet and no placards were displayed. Prison officials barred parking from the immediate area of the camp, so many of the cars were parked some distance away and the demonstrators walked single file along the edge of the road to the camp.

State circuit solicitor (prosecutor) George Coleman met the group and read to them this joint statement from South Carolina and York County officials:

"It has been extensively advertised through the news media and otherwise that a motorcade transporting several hundred demonstrators would converge on the York County Prison and the York County Jail today. It was the careful and considerate opinion of the state, county and municipal law enforcement officials and those charged with the responsibility for the security of the prisoners . . . that such a situation would constitute a security problem and could momentarily resolve itself into a serious emergency.

"In view of this potential, the responsible state and county officials have promulgated rules to safeguard this situation.

"The demonstrators will be advised that for the foregoing reasons no large group of unidentified persons will be allowed to congregate on the prison or jail premises in close proximity to the security area.

"The State Highway Patrol will enforce all existing highway traffic regulations and laws.

"Each prisoner will be permitted to have only the number of visitors during visiting hours as is considered consistent with the safety and security of the prison system.

### To Be Effective

"These rules and regulations are to be effective as concerns the anticipated demonstrators today, but shall be applicable to any other group consisting of large numbers of persons who undertake to come on the prison premises.

"The security of the county jail and county prison will be protected."

Confined to the prison camp are 11 male Negro students, including nine from Friendship Junior College at nearby Rock Hill and two Negro youths from colleges outside of South Carolina. All were convicted of trespassing at a variety store lunch counter and jailed, by their own choice, in lieu of appeal bond. The two non-resident students were arrested and convicted after a "sympathy" demonstration for the nine convicted earlier.

# Sit-Ins Called Legal

## Free Choice Is Violated Court Told

COLUMBIA, S.C. (AP) —The State Supreme Court was told Monday the law should not interfere with sit-in demonstrators.

This argument was made by attorneys for 26 Morris College students appealing their convictions for March, 1960, sit-ins at three Sumter places having segregated lunch counters.

By making the arrests at a variety store and two drug stores, attorney Donald Sampson of Greenville told the court, "The state interfered in the free choice of the vendee and the vendor."

Trespass, he said, was not involved. The state charged conspiracy to breach the peace. Each student was given 30 days or a $100 fine. Appeals to the State Circuit Court failed.

State Circuit Solicitor R. Kirk McLeod of Sumter explained that trespass was not charged because after the arrests it was impossible to determine which students had been in which store.

"Tensions and feelings in Sumter were high," he said, when the students staged the sit-ins.

"These young Negroes did not seek service," McLeod said. "They went in and read the Bible."

"They never had time to seek service," defense attorney Lincoln Jenkins of Coumbia declared, "they were arrested."

"The Negroes refused to leave the stores when requested," Assistant Attorney General Everett Brandon told the court. "The rights of property owners are paramount."

The court took the appeal under advisement.

# Negro Stabbed During Sit-In, Attacker Flees

By the Associated Press

A white man stabbed a Negro yesterday during a sit-in at a segregated lunch counter in Columbia, S. C., where a recent wave of demonstrations has resulted in disorders and arrests.

The unidentified white man melted away in the crowd and the Negro, Lennie Glover of Adah, Pa., a student at Benedict College, was taken to a hospital in critical condition.

The white man asked Mr. Glover, "Are you having any fun?" just before stabbing him in the ribs, officers said.

**Talk Canceled**

In New York, John Ciardi, poetry editor of the Saturday Review and a member fo the Rutgers University faculty, said he had been canceled out as a speaker at the Alabama Education Association convention in Birmingham next week.

At Birmingham, a White citizens Council chapter distributed letters protesting Mr. Ciardi's scheduled appearance and inclosing a photostatic copy of an article entitled "Jim Crow is Treason." The council said it was written by Mr. Ciardi.

James A. Jordon, a Negro member of the Pittsburgh City Council, said he refused to eat in the University Club's main dining room after a question was raised whether he should be served. Club officials declined comment.

**Negro Applies**

At Savannah, Ga., Marine Corpl. Alfred Owens, 26, became the first Negro to apply for admission at State-supported Armstrong Junior College. He is a native of Savannah and is stationed at Parris Island, S. C., 32 miles from Savannah.

In Charleston, S. C., Roman Catholic parents called off a meeting to discuss opposition to planned desegregation of parochial schools.

The reason apparently was the attention the proposed meeting attracted, as well as a statement by Bishop Paul J. Hallinan that "Catholics who take part in meetings called to oppose the teaching of the church do so in contempt of the church's authority."

# NAACP Asks Easter Boycott

COLUMBIA, S.C. (UPI) — The National Association for the Advancement of Colored People urged Negroes Friday to boycott segregated Southern department stores during the Easter season.

The Rev. I. Dequincy Newman, South Carolina field secretary of the NAACP, told Negroes in this embattled community to begin a "nothing new for Easter" drive immediately.

Mrs. Ruby Hurley of Atlanta, NAACP regional secretary, said the drive might quickly spread throughout the rest of the South.

Newman called the move to shun the traditional Easter finery "the beginning of the big push" when asked if this would be the final, all-out effort to crush South Carolina's segregation laws.

However he refused to list any other measures.

"Why should we continue to give our money to those who support the laws which make us second-class citizens in the South," asked Mrs. Hurley.

"It's absolutely necessary for the Negroes in South Carolina to combine their efforts to utilize their economic resources in a more sensible way," she added.

Neither NAACP official would offer a guess as to the potential effectiveness of a boycott in curtailing retail trading. No figures were available on a similar boycott instituted last Christmas by the group.

Newman said the NAACP would support any integration attempt at the segregated state university in September. However, he said he could not say if such an attempt was being planned.

One white University of South Carolina student and 188 Negroes arrested here Thursday following an anti-segregation demonstration at the state Capitol were released Friday on $50 bonds. Newman said he could not say if the NAACP put up the $9,450.

# Sit-Iner Now Road Gang Vet

ROCK HILL, S. C. — Back in jail went Willie Massey after little over a week ot freedom. Massey who just completed a thirty-day road gang sentence for sitting in was arrested on a CORE picket line.

Arrested with Massey were four girls: Macie Giles, 18; Patsy Sampson, 18; Thelma Davis, 19; and Jacqueline Henry, 18. The five CORE members began picketing the Tollison and Neal Drug Store at 12:30. They were arrested by Lieutenant Thomas of the Rock Hill police just a few moments later.

The five have been charged with breach of the peace. They have thus far refused to accept bond of $100 each which has been offered by the CORE national office. No date has been set for the trial, announced Atty. Ernest A. Finney, jr. Other Friendship Junior College students sent Massey assurances that: "You won't be returning to the chain gang alone."

In South Carolina—

# Bill would stretch terms for sit-ins

Anti-segregation demonstrators could get five years in prison or $5000 in fines under a bill being considered by the South Carolina Legislature.

Rep. George Campsen of Charleston said he wants the law on the books by the time the National Civil War Centennial Commission meets in Charleston April 12.

**"There seems to be an awful lot of tension over this centennial observance," Campsen told the state House of Representatives.**

Meanwhile, the South Carolina Centennial Commission divorced itself from the national group. In a terse statement yesterday, the state commission said its commemorative program will not be "in any way connected with the fourth national assembly of the National Civil War Centennial body."

THE STATE GROUP said the re-enactment of the firing on Fort Sumter, the bombardment that launched the war, will go on as scheduled the night of April 12 in Charleston harbor. It also expressed the hope members of the national commission "will find time to witness and enjoy some of the activities."

**New Jersey, Massachusetts and other states had announced they would not attend the assembly because a Negro commission member from New Jersey could not stay in the segregated hotel chosen as headquarters. The site was changed to the non-segregated U. S. Naval Station and the states said they would attend.**

Police at Jackson, Miss., kept an eye on a large crowd of white persons and Negroes who gathered outside the city court building where nine Negro college students were fined $100 each and given 30-day suspended jail sentences for a sit-in in a white library.

A federal judge at Memphis, Tenn., refused the U. S. Justice Department's demand for a hearing on a request to order 15 white landlords to renew dealings with Negro sharecroppers. The Justice Department said it would appeal. The case concerns Haywood County Negroes who the Justice Department claims were prevented from farming after they registered to vote.

A GEORGIA Grand Jury branded bomber of Negro homes as "ill in their minds or possessed of such cowardly attributes that they merit the condemnation of all good citizens."

**The Cobb County Grand Jury at Marietta, near Atlanta, said it didn't want anyone to think failure to track down the guilty parites meant the jury was giving tacit approval to the unknown bombers.**

Also in Georgia, a leader of a Savannah high school boycott said he had failed in two attempts to reach President Kennedy to ask him to investigate the firing of a Negro principal. He was referred to Georgia State School Supt. Claude Purcell, said 17-year-old Benjamin Clark.

Negro leaders claim Alflorence Cheatham was dismissed as principal of Sol Johnson High because he participated in a drive to register Negro voters.

38a 1961

SOUTH CAROLINA

SEPT.
COLUMBIA- SIT-INS
COURT REVERSES CONVICTIONS

## Precedent Set in Unanimous South Carolina Ruling

The Courier ✓ B 3 Sat 9-2-61

# Court Reverses Sit-ins' Convictions

Pittsburgh Pa.

COLUMBIA, S. C.—The S. C. Supreme Court, in a precedent shattering ruling on sit-in cases thus far handled in state courts, unanimously reversed convictions of 26 Moris College student sit-ins at Sumter in March.

The top court agreed with NAACP defense attorneys that the charges against the students, who had made sit-in protests in two variety and one drug stores, were "entirely too general" in a warrant alleging that the defendants were arrested for "conspiring to breach the peace." The Supreme Court said:

● **"All that can be found in the warrent is the designation of the offense by name which is a mere legal conclusion. No facts constituting the alleged offense are stated."**

The decision went on to state that under breach of peace laws specification as to the type of offense, supported by proof, is necessary to comply with arrests, trials and convictions.

■

**NAACP'S CHIEF** of state counsel, Atty. Matthew J. Perry, told The Courier the ruling was the first apparent victory in this state for sit-in activity.

He ventured no opinion, however, as to likely further action, saying: "I'd like to read the court's rulings in its order first."

He was, however, obviously pleased with the ruling, which may be a guide to others of more than 900 cases involving sit-ins and other segregation demonstration protests to come up on appeals this fall.

■

**OTHER LEGAL** sources said state could, defects of its warrants now in contention, try to amend the warrants, necessary if new trials ordered by the top court are held.

However, should the state so attempt, defense lawyers would have better than average chance to meet this challenge under the "double jeopardy" rule of American courts, the rule which does not permit the accused to be tried more than once for an offense unless there has been a mistrial (incomplete trial).

38a 1961

SOUTH CAROLINA

SIT-INS

C O R E LEADERS CONVICTED

# Convict CORE Leaders In S.C.

Chicago Defender

SUMTER, S. C. — Thirteen CORE leaders were convicted of various "crimes" in Sumter Recorder's court last week.

All of the students were fined $100 by Judge R a y m o n Schwartz. Notices of appeal were filed by attorney Ernest A. Finney, jr. $200 appeal bond for the students was posted by CORE.

Three—Ivor Moore, Newman K. Harris, and Eddie Drummond—were convicted of breach of the peace for sitting-in at and S. H. Kress lunch counter on Feb. 10.

CORE leader Mae Frances Moultrie was in Community Hospital for ten days after being thrown to the ground by local police.

Nine other CORE members were convicted of parading without a permit. The parading consisted of walling downtown to participate in the sit-ins. One other student, Joshua Prielieu, was also convicted of resisting arrest.

Finney challenged the convictions as a violation of the first amendment to the U. S. Constitution which guarantees freeddom of speech and assembly.

38a 1961

SOUTH CAROLINA

NAACP SUPPORTS
SIT -INS

# NAACP Supports Sit-Ins In S.C.

Chicago Defender

Chicago Ill.

COLUMBIA, S. C. — NAACP Executive Secretary Roy Wilkins this week pledged the "full resources" of the association to its South Carolina state conference.

5-25-31-61

Mass arrests (192), the stabbing of an NAACP student leader during a sit-in, exorbitant bonds and unusual legal charges, have made it plain that this state is becoming a civil rights storm center.

Wilkins told J. Arthur Brown, state conference president and David Carter, NAACP youth leader, that "South Carolina's unwarranted arrest of peaceful demonstrators once more gives world 'round documentation to painful indignities visited on its Negro citizens."

Carter was arrested and placed under $5,000 bond, which was later reduced to $3,000. NAACP youth leader James Edwards, jr., was placed under $5,000 bond, later reduced to $2,500.

38a 1961

SOUTH CAROLINA

SIT- INS
ORANGEBURG COUNTY TEACHERS ASSN.

County Teachers Group

# Hot Battle Over 'Endorsement' of Carolina Sit-Ins

The Courier
Pittsburgh, Pa.
Sat. 7-6 P17

ORANGEBURG, S. C.—A resolution, "unanimously" adopted by the Orangeburg County Teachers Association two weeks ago supporting "sit-in" demonstrations by students at S. C. State and Claflin Colleges flared into a sizzling issue during the past week.

Copies of the unsigned statement, bearing simply the name of the association were distributed to the press.

Shortly afterwards, charges on the authenticity of the document enlivened the city and county.

■

**PRO-SEGREGATIONIST** Richard Rhame, a local white broadcaster, announced that Lee M. Tyler, president of the association, had denied that the statement had unanimous approval of teachers in the organization.

Two persons, Mrs. Gloria Rackley and Napoleon Ford, requested and were given time on the station Rhame works for to reply to the Rhame-Tyler assertion.

Rhame announced at the time that Mr. Tyler would also be presented to state publicly what the radio man said had been told him by the teacher official. However, Mr. Tyler did not broadcast a statement at the time announced.

There the issue hung when schools took holiday vacations.

■

**THE TEACHERS** had specifically denounced the mass arrests of some 400 college students early in 1960 during a demonstration against segregated facilities.

The students were herded into an open compound. Scores of them were doused with a fire hose and fined $15 or 30 days by a magistrate.

A few weeks ago three young male students were placed on the chaingang after convictions on sit-in charges. They were released when fines were paid a short time afterwards, however.

# 23 Negroes Are Fined in Nashville For Staging Police Station Sit-Down

P.2 The Washington Post
Tues. 8-8-61

NASHVILLE, Tenn., Aug. 7 AP) — City Court Judge Andrew Doyle levied $10 fines today against 23 Negro men and women several hours after they were arrested in a sitdown demonstration at the police station.

Washington Post

Fines were suspended for five persons and a spokesman said the other 18 fines would be appealed to Circuit Court.

The group was arrested early today when they marched into the police station in protest of the arrest of several other Negroes Saturday night during a clash between white youths and antidiscrimination pickets at a supermarket.

Officers said the 23, charged with loitering in a public place, lay down on the floor of the station lobby and refused to move.

"They came in and took the police station over," a veteran sergeant said.

Spokesmen for the Negro demonstrators gave a different version. The Rev. L. C. Roberts said the students were sitting quietly in the lobby, refusing to leave when police turned off the lights, closed the rest rooms and shut off the water fountain.

Roberts said officers then arrested the Negroes.

## 23 NEGROES FINED IN NASHVILLE SIT-IN

The New York Times

NASHVILLE, Tenn., Aug. 7 (AP)—Twenty-three Negro men and women were fined $10 each today after a sit-down demonstration at the police station.

They were arrested early today when the marched into the police station in protest against the arrest of several other Negroes Saturday night, during a clash between white youths and anti-discrimination pickets at a supermarket.

P. 18 c

FERNDALE, Md., Aug. 7 (AP) —Three Philadelphia Negroes were fined $100 and costs each today after conviction on charges of disorderly conduct and assaulting a policeman.

The incident was touched off Sunday when a restaurant operator on Ritchie Highway, in Anne Arundel County, south of Baltimore, refused service to more than fifty Negroes who had stopped on their way from Philadelphia to a near-by beach.

New York Times
Tues. 8-8-61

MADISON, Wis., Aug. 7 (UPI) — "Freedom Lobbyists" ended the first week of a twenty-four-hour-a-day demonstration in the Capital today in a campaign against discrimination in housing.

They have vowed to continue non-violent action until the Legislature passes bills banning discrimination in housing.

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JACKSON, Miss., Aug. 7 (AP) —The state asked a special three-judge Federal Court today to postpone a desegregation suit until all railway and bus lines operating in Mississippi were made parties to the case.

The court postponed a decision.

# Nashville Police Fine 23 In Sit-In

The Washington Post
appeal

## Headquarters Site Of Vigil All Night As Protest After Picket Brawl

Tues. 8-8-61

By United Press International

NASHVILLE, Aug. 7.—Negro and white demonstrators who staged an all-night "sit-in" protest at police headquarters here were arrested Monday and fined in city court.

P. 17

The 20 Negroes and 3 whites were protesting what they called police brutality during a racial clash. They were arrested on charges of loitering about a public place.

"They were lying on the floor and cluttering up the place," a police officer said.

City Court Judge Andrew Doyle fined all $10 each when they came up in court later but suspended the fine of five who said they had tried to leave the police station when officers asked them to leave.

### All-Night Vigil

The group began an all-night vigil at the police station Sunday night. The police station "sit-in" came after a mass meeting and a march by hundreds of hymn-singing Negroes to the police station.

The protest stemmed from an incident Saturday night when white and Negro pickets at a grocery store were attacked by white youths.

Police arrested 13 persons, 10 of them pickets. Negroes have been picketing a local grocery chain for some time, saying it should hire Negroes to work in stores in predominantly Negro neighborhoods.

Leroy Roberts, a spokesman for the Negroes, charged that police squad cars drove by the grocery store while the pickets were being attacked.

Two persons were injured in the Saturday night incident when eggs and ice were tossed at the pickets and whites attacked them with their fists.

### Claims Beating

Matthew Walker, one of the pickets Saturday night, said he was beaten and kicked by police.

Trials of those arrested Saturday night had been scheduled for Monday but were put off until Thursday.

Diane Nash, a Negro integration leader who had been arrested but refused to make bond, made bond after the cases were postponed.

The trials were postponed at the request of the city attorney.

# More Jailed In Sit-In At Nashville Station

Jackson Daily News
P.

NASHVILLE, Tenn. (UPI) — Police arrested this morning 22 persons who last night were camping in the police station lobby awaiting the trial of persons who were arrested Saturday after violence erupted during the picketing of a chain grocery store.

The booking sergeant at the station said the 22 persons were charged with loitering about a public place. A white male and two white women were among the 22 arrested. The rest were Negro.

Mon. 8-7-61

"They were lying on the floor and cluttering up the place," said the booking sergeant.

Trial for the campers is set for 10 o'clock this morning.

The sit-out at the police station started Sunday afternoon after six white and seven Negro persons were arrested following violence at a picketing of a chain grocery store.

Jackson

The pickets claimed the store did not hire Negro help.

After the violence started, two of the pickets were injured by eggs, ice and fists thrown by enraged bystanders.

Police arrested several of the demonstrators and those that bombarded them, but more of the pickets demanded that they be arrested also.

# Racial Unrest Seethes Across The Nation As Demonstrations Continue

By THE ASSOCIATED PRESS

The father of a Chattanooga, Tenn., Negro stand-in demonstrator says his son's life has been threatened and a crude cross burned in their yard.

John D. Ricks told police the threat was made over the telephone Wednesday night and that the caller identified himself only as the "grand dragon of the KKK" —an apparent reference to the Ku Klux Klan.

Ricks quoted the caller as saying, "We are going to kill him (Willie Ricks). We are going to march Friday and if you get smart, we'll come out there and march tonight."

The police found the cross burning in Ricks' backyard shortly after they arrived.

Willie Ricks, 18, had been fined $50 in city court earlier Wednesday on disorderly conduct charges growing out of a stand-in incident Tuesday night.

Fined along with Ricks was James Williams, 37, a white resident of nearby Ringgold, Ga. Both had been arrested after what police described as a pushing contest in front of the white-only theater where Negroes were seeking admission.

That demonstration resulted in a rock-throwing clash between the some 50 Negroes and a similar number of white persons. Wednesday night about 15 white youths snatched placards from Negro stand-ins, but the police quickly intervened and both groups scattered.

In Washington, the Justice Department says it will give the states every opportunity to act on Negro complaints of discrimination before taking civil rights cases to court.

This policy was outlined Wednesday by Burke Marshall and confirmed by Atty. Gen. Robert F. Kennedy. Marshall touched on the policy while testifying at a Senate hearing on his nomination to head the department's civil rights division.

At Marietta, Ga., Judge James T. Manning of the Cobb County Superior Court, said two or more Negro families have left their homes as a result of threatening telephone calls. The situation has gotten "pretty bad," he said. "These anonymous telephone calls are scaring some of our best Negro citizens."

A Negro group at Jacksonville, Fla., has asked the Duvall County Commission to remove all signs denoting segregation in public facilities throughout the county. And in Baton Rouge, La., strategists for Gov. Jimmie H. Davis and segregation leaders called for a limited constitutional convention to enable the state's 67 school districts to shift to private, segregated schools by next fall.

Miss Charlayne Hunter of Atlanta, one of the first two Negroes admitted to the University of Georgia, has been selected as one of the three interne reporters on the staff of the Louisville Times next summer. Managing Editor Norman Isaacs said she will be the first member of her race on the Times' news staff.

A Roman Catholic Priest says "squat-in" racial demonstrations will continue in Oklahoma City. The statement by Father Robert G. McDole, twice arrested as a demonstrator, was in conflict with one made by Negro leader E. Melvin Porter, who told the city council the "squat-ins" were out.

Eight white persons and five Negroes were arrested Saturday as they sat in the lobby of a downtown Oklahoma City building to protest a basement cafeteria refusing service to Negroes.

Negro college students attended services at Orangeburg, S. C., Wednesday — the anniversary of an anti-segregation demonstration resulting in the use of fire hoses and arrests before police could break it up.

About 270 students from South Carolina State and Claffin colleges attended the 40-minute service at Trinity African Episcopal Church then returned to their campuses singing a song entitled "Jim Crow Must iDe."

At Greenville, S. C., special county Judge James H. Trice Sr. declined to overturn the convictions of 10 Negro teen-agers found guilty last summer of trespassing after warning. The convictions resulted in sentences of $100 or 30 days each and the youths appealed.

About 400 singing, clapping teenage Negroes swayed single file through downtown Louisville Wednesday in another demonstration against segregated theaters and stores. There were no incidents and no arrests.

Meanwhile, at Trenton, N. J., the state's attorney general said the National Civil War Centennial Commission cannot dodge responsibility for segregated commemorative ceremonies in Charleston, S. C. The April 11-12 event commemorates the 100th anniversary of the South's firing on Ft. Sumter which marked the beginning of the Civil War.

The state's chief legal officer is a member of the New Jersey Civil War Centennial Commission which is boycotting the ceremonies because one of its members—a Negro—was told she could not have integrated hotel accomodations or attend any of the social functions.

## CHATTANOOGA CHIT CHAT

# Disorders, arrests follow city sit-ins

By PETER D. SIMMONS

CHATTANOOGA, Tenn. — The student "stand - in" and "Look - ins" at downtown Incidents ran rampant durtheaters are still holding the spotligrt in this somewhat jittery town.

Incidents ran rampant during the past weekend as 11 students were arrested, one an 80 - year - old whie woman was knocked down by a group of colored demonstrators fleeing from a pack of white youths brandishing knives and clubs.

The minister, the Rev. Robert B. Hunter, rector of Saint Mary's Episcopal Church, and an advisor to the students, was punched in the face near the Rodgers Theater on Market St. while observing the demonstration.

* * *

**FATHER HUNTER** told this reporter that he was struck in the face by a white man, identified by police as Harry (Nub) Light, a former convict and construction worker.

He said the man approached him and asked, "when are you all going to stop this damn mess? Maybe I had better make you," and swung with a terriffic right.

He rolled with the punch and was caught on the cheek and suffered a minor bruise.

The police standing by immediately pounced on the attacker and placed him under arrest.

A little while later as the minister started down town to the State House to witness another demonstration, he was attacked by six white youths and pummelled by their fists. He as not seriously hurt.

* * *

**MEANWHILE** a group of students at the Tivioli Theater on Broad St. was molested by a group of whites. Some of their signs were snatched from their hands and torn up.

Further up the street the group was jumped by white boys leaping from cars and running in from different directions.

Fleeing because they were outnumbered, the students tossed garbage cans and other objects at their attackers and in the rush, an 80 - year - old white woman walving down the street was accidentally knocked down.

She was not seriously hurt and told police she could not identify the youths. Eleven youths were arrested, all colored, and taken to headquarters.

* * *

**TRIAL FOR** Harry Light, the ex-convict, charged with attacking the minister at the theater, was continued Wednesday.

Light was arrested and jailed for a second time on a drunkenness charge and was in jail at the time set for the hearing.

Father Hunter and two of the youth were in court. The two youth cases were passed until next Monday; the others are to be tried in Juvenile Court.

Light was rushed to a hospital about two nights later, when he said four colored youths attacked him and slashed him across the arm with a knife.

* * *

**A NEW GIMMICK** being used by the police against the students now is the new ruling by the city attorney that after the group makes two rounds at the ticket office, they may be arrested on a nuisance charge.

Interest around the town took on a new twist when the Rev. William A. Dennis, 40-year-old pastor of the Orchardknox Baptist Church, editor of Chattanooga's newest weekly, **The Tri-State Herald**, was arrested last Friday night on three bad check counts, brought by a publisher in Kingston, Tenn.

He was booked at the city jail here and tturned over to the two officers from Kingston who served the warrants on him with the aid of city police.

According to police, the warrants were signed by Paul Page, editor of the Roan County News and vice - president of the Kingston Publishing Company.

One of the warrants charged that the minister gave the company and bad check for $360 on about March 4 and the other, that he gave a check for $60 on about Feb. 22. It turned out that the checks were paid to the firm for printing the Tri - State Herald of which the Rev. Mr. Dennis is editor.

The Rev. Mr. Dennis was taken to Kinston and placed in the lockup. A group of ministers from The Ministers Alliance went to Kingston and obtained his release.

* * *

**THE FOLLOWING** Sunday morning the Rev. Mr. Dennis was locked out of his church and services were called off by officers of the church.

However, it was learned that at a special meeting on Monday night, he was permitted to remain as pator.

According to reliable information, this is not the first time that factions in his church have tried to oust him as minister.

He was not avilable for comment at press time.

A last minute report showed that the Rev. Mr. Dennis has been cleared of the bad check charges when the Roane County Court dismissed the charges after the complainant refused to prosecute.

* * *

**APPROXIMATELY** 300 Chattanooga and Hamilton County teachers attended the Tennessee State Education Congress two days recently, at Tennessee A. and I. State University, Nashville.

Clarence B. Robinson, principal of Second District Junior High School, this city and president of the Congress, presided.

Local members of the State Educational Congress executive committee are C. C. Bond, principal of Howard High School; Samuel W. Seals, principal of Park Place School, and C. B. Kennedy, a teacher at Park Place.

Others from the city serving on discussion groups, etc., were Mrs. Nell Armstrong, principal of Calvin Donaldson School; George A. Key, principal of Orchardknob Junior High School, and Mrs. Earline Pitts, a teacher.

John L. Espey, 57, Booker T. Washington High teacher and civic leader, died here on March 13. Mr. Espey, since

# Memphis Loses 14 Sit-In Cases

MEMPHIS — (ANP) - Memphis was the loser in a case against 14 students facing disorderly conduct charges resulting from sit-ins last summer at two downtown variety stores.

They were arrested at Silvers and Kress stores after refusing police orders to leave seats at the segregated lunch counters.

Judge John Wilson held that the city failed to prove the charges.

"The court's ruling is in no way to be construed as relating to the right of a store owner to serve white or Negro customers, or both," the judge said.

"It is the court's opinion that no one can deprive a person of the right to run his business as he wishes so long as he stays within the law."

Two other cases were dismissed by consent of both parties. One involved a Negro arrested when the Bellvue Baptist Church refused to admit Negroes to services. The other stemmed from the refusal of a Negro to move to the rear of a city bus.

Meanwhile, Circuit Judge Holmes affirmed $51 city court fines against 10 other Negro college students resulting from a sit-in demonstration last December at Ohman House restaurant.

B. L. Hooks, one of the defense attorneys, argued that the disorderly conduct law under which the students were charged was so vague that it could not apply. He contended they did nothing disorderly.

None of the students testified.

Hooks said the arrests were an abuse of police powers, violation of the defendants' rights.

Asst City Atty Arthur Shea contended that disrupting business constituted disorderly conduct.

"The proof is that the defendants went in and asked to be served, the manager asked them to leave and they did not, a crowd gathered and the business was completely disrupted. It is my judgment that the disorderly conduct law is a valid ordinance, has been upheld by a Supreme Court, and the city has made out its case.

This is the first sit-in appeal case which the city has won, at any level, and an appeal was indicated in this one.

# Sitdowners put nation on trial

MONTEAGLE, Tenn. — "The student sit - in movement has put democracy on trial in international headlines and destroyed the myth that change in the South must be slow," proclaimed the Rev. Wyatt Tee Walker, executive director, Southern Christian Leadership Conference, in a speech to the opening session of a three-day college workshop at Highlander Folk School.

Ninety students representing 21 colleges and universities and five national organizations attended the workshop.

Meeting under the theme, "New Frontiers for College Students," the workshop is assessing the meaning and direction of the students' struggle for democracy in the South.

The Rev. Mr. Walker speaking to "The Sit - ins In Historical Perspective" said that the student sit-in movement was the result of the traditional bold and creative student mind dissatisfied with essentially conservative adult leadership.

He paid strong tribute to the role of religion in giving dynamic momentum to the movement. "It may not be articulate, but it is ever present."

Racial roundup—

# Negro sta in's life said threatened

By The Associated Press

The father of a Chattanooga, Tenn., Negro stand-in demonstrator says his son's life has been threatened and a crude cross burned in their yard.

John D. Ricks told police the threat was made over the telephone late last night and that the caller identified himself only as the 'grand dragon of the KKK"—an apparent reference to the Ku Klux Klan.

**Ricks quoted the caller as saying, "We are going to kill him (Willie Ricks). We are going to march Friday and if you get smart, we'll come out there and march tonight."**

POLICE FOUND the cross burning in Ricks' back yard shortly after they arrived.

Willie Ricks, 18, had been fined $50 in city court earlier yesterday on disorderly conduct charges growing out of a stand-in incident Tuesday night.

**Fined along with Ricks was James Williams, 37, a white resident of nearby Ringgold, Ga. Both had been arrested after what police described as a pushing contest in front of the white-only theater where Negroes were seeking admission.**

THAT DEMONSTRATION resulted in a rock-throwing clash between some 50 Negroes and a similar number of white persons. Last night about 15 white youths snatched placards from Negro stand-ins, but the police quickly intervened and both groups scattered.

In Washington, the Justice Department says it will give the states every opportunity to act on Negro complaints of discrimination before taking civil rights cases to court.

**This policy was outlined yesterday by Burke Marshall and confirmed by Atty. Gen. Robert F. Kennedy. Marshall touched on the policy while testifying at a Senate hearing on his nomination to head the department's civil rights division.**

AT MARIETTA, GA., Judge James T. Manning of the Cobb County Superior Court, said two or more Negro families have left their homes as a result of threatening telephone calls. The situation has gotten "pretty bad," he said. "These anonymous teephone calls are scaring some of our best Negro citizens."

A Negro group at Jacksonville, Fla., has asked the Duval County Commission to remove all signs denoting segregating in public facilities throughout the county. And in Baton Rouge, La., strategists for Gov. Jimmie H. Davis and segregation leaders called for a limited constitutional convention to enable the state's 67 school districts to shift to private schools by next Fall.

**Charlayne Hunter of Atlanta, one of the first two Negroes admitted to the University of Georgia, has been selected as one of the three interne reporters on the staff of The Louisville Times next Summer. Managing Editor Morgan Isaacs said she will be the first member of her race on The Times' news staff.**

A. ROMAN CATHOLIC priest says "squat-in" racial demonstrations will continue in Oklahoma City. The statement by the Rev. Robert G. McDole, twice arrested as a demonstrator, was in conflict with one made by Negro Leader E. Malvin Porter, who told City Council the "squat-ins" Negro college students attended were out.

services at Orangeburg, S. C., yesterday—the anniversary of an anti-segregation demonstration resulting in the use of fire hoses and arrests before police could break it up.

**About 270 students from South Carolina State and Claffin Colleges attended the 40-minute service at Trinity African Episcopal Church then returned to their campuses singing a song entitled "Jim Crow Must Die."**

AT GREENVILLE, S. C., Special County Judge James H. Trice Sr. declined to overturn the convictions of 10 Negro teen-agers found guilty last Summer of trespassing after warning. The convictions resulted in sentences $100 or 30 days each and youths appealed.

Violence in Chattanooga—

# Stand-in causes rock throwing

By The Associated Press

A stand-in demonstration protesting segregation in theaters turned into a rock throwing melee between Negroes and white youths in Chattanooga, Tenn.

Only two persons were arrested, but police broke up clashes involving as many as 50 white persons and 50 Negroes before order was restored late last night.

**In other demonstrations, 175 Negroes were arrested during a singing, clapping protest against segregation at downtown stores in Louisville, Ky.; five pickets were jailed at Rutherfordton, N. C.**

PICKETS WHO paraded in front of lunch counters at Columbia, S. C., carried signs reading, "If we cook for them, why can't we eat with them?"

South Carolina's Gov. Ernest F. Hollings refused to yield to what he called attempts "to exact the customs of New Jersey" on his state. Demand for desegregated hotel facilities in Charleston for a meeting of the National Civil War Centennial Commission next month had been made by New Jersey delegates.

**World hehavyweight boxing champion Floyd Patterson declared himself satisfied that there was no segregation of the audience at his successful Miami Beach title defense against Ingemar Johansson Monday night, and returned a forfeit check of $10,000 to Feature Sports Inc. The check was put up as a guarantee against segregation.**

THE NAVY, replying to a protest from the National Association for the Advancement of Colored People, said, "all officers and men are granted liberty with no discrimination whatsoever . . ."

The NAACP had accused Navy officials of "heaping humiliation on Negro officers and men" in visiting strictly segregated ports in South Africa.

**Owners of the largest amusement park in the Washington area, Glen Echo at Rockville, Md., announced that the park will be completely desegregated when it reopens March 31. Scores of demonstrators were arrested there in the past.**

Negro leaders at Oklahoma City called off their "squat-in" demonstrations after 13 persons were arrested for blocking the lobby of a building where a cafeteria refused to serve Negroes.

Protests against segregation will continue, said E. Meyvin Porter, "but we won't block aisles and we won't violate fire laws."

IN NASHVILLE a Negro attorney active in civil rights cases says he has been constantly harassed by telephone calls, threats and unsolicited deliveries since shortly before the desegragation of the county's schools.

The lawyer, Avon Williams, said the most recent incident happened yesterday morning when a dozen applicants for a job as truck driver showed up at his office.

"It started with a bomb threat on Jan. 20, tthree days before the Davidson County schools were desegregated," Williams said. "There's been no let up since. I don't think there's been a day something hasn't happened."

CHATTANOOGA CHIT CHAT

# Violence explodes as stand-ins wait

By PETER D. SIMMONS

CHATTANOOGA Tenn. — Harassment has begun to plague demonstrations here at downtown theaters as arrests and ducktail hair-white youths moved in on the students.

Rocks were hurled in the first racial tiff in brief exchanges, after a shoving incident at a downtown movie. There were no injuries and police made no arrests.

The whole thing stemmed from an incident in front of the Rogers, on Market St. when a white Riggold, Ga., laborer and an 18-year-old high school youth were arrested on charges of disorderly conduct.

* * *

**INCIDENTALLY**, the colored youth arrested was Willie Ricks, who has been fined three times for disorderly conduct in connection with the demonstrations.

The white man was identified by police as James F. Williams of Riggold. He is alleged to have pushed the youth when he entered the line to purchase a ticket.

Both Williams and Ricks were fined $50 and cost by City Judge Riley Graham the following morning.

According to police and witnesses, groups of whites who had witnessed the incident at the Rogers, followed the student demonstrators to the State, on Market, where another demonstration was in progress.

**AS THE** students left the State and apparently ended the demonstration for the night around 6:30, about 20 whites cornered about 16 students at 9th and Market Sts, and opened up on them with rocks.

The colored youths dispersed, but returned later with reinforcements. The white youths had also gotten reinforcements. The demonstrators were the aggressors as they bombarded the white youths with rocks and other missiles.

At the height of battle, three patrol cars careened on the scene and separated the groups as missiles hurled sent the whites scampering in all directions.

At press time reports were circulating that the Ricks family had received many threatening calls and on Wednesday night a cross was burned in the yard of the family.

It was also reported, but unconfirmed, that one of the theaters had sold one of the youths a ticket and called police to protect him while he saw the movie.

The picture at the Rogers when the tussle occurred was, "Hell Is A City." The students are still on the march. The fight for desegregation of all public places is on.

**THE INTERDENOMINATIONAL** Ministers Alliance issued a long and stinging statement hitting seating bias at the Memorial audi-

torium.

They asked all sponsors of programs at the auditorium to join in the effort to desegregate on a voluntary basis. They also asked the city commission to give consideration to the auditorium's segregated policy.

The movement came about after a Passion Play sponsored by the Lions Club, at which time tickets were mailed to all ministers alike.

However, when they went to the auditorium, the colored ministers found that they could only change their tickets for certain areas, while white ministers with the same tickets could sit wherever they liked.

The statement was signed by the Rev. C. E. Jenkins Sr., chairman of the executive committee; Dr. M. J. Jones, president; the Revs. W. A. Dennis, Edward W. Jackson, Dorgan W. Williams, M. Peace and Robert B. Hunter.

**ACCORDING TO** a statement and an announcement of C. C. Bond, Howard School principal, Misses Constance McCrorey and Helen Thomas tied for top scholarship honors at Howard and will be the valedictorians of the class of 1961.

Miss Mary Hughley placed second and will be the class salutatorian of the 391-member class.

Federal District Judge Leslie R. Darr, who has twice slapped down the Chattanooga school board on its delay in presenting a workable plan for desegregation, will retire after 21 years, 8 months and 22 days as an active US District Judge.

He recently notified President John F. Kennedy of his desire to retire. Speculation is high as to who will succeed him and what results it will have on the school desegregation suit.

Well, the town is still buzzing over that whang, dang, slam bang, knock down, drag out fight between champion Floyd Patterson and Ingemar Johansson.

Yep, they are still talking. And that's the news from here. . .Drop those letters and cards to Peter D. Simmons, 1102 Queens Dr. . .

CHATTANOOGA CHIT CHAT

The Afro-American
Baltimore, Md.
Sat 3-18-61

# 6 teenagers fined in movie stand-ins

By PETER D. SIMMONS

CHATTANOOGA, Tenn. — Chattanooga's high school student "Stand - In" and "Look-In", in the fight to break down segregated barriers at downtown theaters, hit a road block on last Thursday night.

The first group since the demonstration began, was arrested in front of the State on Market St. The second group was arrested in front of the Liberty theater (for colored) on E. 9th St. the same week.

At a hearing on March 8, Judge Graham levied fines of $50 and costs against six teenagers charged with disorderly conduct. Two of the fines were linked to the demonstration in front of the Liberty. The other four were assessed for what city witnesses termed sidewalk blocking in front of the State.

* * *

**TWO OF** those fined in court Wednesday morning were re-arrested that night at another demonstration in front of the State.

Police said the arrest of the two Wednesday night came after the manager of the State asked the demonstrators not to block the ticket window and they refused.

Judge Graham dismissed disorderly conduct counts against four of the students arrested in front of the Liberty, when Bruce Boynton, who recently established law offices here, pointed out that the city had not produced definite identification.

Two of those arrested in front of State, in the first group, were acquitted for the same reason.

* * *

**BOYNTON ATTACKED** the constitutionality of the city ordinance creating the disorderly conduct, but the judge upheld assistant City Attorney Gene Tatum's defense.

Mrs. Sarah Brown, manager of the Liberty, pointed out two of the students she said were causing disturbances in front of the theater.

Robert Lebovitz, an official of the theater said he called police officers when the demonstrators became loud and abusive to patrons trying to enter the show.

He said some of the picketers told patrons, those who bought tickets were traitors to the race.

A very noticeable point, no efforts were made to separate white and colored, who sat whereever seats were available in the normally segregated court room. 3

* * *

**INCIDENTALLY,** according to information given this reporter as to why the students were picketing the Liberty theater; it is because the same people who own the Liberty, are part of the company operating a number of theaters in Chattanooga, including the State.

Your reporter was told that the whole setup with students is based on unequal facilities and denial of rights.

Fines were paid by groups backing the movement.

At press time, the Interdenominational ministers alliance released a long and strong statement backing the demonstrators. The statement was released by Dr. Major Jones, pastor of Stanley Chapel Methodist Church, president of the Alliance.

* * *

**IN A LAST** minute release, this desk was informed that The Council for Cooperative Action was making final preparations for a cultural and informative affair at the James A. Henry Branch YMCA, featuring Dr. Charles Eric Lincoln, in an address on "Black Muslim Movement In America."

Dr. Lincoln, an ordained minister in the Methodist Church, is a graduate of Boston University with a Ph.D., whose thesis was written on "The Black Muslim In The United States."

Mrs. Mary M. Guines of Chattanooga, former teacher at Second District Junior High School has been initiated into Pi Lambda Theta, national honorary education fraternity at the University of Tennessee.

She is the first colored woman inducted into Alpha Xi chapter at the university where she is a graduate student, majoring in guidance. Mrs. Guines is a graduate of Howard High School (1952) and Hampton Institute ir 1956. She is a member of Delta Sigma Theta Sorority.

* * *

**THE CHATTANOOGA** chapter of the NAACP will bring former Dodger baseball ace Jackie Robinson to town as speaker for the culmination of their membership drive April 16.

In the social whirl, the Aces Social Club is still receiving plaudits on their big annual dance at the American Legion Ball Room.

* * *

**MISS EFFIE DAVIS** left by plane on her return to New York after attending the funeral of her mother, top dress designer and dress maker Mrs. Addie Davis, who died here recently.

Also here were two sons, Julius Davis of Newark, N.J., and John Davis of Washington.

And that's the news from here . . . Drop those letters and cards to Peter D. Simmons, 1102 Q nD euesr ,. mons, 1102 Queens Dr., Chattanooga. . .THANKS . . .

SIT-INS
KILLEEN, TEXAS

# Negro GIs Used To Stop Sit-Ins

## MERRY-GO-ROUND

By DREW PEARSON

WASHINGTON—Maj. Gen. Edward G. Farrand, commander at Ft. Hood, Tex., has hit upon the neat device of using Negro military police to break up Negro sit-ins against segregated white restaurants in nearby Killeen, Tex.

Here is the story of what happened.

On July 9 last year, Pvt. Robert B. Curtis of the 2nd Armored Division at Ft. Hood, with two other Negro soldiers, staged a sit-in protest at Craig's Lunch Counter in Killeen. They were arrested by the provost marshal, Col. M. C. Miller, accompanied by several military police, and ordered to report to Gen. Farrand who, they state, threatened them with court martial if they were involved in a similar incident.

This pretty well intimidated Negro troops stationed at Ft. Hood until April 22 of this year, when Curtis and one other Negro soldier again sat-in at Craig's restaurant. This time, the provost marshal made a special trip to the barracks and recruited 12 Negroes to serve as military police. Normally, Negro troops do not serve as MPs outside of camp for fear of arousing the resentment of white Texans. But in this case 12 Negro MPs were rushed to Craig's restaurant and arrested the Negro sit-ins.

When United Press International telephoned Ft. Hood from Austin to inquire about the incident, the provost marshal's office denied that anything had happened.

When this column queried the Army in Washington as to whether such suppression of the news was a part of U. S. Army policy, the Army, after taking five days to exchange communications with Ft. Hood, made no comment. It did not deny the incident took place.

**When asked whether the use of Negro troops to apprehend Negro sit-in strikers was U.S. Army policy, the Army replied that an order had been issued, June 19, instructing Gen. Farrand and other commanders that MPs could not be used "on behalf of local authorities to support enforcement of segregation," though they could be used to "quell affrays" where military personnel are involved.**

### The Diplomatic Cables

President Kennedy's ailing back now feels strong enough so he is definitely planning a goodwill visit to Latin America in August—visiting Argentina, Uruguay, Brazil and Venezuela. His main mission will be the big inter-American economic conference in Montevideo Aug. 5....Premier Khrushchev is trying to lure Prime Minister Macmillan into undertaking a dramatic peace mission to Moscow to head off war over Berlin. Privately, the Russians have passed the word that a Macmillan mission similar to the one he undertook in 1959 would be welcome. British diplomats figure it's a maneuver by Khrushchev to play up to Macmillan's aspirations to be the great peace leader of the 20th century, and the British embassy has strongly recommended against any trip to Moscow....Gen. de Gaulle has promised to withdraw at least two of France's top divisions from Algeria in time to mobilize for the Berlin crisis. This is why De Gaulle is urgently pressing the Algerian rebels for a compromise peace....The Austrian government has offered Vienna as a site for an East-West summit conference on Berlin in November. Premier Khrushchev told the Austrians before he left that he would like to come back for such a meeting. After checking accommodations, the Austrians have decided they can handle the diplomats and the mob of reporters that would accompany them. However, speculation regarding a summit conference still is very premature.

### Medical Deception

Here is some of the evidence on the fabulously wealthy drug industry that led Sen. Kefauver to introduce legislation regulating injurious patented medicine.

**Sworn testimony showed that some of the major drug companies have distorted, concealed, or even lied about the side effects of their drugs.**

Chloromycetin, the second largest selling antibiotic, used especially on children, was found to destroy some of the marrow in children's bones long after the drug had been used.

The Food and Drug Administration and the National Research Council informed Parke, Davis, manufacturer of chloromycetin, August 1952 the drug could go back on the market "under revised labeling that would caution physicians explicitly against its indiscriminate use"; that it should be used only in certain sometimes fatal diseases in which its use is necessary, such as Rocky Mountain spotted fever and other Rickettsial diseases.

Parke, Davis, however, according to sworn testimony, responded by sending its salesmen a series of promotional letters which the Kefauver committee reported as "ranging from the deceptively misleading to the downright false." These letters claimed that the drug had been "officially cleared" with "no reservations on the number or the range of diseases in which chloromycetin may be administered."

This was directly contrary to advice from the Food and Drug Administration. In a subsequent letter to salesmen, Parke, Davis stated that the failure of the government to ban use of the drug completely was "undoubtedly the highest compliment ever tendered" to the Parke, Davis medical staff.

**This is why Kefauver now proposes legislation to ban any medicine unless the Food and Drug Administration has licensed it.**

# Sing God Bless USA, Our Segregated Home, At 61 Reisner Street

The Informer Houston Tex Dat: 3-4-61 Pg 1

Sie-ins in Houston were auled to city jail at No 61 Riesner St this week, but the singing sit-ins, went there crooning "God Bless America our segregated home." They are flanked by Mses LeRoy, left, labor-civic leader and the young civil rights crusader, Eldrewey Stearnes.
Photo by Joseph

## White And Negro College Youth Meet As—

The Informer Houston Tex

# PYA Continues Picket Of Theatres. Station Cafeteria

By J. DON DAVIS

HOUSTON — Continuing their peaceful crusade to desegregate previously all-white theatres here, approximately Negro youths, thought to be members of the PYA, picketed and stood in line seeking admission to the Loew's State Theatre Wednesday night. 3-4-61 They were denied admission at the Main Street theatre, but no arersts were made.

When Police Sgt P. K. Spillers and two patrolmen reached the scene, Homer McCallon, manager of the theatre, was reporttedly asked if he wanted to sign a complaint against the demonstrators. His answer was no.

There was a mild shoving spree between theatre employees and the peaceful stand-in demonstrators. That was taken in stride, and Houston continued to keep its legal nose clean by making no arrests.

The Loew's State Theatre incident occasioned no comment from either Mr McCallon nor Ray Hay, manager of the Metropolitan Theatre.

Prior to Wednesday night's demonstration at Loew's, The Informer had learned that Marvin Rich, an executive of CORE (Congress of Racial Equality has assured the local group that the Loew's chain would be hit hard on the Atlantic Seaboard. The information eminated from Newark, New Jersey.

It was a known fact that Mr Rich expressed high regard for the local group headed by Eldrewey Stearnes. Whether th elocal group is connected with CORE could not be confirmed.

Houston Tex

With many charges already filed in connection with PYA demonstrations at the Union Station cafeteria, no information was available as to the PYA's next move in that area.

The Union Station situation is an interstate proposition, and is subject to become a national situation, some concerned people have asserted.

Houston was not alone in the peaceful youth movement to desegregate theatres.

Representatives of Wiley College, together with four white college groups met in Austin Tuesday and organized a statewide group to register to movie segregation.

Schools represented at the Austin meet along with Wiley, were: Southern Methodist University of Dallas, Texas Christian University of Fort Worth, Trinity University of San Antonio, and the University of Texas of Austin, the host group.

In the opinion of Chandler Davidson, chairman of the "University of Texas Students for Direct Action," the Tuesday move will save a waste of time, and give the various movements over the state the benefit of the best techniques found in other sections.

The banding together, attendants of the meet agreed, would attract more interest to the movement against segregation in theatres.

Mr Davidson emphasized:

"We didn't band together into any formally structured organization, but we will keep in close touch with the other groups."

Indication are that movies are the current primary objective of student groups. However, it was pointed out by Davidson that the theatre projects did not mean that restaurants would be "forgotten."

Local PYA officials lauded the Austin move, but said their local actions, up to now, had no direct connection with it.

# 23 Youths Face Prosecution For Picketing Theaters

HOUSTON. — (ANP) — Twenty-three members of the Progressive Youth association will be prosecuted as a result of their picketing two downtown Houston theaters last week.

District Attorney Frank Briscoe said he would press charges against the Negro group for "prohiting the proprietors from exercising their rights to sell tickets."

Miss Edythe Paige a PYA member was hospitalized and held overnight for observation after being attacked and struck in the stomach by Loew's theater employes for allegedly carrying a knife.

Police also charged that the demonstrators blocked a fire zone near the theater. However Assistant District Attorney Pete Moore doubted the legality of the charge.

Eleven cases of unlawful assembly filed March 16 against demonstrators arrested at the theater are to be tried before County Court-at-Law Judge Bill Miller.

MOVIE THEATERS TARGET

# Segregation Under Fire By Hundreds Of Marchers

28 Montgomery Advertiser p. 2A Mon.

By THE ASSOCIATED PRESS

Hundreds of young people, white and Negro, North and South demonstrated against segregation outside movie theaters Sunday.

In some Southern cities the Lincoln's Birthday demonstrators made efforts to get into all-white sections of theaters, often in pairs —one white youth and one Negro.

In New York, Boston and Chicago students demonstrated outside theaters which do not segregate Negroes but have common ownership with Southern theaters which do.

Mon. 2-13-61

At San Antonio, Tex., there was an anonymous telephone report that a bomb had been placed in a theater shortly after a demonstration against segregation ended there. But none was found after a search.

LUSTY SINGING

At Austin, Tex., the pickets sang lustily—to the tune of "Battle Hymn of the Republic" — words showing their disapproval of the segregationist policies of the governors of Louisiana and Arkansas.

"We'll send Jimmie Davis to an integrated hell," they sang, and "We'll hang Orval Faubus to a sour apple tree."

About 50 students gathered in New York's Times Square and marched outside the big Paramount theater.

Although the manager commented that "there is no segregation here," the marchers said they were protesting segregation policies of movie houses owned by American Broadcasting-Paramount Theaters, Inc., in the South.

NO COMMENT

There was no comment from ABC-Paramount.

The same company was the target in Boston, where some 50 young people marched outside the Boston Theater, and in Chicago, where a group of about 60 paraded outside several theaters partly owned by ABC-Paramount.

In Austin and Houston, Tex., the crowds of Negro and white demonstrators swelled to 200 or more. About 50 each marched in Dallas and San Antonio.

In San Francisco demonstrations at two theaters followed the same pattern. Police estimated about 50 students picketed the Paramount and St. Francis Theaters, neither of which is segregated.

Earl Long, manager of both theaters, said the picketing had no effect on ticket sales. The demonstrators carried placards and sang. They said picketing would continue Monday.

# Stand-ins Hit Texas Theaters

Atlanta Constitution

Atlanta, Ga.

AUSTIN, Tex. (UPI)—Hundreds of University of Texas students chose Abraham Lincoln's birthday Sunday to stage mass stand-in demonstrations against movie theater segregation.

Mon. 2-13-61

They got sympathy protests from nearly 100 Southern Methodist University students in Dallas and expected similar demonstrations from students in 11 other cities across the nation.

Chandler Davidson of El Paso, Tex., chairman of Students for Direct Action, said he had commitments from students in San Antonio, Dallas, Houston, Shreveport, La., New York, Chicago, Los Angeles, San Francisco, Cambridge, Mass., Ann Arbor, Mich., Oberlin, Ohio and Champaign, Ill., that they would demonstrate in sympathy.

He said in college towns where theaters are integrated, students would simply register a protest at the box office windows that other theaters in the chain are not admitting members of all races.

38a 1961

TEXAS

HOUSTON, TEXAS- ARRESTS
SIT-INS

# Police Arrest 48 Young Negroes In Houston Sit-In Demonstrations

Jackson Advocate
Jackson, Miss.
3-13-4-61

Houston, Tex. — Houston police arrested 48 young Negroes Saturday night during a sit-in demonstration at a railroad station restaurant.

No violence was reported and the Negroes laughed and joked with the 14 policemen who herded them into three paddy wagons at Union Station.

The U. S. Supreme Court ruled recently that a segregated bus station in Virginia was illegal.

Fourteen Negroes were arrested Friday night at the same place and charged with loitering. Capt. H. L. Ellisor said those arrested Saturday night would be charged with loitering also.

They were arrested on the complaint of James D. Burleson, the operator of the restaurant who also signed the complaints Friday night.

The demonstrators said they would refuse to post $10 cash bonds and would remain in jail until their Municipal Court trials come up Monday.

On the way to the police station the Negroes sang, "God bless America, our segregated home."

Those arrested included Eldrewey Stearns, the president of the Progressive Youth Association, which has organized many of the protests.

# Pastor target of explosion

The Afro-American
Baltimore, Md.

By B. T. GILLESPIE

DANVILLE, Va. —Believed to be the aftermath of a sit-in demonstration, a practice hand grenade recently was exploded in the yard of the Rev. T. Van B. Rhoe, 902 Washington St.

No one was at home at the time, but the minister said the blast shook the church building where he was at the time. He said he thought the church furnace had exploded.

A 20 - year - old soldier (white) whose name was not available was arrested later in the day and charged with igniting an explosive in the city. Mrs. Rhoe and her niece were away in Greensboro, N.C. The incident followed close on the heels of a sit-in demonstration of three ministers and a student at the Woolworth's, Kresge's, and Peoples Drug Store.

* * *

**POLICE WERE** reluctant to discuss the incident. The Rev. Rhoe expressed surprise at the incident at his home since he was not one of the members of the demonstration.

Pastor of the First Baptist Church, the minister said he thought the incident was directed at the Ministerial Alliance of which he is a member.

Police Chief E. G. McCain said it appeared the explosion was mere co-incident with the demonstration.

While he was willing to accept the explanation of the police chief, other citizens were reluctant to think so, the minister said.

They brought to fore the shooting of a colored citizen by a white policeman some few weeks ago. A group of boys, standing across the street from where the explosion was thrown, started to chase the soldier when he tossed the explosion, but then he threw something at them.

The explosion awakened most of the people in the neighborhood. The grenade is one said to be used by the Army in training exercises, and the FBI is investigating, since the explosive was government property and the accused man is a member of the Army.

# Truce Taken In Danville Store Sit-ins

The Washington Post
Washington, D.C.

DANVILLE, Va., April 1 (AP)—Negroes and managers of stores involved in this week's sit-ins talked for more than two hours here today and agreed to meet again next Friday to talk some more.

The Negro ministers and students—10 in all—promised there would be no demonstrations in the meantime. Managers of the two novelty stores were asked to contact their superiors and others.

Each side pleaded with the other to see its own viewpoint during today's discussion. Mayor Julian Stinson said afterwards that progress was made in that the talks will continue during a truce period.

Up to 25 Negroes, mostly high school students but including several ministers, participated in the sit-ins at the three stores Friday but none was served. The stores are Woolworth and Kresge variety stores and Peoples Drug Store.

The city's second sit-in began Thursday when four Negroes remained for 7½ hours at Woolworth's lunch counter for white persons. Two weeks ago, a group led by the Rev. L. W. Chase and the Rev. A. I. Dunlap sought and received service at the cafeteria of the Greyhound bus terminal.

So far, the only one of the three stores to announce a policy toward the sit-ins is the drug store. Manager Frank B. Flemming said his store followed local custom.

"Whatever the people want is what they will get," he said. "We have no intention of serving them (the Negroes) until we have some expression from the people."

# Test Va. Law Curbing Sit-Ins

Chicago Defender

RICHMOND, Va. — (UPI) — Negro attorneys filed notice of appeal to the U. S. Supreme Court Tuesday from a ruling upholding Virginia's trespass law, a weapon against sit-in demonstrations.

A three-judge U. S. Circuit Court of appeals last week ruled that the law was constitutional. The case under tres- Negroes arrested under the trespass law while staging lunch counter sit-ins in Hopewell, Petersburg and Lynchburg last year.

# Hampton students note appeals

HAMPTON, Va. — The conviction of 11 Hampton Institute students on charges of violating the state's anti-trespass law is being appealed to the Circuit Court here.

The students were found guilty following a trial April 7 before Judge Macy M. Carmel, with only one defendant, Hurlbert H. James, a 19-year-old sophomore.

The defense counsel and Commonwealth Attorney stipulated that the evidence and outcome of James' case would apply to the other 10 defendants.

**THE STUDENTS** were arrested Feb. 1 after purchasing tickets at the Lee Theatre and taking seats in the downstairs section rather than in the segregated balcony.

William Sweeney, manager, said he told the students they could not sit in the downstairs section, but that they refused to move.

At the initial hearing on Feb. 22, counsel for the students told the court that the arrests were in violation of the students Consititutional rights as guaranteed by the 14th Amendment.

* * *

**AT THAT** time the Commonwealth Attorney asked for a delay on grounds he was not prepared to argue the Constitutional question.

The case was postponed until March 17 and later delayed until April 7.

The theatre is located in Phoebus, Va.

# After Sit-Ins At Richmond, Everything Was As Before

The News & Courier 1,10-B
Charleston, S.C.

**Editor's note: The author of this article, a public relations executive in Richmond, was a visitor in Charleston for the Civil War Centennial. He wrote this account at the request of The News and Courier.**

Sun, 4-18-61
1,10-B

By JOHN J. SYNON

About a year ago, in Richmond, a dog fight broke out over the integration of Woolworth's lunch counter. It was no different from a hundred other such that have plagued the South these recent months. Pronouncements, pickets and publicity — the same tired story.

The only incident of moment a person recalls of this particular event has to do with a picture in the newspapers. It depicted a Negro woman being escorted, arms akimbo, feet up, from where she was to some place she did not want to be; probably the pokey. You may recall the dead-pan expression of the officers who had been given the distasteful chore, and the undignified position of the elderly woman.

Suddenly, after months or roiling, emotional torment, it was over, all over. The agitators had won, the counter henceforth would be integrated and, one supposed, all would be right with the world.

About a month or so ago, I had occasion to yisit Woolworth's. I had need of one or another of those things it sells.

It was my first time there. The incident, itself, had slipped my mind. Once inside I recalled those days last year and thought I would visit the scene of the imbroglio.

This lunch counter runs the entire length of the store's south side and the entire length of the store's east side. It makes a right angle.

Since I was there at noon the place, naturally enough, was packed, every seat taken.

And down the entire length of the store's south side, in every seat, sat Negroes. Down the entire length of the store's east side, in every seat, sat whites. Behind each row there stood, patiently, others who were awaiting their turn, whites behind whites, Negroes behind Negroes — 100 per cent segregated.

I could hardly believe my eyes. Had all the shooting been about?

I asked a clerk.

"Oh, it's just like always," she replied. "The Negroes always did use the south side and the whites the east.

"Once those people went away we went back, just like always."

The lady I had questioned did not identify "those people" and I did not ask.

I came away feeling how senseless it had been. What evil thing is eating us that can inspire white against black in Virginia? What alien thing is chewing at our vitals, and how can we expunge it? How beautifully our thesis—separate but equal—works when left for resolution by those who have to live with the situation.

There they sat, white and black, eating the same food, paying the same prices and because they wished it so, they had separated themselves.

I also wondered why no publicity had come of this situation, why no pronouncements of this amity had made the welkin ring, why no pictures buzzed across a thousand wires.

And I thought I knew the answer. I thought, and I think, Richmond, white-and-colored Richmond doesn't want another visitation from "those people." Neither now nor ever.

Peace, be still. . . . .

38a 1961

VIRGINIA

SIT-IN

# Speaker Urges Support For Sit-In Crusaders

DANVILLE, Va. — The 21st annual conference of the Virginia Voters League convened in Danville, on the 30th of Sep. 30 - Oct. 1 with Danville chapter serving as host.

Registration of delegates began at 9 a.m. under the supervision of Mrs. W. T. Sutherlin. At 10 a.m. the advisory board was called to order by the vice president, S. Arther Holmes. Among the recommendations made to the executive council was the urgency of the officers and members of the chapters of the organization to check on denials of justice and fair play to Negroes and focus the spotlight of publicity upon them.

IT RECOMMENDED that a more intesne program be sponsored to better inform and prepare colored people for this new social order and that workshops be conducted in all chapters to bring about a better understanding between parent and school administration and that each chapter be remided of the threat of mass annihilation of the people by radiation fall - out and urge them to seek information on fall-out shelters.

The executive council approved the recommendations.

The delegates of the conference were served a most appetizing luncheon at the home of Mr. and Mrs. Walter Witcher.

THE AFTERNOON session was opened with a panel discussion presided over by the Rev. A. L. Dunlap, vice president of the Danville chapter. The panelists were Attorney Ruth H. Wood, the Rev. W. L. Chase, Mrs. Lelia L. White, Mrs. Beatrice Hairston and Lacona Allen.

The Danville chapter was cited at the banquet Saturday night for leadership in the Century Club contest. It entered the Century Club with 106 members. For this excellent performance, it was awarded a certificate of commendation. The Isle of Wight chapter also made the century club with 101 members, and was awarded a certificate of commendation for such excellent performance.

THE CLIMATIC point was reached Sunday 3:30 p.m. when the delegates and visiting friends assembled at the Loyal Baptist church in a public mass meeting. The Rev. A. L. Dunlap local minister of the city presided. Music was rendered by the Loyal Baptist church chorus. The Rev. L. W. Chase, minister of High Street Baptist church presented the invocation. Mrs. Irene D. Summerset state secretary grought greetings from the official family of the Virginia Voters League, Inc. M. C. Martin of 5th Congressional director, introduced the speaker. L. E. Auston, newspaper publisher of Durham, N. C.

Mr. Austin stressed the need for hard dedicated work. He lauded the sit - ins, and stand-ins,. He said that the ministers should give unstinted support to these young crusaders. He said that they should be found on the picket lines dressed in their usual ministerial attire, so the public would know them.

The following persons were in the forefront in organizing which made an indelible impression upon all present: Mrs. Pearl Witcher, Othia Davis, the Rev. A. L. Dunlap, Mrs. Beatrice Hairston.

The Danville chapter made extensive plans to entertain the delegates and visitors. The following are due credit for making the arrangements nd providing a good program: Mrs. Pearl Witcher, Othia Davis, the Rev. A. L. Dunlap, Mrs. Beatrice Hairston, Mrs. Virginia F. Watkins, the Rev. Walter G. Anderson. Mrs. Viola G. Finley and John H. Fuller.

The 1961 conference will convene in Richmond with the chapters of the Third Congressional District as host.

# Va. students stage 7-hour sitdown

DANVILLE, Va. — Sit-down demonstrations occurred here, last week, at Woolworth's and Kresge's variety stores.

Seven of 11 students participating in the demonstrations sat for 7½ hours in Woolworth's. They were not served and there were no arrests.

Bobby J. Green, manager of the Woolworth's store, said there is no policy on sitdowns. "We will do nothing," he declared.

* * *

PERSONS DIRECTING the demonstrations included the following:

The Revs. L. W. Chase, A. I. Dunlap and Lawrence Campbell and a student from Virginia Theological Seminary and College in Lynchburg, Jesse Brown.

The students were from the John M. Langston High School.

In Charlottesville, Va., picketing continues at the University Theatre near the campus of the University of Virginia.

The pickets include both colored and white students enrolled at the university.

to $1,000 and up to 12 months in jail.

U. S. District Judge Albert V. Bryan, writing for the court, said the statutes applied "only to places where a person goes 'without authority of law,' meaning property not at the time affected with a public interest."

# Attorney To Appeal Decision Upholding Sit-In Trespass

RICHMOND, Va., April 29 (UPI) — A Negro attorney said Monday he would appeal to the U. S. Supreme Court a decision by a special three-judge Federal Court upholding a trespass law enforced in luneh counter sit-ins.

Leonard W. Holt of Norfolk, one of four attorneys representing Negroes arrested in protests against lunch counter segregation in Petersburg and Hopewell, announced plans to appeal the decisio to the nation's highest court.

The Negroes had asked the special panel to restrain enforcement of the trespass laws, amended by the 1960 General Assembly, and to declare them invalid. The General Assembly increased the penalties for trespasing from a previous maximum of $100 and 30 days in jail

# Lawyer in sitdown case calls decision 'shocking'

NORFOLK, Va. — "We're shocked at the opinion and feel that it is necessary to appeal to the U.S. Supreme Court," Leonard W. Holt, attorney, said Tuesday of the three-judge Appeals Court recent sitdown case ruling.

Attorney Holt, one of the four lawyers in the case which contests the validity of Virginia's anti-trespassing laws, said the ruling "slurs over" the constitutional issues raised in the appeal.

"We also were surprised that throughout the lengthy opinion, the noun 'Negro' was spelled with a small 'n,'" Mr. Holt declared.

HE SAID the appeal to the Supreme Court would be filed on Tuesday.

The appeal stems from the conviction in state courts of students arrested during sitdown demonstrations in Hopewell, Petersburg and Lynchburg.

The eight - page opinion, handed down last Friday, was written by Judge Albert V. Bryan of Alexandria, Va., and concurred in by Judges Oren R. Lewis of Richmond and Herbert S. Boreman of Parkersburg, W. Va.

The court held that the arrests and convictions did not constitute violation of the students' constitutional rights.

* * *

IN REACHING its conclusion, the court held:

(1) The operator of a lunch counter "may lawfully forbid any and all persons, regardless of his reason or their race or religion, to enter or remain upon any part of his premises which are not devoted to a public use."

(2) The protection of the right of private property "is the sole aim" of Virginia's anti-trespassing laws.

* * *

IN THE APPEALS petition, the lawyers argued in behalf of their clients that places of public accommodation such as restaurants and stores could not be defined legally as not being devoted to public use.

It also was argued that the constitutional rights of the defendants were violated by the use of public police power to enforce a private prejudice.

While Mr. Holt did not state specifically, it is understood that one of the main points of the appeal to the Supreme Court will be a challenge of the conclusion that lunch counters where the arrests occurred are not devoted to public use.

# 35 NEGROES LOSE IN VIRGINIA COURT

## High Tribunal Turns Down Appeals in Sit-In Cases

RICHMOND, Va., April 24 (AP) — The State Supreme Court upheld today the convictions of thirty-four Negroes under Virginia's strengthened anti-trespass laws.

The court did so in affirming lower court convictions of Negroes who had staged sit-in demonstrations in Richmond. It also upheld the conviction of a Negro woman arrested in an integration demonstration before a department store in Richmond.

The trespass cases were the first to be ruled upon by the court since the Virginia assembly strengthened the laws last year during a series of lunch-counter sit-in demonstrations by Negroes.

The thirty-four are students at Virginia Union University in Richmond. They were arrested in February, 1960, as they congregated about a lunch counter and a restaurant, both then reserved for white persons, in the Thalhminers department store in Richmond.

The students were fined $20 each in police court. The convictions were later upheld on appeal to Richmond's hustings court.

In the companion case, Mrs. Ruth E. Tinsley of Richmond was arrested during the picketing of the department store by Negroes. Although she was not picketing, she was charged with refusing to move from a street corner at the scene when told to do so by a policeman. Her $10 police court fine was upheld on appeal to the hustings court.

### Sit-in Cases Postponed

ATLANTA, April 24 (UPI) — Cases against Negro sit-in demonstrators were postponed indefinitely today at the urging of business and civic leaders. They said that race relations "are better in Atlanta than they have been in a long time."

Judges Charles Bruce and Charles Wofford agreed to postpone cases against eighty-four Negroes after Solicitor General John I. Kelley said he understood that there would be no more sit-ins in Atlanta and that restaurants involved in the earlier sit-ins had agreed to the postponement.

Ivan Allen Jr., president of the Atlanta Chamber of Commerce, said that an agreement between white merchants and Negroes, calling for desegregation of lunch counters this fall, had brought an end to the sit-ins.

### Negroes Retaliate

Special to The New York Times.

DANVILLE, Va., April 24— Negro students here have developed a system of retaliation against variety stores whose lunch counters have remained segregated despite sit-in demonstrations.

The students enter a store in pairs, fill baskets with merchandise and take it to the check-out point. After the cashier has rung up the items, the "purchasers" say they have changed their minds and do not want the merchandise. This has the efect of slowing the store's business while the merchandise is returned to the proper counters.

# Virginia High Court Affirms Convictions of 34 for Sit-Ins

The Washington Post B-3
Washington, D.C.
Sat., 4-25-61

RICHMOND, April 24 (AP) Thirty-four Richmond Negro students convicted under Virginia's anti-trespass laws lost their appeals to the State Supreme Court today.

The high court upheld the $20 fines levied in Richmond's Police Court and affirmed by Hustings Court for picketing and sit-ins at a Richmond store last year.

The Virginia Union University students were arrested Feb. 22, 1960, as they congregated about a main floor lunch counter and a fourth floor restaurant, both reserved for white persons.

The anti-trespassing convictions of the Richmond students were the first to reach the State Supreme Court since the 1960 General Assembly strengthened anti - trespass laws during a wave of lunch counter sit-ins.

Chief Justice John W. Eggleston, who wrote the opinion, said, "There is no evidence to support his (one of the student's) contention that he was arrested because of his 'race or color' . . .

"On the contrary, the evidence shows that he was arrested because he remained upon a store premises after having been forbidden to do so . . . by . . . the authorized agent of the owner."

"The only purpose of this law is to protect the rights of the owner or those in lawful control of private property," the jurist said

The Court said the store's action in refusing service to the student did not violate his constitutional rights.

Since the case was initiated, the store, Thalhimers and other downtown stores, including Miller & Rhoads, have desegregated their eating facilities.

Aimed At Sit-Ins

# Virginia Supreme Court Upholds "Trespass" Law

Journal & Guide Norfolk, Va. p. 1
Sat., 4-29-61

RICHMOND, Va. — (UPI) —The State Supreme Court of Appeals Monday upheld a Virginia trespass law under which a number of persons have been arrested in lunch counter sit-in demonstrations.

The court, in an opinion written by Chief Justice John W. Eggleston, said the law, which carries a fine of up to $1,000 and jail sentence of up to 12 months, "does not purport to be and is not a racial segregation law."

**THE LAW,** according to the state high court, "forbids 'any person,' irrespective of race or color 'without authority of law' to 'go upon or remain upon the land or premises of another'."

The ruling was made in a case brought by Raymond B. Randolph one of 34 Virginia Union University students fined $20 more than a year ago for seeking service at a Richmond department store lunch counter. The store, Thalhimers, has since lowered racial barriers.

## Eleven Convicted Second Time For Virginia Sit-In

LYNCHBURG, Va. — (UPI) — Eleven Negroes who appealed 60-day prison terms given them for taking part in a lunch counter sit-in demonstration were given a more severe sentence Thursday.

An all - white corporation court jury recommended sentences of 90 days and fines of $100 each for the Negroes — one of whom is a housewife hospitalized with a heart condition.

All were released under bonds ranging from $750 to $1,000 to appeal the latest ruling to the state Supreme Court.

The original sentences, growing out of a demonstration at a Lynchburg drug store, were handed out in municipal court on conviction of violation of Virginia's anti - trespass law.

# Negroes' Lawyer Held in Contempt At Sit-In Trial

LYNCHBURG, Va., April 5 (AP) — A Norfolk Negro attorney twice was held in contempt of court today at the opening of an appeals trial for 11 Negroes charged with trespassing in drug store sit-ins here.

Leonard W. Holt Jr. of Norfolk, attorney for the Negroes, was held "grossly contemptuous" by Judge S. Duval Martin in Corporation Court when Holt made a motion that Martin disqualify himself because he would not abolish segergation in the courtroom.

Earlier, Martin held Holt in contempt for intferring the court was "aiding and abetting" the state because the court clerk's office permitted the designtaion of Negro to be placed against the names of Negroes selected for the jury panel.

Martin delayed punishment until the end of the trial.

An all-white five-member jury of four men and one woman was finally selected and the witnesses were called.

After hearing testimony from several witnesses, most of it brief, the judge conferred more than hour and a half with lawyers for the prosecution and defense concerning his instructions to the jury.

The trial was adjourned late in the day until 9 a.m. Thursday with the instructions still to be given.

The Rev. Virgil A. Wood and 10 other Negroes are appealing 60-day sentences handed down in Municipal Court by Judge Joseph P. McCarron.

Mr. Wood, 29, is pastor of Diamond Hill Baptist Church and president of the Lynchburg Improvement Association. Other defendants include William Walker Roberts, 23, pastor of Eighth Street Baptist Church; Bates Huston Ford, Samuel Walter Trimiar, Essie Elra Gordon, 27, of Lynchburg; William G. Roberts, 21, of Aliquippa, Pa.; Ralph Reavis, 19, of Lawrenceville; James A. Tucker, 22, of Clifton Forge; Elijah J. Regulus, 19, of Waycross, Ga.; Jon E. Crawford, 25, of Chicago and Lanksford E. Hankins, 25, of Nathalie.

# 'I can wait no longer,' 16-year-old declares after arrest in Va. sit-in

LYNCHBURG, Va. — Special police attention has been concentrated on 16-year-old Mandeline E. Thompson, youngest of eight persons arrested in the Feb. 13 segregation protest at Patterson's Drug Store.

While her associates could be heard singing hymns in their jail cells, Mandeline was questioned at length as to what adults 'put her up' to participating in the sit-ins.

An intelligent and outspoken young lady, Madeline insisted that she had acted strictly on her own.

Then to be sure there would be no misunderstanding she wrote out the following statement in answer to reporters' questions:

"TODAY, with the strength given me by my Maker, my heart overflowing with courage, I made my stand for my civil rights as given to me by God and the Constitution.

"I am telling you, as I told the policemen in jail, I moved when my heart said move.

"I can sit still no longer and wait for the privileges that I should have had since man sinned and took control of the world.

"Because I am a juvenile there are those who suspect that I have been influenced by others.

"But they are wrong. God is my influence, my only influence. And He said to one and all 'I help those who help themselves'. And that's enough for me."

* * *

BOTH HER parents point out that Mandeline would need no outside influence to join an effort for civil rights and human dignity. "That's been instilled in her since birth" they said.

Madeline, too, pointed out that long before last week's sit-ins, she was active in the desegregation campaign.

"I've walked the picket line until my feet felt like dropping off" she said. "And I'm for the cause, all the way."

COURAGEOUS TEENAGER is Mandeline E. Thompson, 16, who, arrested in a group of 8 lunch counter sit-in demonstrations in Lynchburg on Feb. 13, refused to let her parents bail her out for seven hours, as a demonstration of sympathy for six other college students now serving a 30-day jail term. Because of her youth she was repeatedly questioned by police as to who influenced her to participate in the protest.

# Judge Fines 9 'Sit-Inners' $50 For Missing Court Call

## Orders new trial in Lynchburg Oct. 2

LYNCHBURG, Va. — St.

Lynchburg is adopting Jackson, Mississippi's harassment program of convicted sit - inners. Last week, Judge O. Raymond Cundiff in cooperation with the wishes of the Commonwealth's Attorney fined nine persons for not being present at the court's roll call on Sept. 5th.

Each person was given $50 to pay for non - appearance. In addition to the fine, the old bonds were cancelled in a move seemingly designed to discourage businessmen from going on the bonds of the convicted sit - inners who are waiting to hear from the Virginia Court of Appeals.

From here on out each one of the sit - inners must be in court at the beginning of each term the first Monday of each month.

* * *

**JUDGE O. RAYMOND CUNDIFF** continued the case of the tenth sit - inner, Jor E. Crawford of Chicago, until the first day of the October term after receiving a telegram that Crawford was ill. All the bonds, having been forfeited, were returned with the exception of $50 each.

The nine who were fined were: William G. Roberts, 21, of Aliquippa, Pa., Ralph Reavis, 19, of Lawrenceville; James A. Tucker 22, of Clifton Forge; Elijah J. Regulus, 19, of Waycross, Ga.; Lanksford E. Hankins, 25, of Nathalie; the Rev. William Walker Robertson, 23, of Garfield Ave.; Bates Huston Ford, 40, of 1302 12th St.; Samuel Walter Trimiar, 26, of 2311 High St., and Mrs. Essie Elra Gordon, 27, of 1412 Jackson.

All out - of - state persons had $1,000 bonds, and all Lynchburg residents posted $750 bonds with the exception of Mrs. Gordon who posted a $500 bond.

* * *

**THE BONDSMAN** who posted nine of the original bonds asked to be relieved of further responsibility through his lawyer. All nine posted bonds again.

Mandeline Thompson, 16, of Madison Heights, was not fined after commonwealth attorney Royston Jester III asked for dismissal because he said the girl's father had seen Jester.

Besides the sit - inners and their attorneys, there were 14 colored and one white man in the courtroom as spectators.

Attorney Len Holt of Norfolk acted as defense counsel for all but the Thompson girl. He maintained that it was his fault the sit-inners had not appeared as he had not advised them to do so.

Holt contended it was not a "willful failure to appear" but an "act of inadvertence." He referred to the fine as a "punishment."

* * *

**HOLT ALSO** contended the sit-inners were not in court on June 5 when the case was continued until the first day of the September term.

Jester said if this were true, Holt's "statement indicates a prior violation," that "everyone knows ignorance of the law is no excuse," and asked $100 be taken from each bond."

Judge Cundiff said that since it was shown there was no willful action in not appearing, he could impose the $50 penalty.

All the cases were continued until Oct. 2, the first day of the October term.

38a 1961

VIRGINIA

AUGUST
ALEXANDRIA- RESTAURANT - SIT-IN

**First Incident of Kind in City**

# Ten Sit-In Demonstrators Arrested In Protest at Alexandria Restaurant

Ten sit-in demonstrators protesting racial discrimination were arrested in an Alexandria restaurant yesterday for violating Virginia's trespass law.

The sit-ins were the first to demonstrate in Alexandria. They came nearly a year after a number of chain stores and restaurants in the city had dropped racial bars, averting threatened demonstrations.

A bi-racial committee had worker quietly behind the scenes to pave the way for last summer's desegregation.

The demonstrators yesterday were students at an "institute" sponsored by the Congress on Racial Equality in a nearby Fairfax County church and local supporters.

The first arrests were made about noon when six CORE students entered the 403 Restaurant at 403 King st. in two groups.

The youths, three of them white and three Negro, ignored requests by owner Alfred C. Pilla that they leave and Mrs. Pilla summoned Police Pvt. C. T. Callahan from his post across the street. When Pilla repeated his request in Callahan's presence, one of the demonstrators asked to talk things over.

But Pilla said he had no intention of changing his policy and Callahan, after a final warning, arrested the youths.

Later, four Negro girls seated themselves and refused to leave when told that no food was being served at the time. They also were arrested.

All 10 were charged with "trespass after being forbidden" under a law amended during 1960 by the General Assembly to increase maximum penalties from $100 and 30 days in jail to $1000 and 12 months. Pilla swore out the warrants.

Those charged were: Robert H. Balogh, 22, of New York City; Inge B. Powell, 31, of Berkely, Calif.; Betty Jean Daniels, 20, of New Orleans; William B. Greene, 28, of Hollywood, Calif.; Sidney M. Goldfarb, 18, of Peabody, Mass.; Rudolph J. Lombard, 22, of New Orleans; Mildred L. Winfrey, 19, listed at 634 N. Alfred st., Alexandria; Katrina Dunlop, 19, listed at 406 N. Payne st., Alexandria, and two 17-year-olds who live in Alexandria.

All except Miss Winfrey listed their occupations as student or teacher.

The juveniles were released in the custody of their parents and the adults jailed under $250 bond, which police said they made no attempt to post, for appearance in Municipal Court today.

Melvin Miller, an attorney for the demonstrators, said the defense will contend that the trespass law is unconstitutional.

CORE pickets continued to march outside the 403 Restaurant and three others on King st. yesterday.

**SENTENCED TO JAIL** — Sit - in lunchcounter protestors in Lynchburg, Virginia leave court with their attorneys after being fined $100 each and given jail sentences of 90 days by an all - white five-person jury in Lynchburg's Corporation Court. The sentences were given on appeal of the original sentences of 60 days and no fine each. In photo, from left, are the Reverends W. W. Roberts Jr., Virgil A. Wood, W. G. Williams, Lankford Hawkins, Ralph Reavis and Jon E. Crawford.

# Lynchburg convictions appealed

**(Photos on Pages 2 and 3)**

LYNCHBURG, Va. — The double convictions and sentences levied by two local courts against 12 defendants arrested for sitdown demonstrations are being appealed to the State Supreme Court, a member of the legal defense team said Saturday.

The second set of convictions and fines followed a stormy, two - day trial in Corporation Court last Wednesday and Thursday during which the presiding judge held Leonard W. Holt Jr., defense lawyer, twice in contempt of court.

The jurist, however, dropped the charges against the lawyer at the end of the trial.

**THE APPEALS** are being made on the grounds that the trespass arrests violated the Constitutional rights of the defendants and the last court to hear the case erred in denying a number of motions made by the defense.

The second court to hear the case was the Corporation Court where a five - member, all white jury, on Thursday returned a guilty verdict against the defendants.

The presiding jurist, Judge S. DuVal Martin added 30-day jail terms and $100 fines to the 60-day jail terms levied earlier in Municipal Court.

**ford, 25, Chicago, and Lankford E. Hankins, 25, Nathalie, all students at Virginia Theological Seminary and College here and all bonded at $1000.**

The sentences were suspended for 60 days to permit the defendants to appeal to the State Supreme Court.

* * *

**SIX OF THE** defendants are pre - ministerial students, who went on a hunger strike in the Lynchburg jail last February after being sentenced to the 60 - day terms.

They are the Revs. James A. Tucker, Elijah J. Regulus, Lankford Hankins, W G. Roberts, Jon E. Crawford and Ralph Reavis.

The others are the Rev. Virgil A. Wood, president of the Lynchburg Improvement Association; the Rev. William Walker Roberts, Mrs. Essie E. Gordon, Miss Mandaline T. Thompson, a 16-year-old high school student; Bates H. Ford and Samuel W. Trimiar.

Bail for the defendants ranged from $500 to $1,000.

* * *

**THE CONTEMPT** charges against defense counsel Holt were made shortly after the trial started on Wednesday.

The lawyer and some of the defendants arrived shortly after 9:30 a.m., the time set for the trial to begin. The judge instructed that the recognizances of the defendants be read.

A few minutes later the defense lawyer and the defendants entered. Holt attempted to explain to the judge that they were late because the automobile in which they were traveling broke down.

* * *

**JUDGE MARTIN** ordered the lawyer to sit down and he would be heard later. When Holt failed to sit down, the judge commanded him to take his seat. He then delivered a stern lecture to the lawyer, telling him he would have to obey the orders of the court.

Before the trial proper actually started, Holt pointed out that the spectators in the courtroom were racially segregated. He submitted a motion that the segregated seating policy be discontinued.

# 11 in Sit-ins Given Stiffer Sentences

## Get 30 More Days, $100 Fines After Lynchburg Appeal

LYNCHBURG, Va., April 6 (AP)—Eleven adult Negroes who apepaled 60-day sentences for trespassing in a drug store were sentenced to an additional 30 days today and fined $100 each. The lower court sentencing had not included fines.

An all-white jury of four and one woman decided the jail sentences after a hearing before Corporation Judge S. Duval Martin on appeal from a Municipal Court conviction. The maximum sentence is a year in jail and $1000 fine.

Judge Martin granted a 60-day stay of sentence to allow the defendants to appeal to the State Supreme Court.

In addition to the 11, Mandaline E. Thompson, 16, of Madison Heights, today appealed a 30-day lower court sentence for trespassing in the same drug store, Patterson's. Her case was heard by Judge Martin without a jury. He upheld the sentence but also granted her a stay for appeal.

Ten of the 11 adults were freed on bond—four under $750 and six under $1000. The 11th, Essie E. Gordon, 27, is confined to a hospital and was tried in absentia at her request. Miss Thompson was freed under $500 bond.

Judge Martin dismissed two contempt of court charges he lodged against Leonard W. Holt Jr. of Norfolk, attorney for the 11 adult defendants, at the opening of the trial.

All the defendants were charged after they sought service at Patterson's and conducted sit-in demonstrations when they were refused.

The other adults are: the Rev. Virgil Wood, 36, pastor of the Diamond Hill Baptist Church and president of the Lynchburg Improvement Association; the Rev. William W. Roberts, 23, pastor of the Eighth Street Baptist Church; Bates H. Ford, 40, and Samuel W. Trimiar, 26, all of Lynchburg, all bonded at $750.

Also: William G. Roberts, 21, of Aliquippa, Pa.; Ralph Reavis, 19, of Lawrenceville; James A. Tucker, 22, Clifton Forge; Elijah J. Regulus, 19, Waycross, Ga.; Jon E. Crawford, 25, Chicago, and Lankford E. Hankins, 25, Nathalie, all students at Virginia Theological Seminary and College here and all bonded at $1000.

The judge denied the motion. Then Holt submitted a motion asking that the judge disqualify himself on grounds that in denying the motion he was upholding racial segregation.

The judge held that in making the motion, Holt was "grossly contemptuous."

* * *

HE AGAIN held the lawyer in contempt of court when the defense attorney objected to racial designations being placed after the names of colored persons listed on the jury panel.

The judge would not permit Holt to ask the jury candidates 14 questions regarding their attitude toward such issues as race, integration and their affiliations with organizations.

The court held that the questions were either irrelevant or redundant.

The questions included whether the jurors were related to law enforcement officers, the court, or city employees, and whether they were subjected to "pressures," or members of racial hate groups.

At one point during the questions, the court bluntly questioned the "honest intent" of the defense lawyer.

* * *

HOLT ANSWERED by saying he needed the information the questions would reveal in order to adequately represent his clients.

The judge retorted that he would not permit the lawyer to take "hours, days, weeks, or months" to get a jury he liked.

The jury was out less than an hour before returning the guilty verdict.

Eleven of the 12 defendants were tried together, one of whom was tried in absentia due to being confined in a hospital.

The 12th defendant, the 16-year-old high school girl, was tried before the judge without a jury during the time the jury was reaching its verdict.

GIVEN 30 DAYS — Attorney Samuel Tucker, Emporia, Va., talks with Mandoline Thompson, 16, of Madison Heights, Va., who was given 30 days in jail by Judge S. Duval Martin who heard her appeal without a jury. She was charged with trespassing after a sit-in in Lynchburg's Patterson Drug Store. She was granted a stay to appeal the sentence.

# Sit-In Trials of Eight Put Off in Lynchburg

The Washington Post
Washington, D.C.

LYNCHBURG, Va., March 14 (AP)—Corporation Court appeal hearings were continued today for eight Negroes charged with violating Virginia's anti-trespass laws in a Feb. 13 drug store sit-in demonstration.

The trial for seven adults involved was continued until April 5. They are appealing 60-day jail sentences imposed in Municipal Court.

A hearing for a 16-year-old Negro girl, sentenced to 30 days, was continued until April 6.

The hearings were continued because of the sickness of Commonwealth's Attorney Royston Jester III.

The eight remained free on $1000 bond each.

In another development, a Negro minister said the data had been made indefinite for filing an omnibus suit against the City asking for an end to segregation in public facilities.

The Rev. Virgil A. Wood, president of the Lynchburg improvement Association, said: "The eight persons filing the omnibus suit have decided to make indefinite the data of filing. This means the suit might be filed this week or any week."

An ultimatum was presented to City Council at its Feb. 28 meeting and council was given one week to reply. The data was later extended until today.

Three members of the Council have indivated they will sponsor a motion at tonight's meeting to hand the Improvement Association's petition to the Lynchburg Inter-Racial Committee for study and recommendation.

At today's hearing, all the witnesses were called before Judge S. Duval Martin, recognized and told to come back on the dates of the continued hearings.

Leonard W. Holt, Negro attorney from Norfolk for the seven adults, summoned 17 witnesses for the defense. The majority of these were employes of Patterson's Drug Co., the firm which operates the drug store which has been the frequent target of sit-in demonstrations recntly.

Holt was reprimanded by Judge Martin when the attorney attempted to make a motion.

"I don't want to hold you in contempt but I publicly reprimand you for such conduct in this court," Martin told Holt.

Holt was taking exception to the continuance of the trial while the court was engaged in recognizing witnesses.

Later, the Judge heard Holt in his chambers on a motion the attorney filed by mail yesterday in which he objected to Martin's dismissal of a Friday motion. That move by Holt called for dismissal of the charges and requested that racial signs in the courthouse be taken down. He also wanted a court reporter paid for by the court in the hearing.

Six of the defendants are students at Virginia Theological Seminary and College here.

Four other Negroes, including Mr. Wood, and another Negro minister, also are appealing 60-day sentences stemming from a sit-in at Patterson's. Their cases come up on t heopening day of Corporation Court April 3.

# 60-day sitdown sentences for Rev. Wood, others appealed

The Afro-American
Baltimore, Md.

LYNCHBURG, Va. — The 60-day jail sentences of the Rev. Virgil A. Wood and three other persons convicted of violating the state trespass law are being appealed.

Hearing of the appeal is tentatively set for April 3.

The Rev. Wood, president of the Greater Lynchburg Improvement Association, and the three other defendants were tried Thursday before Municipal Court Judge Joseph P. McCarron.

The other defendants are the Rev. William Walker, 23, pastor of the Eighth Baptist Church; Bates Ford, a YMCA employee, and Samuel Trimiar.

* * *

**FOLLOWING THEIR** conviction, the defendants attended a mass meeting Friday night at the Curt Street Baptist Church, along with 700 other supporters of the sitdown movement.

The meeting, upon request of the Lynchburg Bi-racial Committee, voted a 60-day cooling off period to give the committee time to end racial discrimination in public places by negotiation.

Earlier the audience rejected a proposal that a 30-day boycott of the downtown shopping area be launched.

The main speaker was the Rev. Wyatt Walker of the Southern Christian Leadership Conference.

* * *

**OTHER SPEAKERS** were Dr. Milton A. Reid, president of the Virginia SCLC; the Rev. R. G. Williams, and the six divinity students who were released from jail the same day.

They are the Rev. Lanford Hankins, Jon Crawford, William G. Roberts, James Tucker, Elijah Reguius and Ralph Reavis.

At the trial of Rev. Wood and the other three defendants, Len W. Holt, defense counsel, sought to question the complainant, William S. Patterson, regarding why the four were refused service at Patterson's drug store.

* * *

**RULING THAT** Patterson did not have to give his motives Judge McCarron said: "Certainly it was because they were Negroes. He does not have to explain that."

The sentencing of the four brings to 10 the number of persons jailed as a result of sitdown demonstrations at Patterson's drug store.

Six students are awaiting hearings on appeals set for March 14, as well as a housewife and a high school student. Six other students served 20 days of 30-day sentences.

**APPEALS SIT - IN CASES** — Attorney Len W. Holt (center) walks out of Lynchburg Corporation Court after having two charges of contempt of court against him dismissed by Judge S. Duval Martin. Mr. Holt was accused of contempt during the opening of the trial of 11 sit - in defendants who were fined $100 each and given 90 days in jail. He was given 60 days to appeal to the State Supreme Court. At left is Bates Ford, 40, one of those convicted, and Barbara Thomas, 21, who served a 30 - day sentence after a Dec. 14 sit-in.

# Lynchburg 'Sit-Ins' Convicted

The Pittsburgh Courier Pittsburgh, Pa. Int. 4-15-61 p2

LYNCHBURG, Va. — An all-white jury convicted 12 Negroes, including two ministers and a 16-year-old girl to jail terms on charges of trespassing involving three sit-in demonstrations.

Eleven of the Negroes were released on bond and granted a 60-day stay of sentence to appeal to the State Supreme Court of Appeals for a writ of error. Mrs. Essie Elra Gordon, 27-year-old housewife, confined to a hospital, was tried in absentia.

The 11 adults, appealing the 60-day jail sentence from Municipal Court, were sentenced to 90 days in jail and fined $100 each by the jury which deliberated one hour and 15 minutes.

The juvenile, a Madison Heights high school girl, appealing a 30-day Juvenile Court sentence, was tried without a jury and sentenced to 30 days in jail by Judge S. DuVal Martin.

Judge Martin said a person could discriminate "to his heart's content in matters allowed him by law—against a Negro or a white person who remains on his private property."

Meeting the $750 bonds were the Rev. Virgil Wood, 29, pastor of Diamond Hill Baptist Church and president of the Lynchburg Improvement Association; The Rev. William W. Roberts, 23, pastor of Eighth Street Baptist Church; Bates H. Ford, 40, and Samuel W. Trimiar, 26.

Released on bonds of $1,000 each were William G. Roberts, 21, Aliquippa, Pa.; Ralph Reavis, 19, Lawrenceville, Va.; James A. Tucker, 22, Clifton Forge, Va.; Elijah J. Regulus, 19, Waycross, Ga.; Jon E. Crawford, 25, Chicago, and Lanksford E. Hawkins, 25, Nathalie, Va., all students at Virginia Theological Seminary and College. No bond was set for Mrs. Gordon because she did not appear in court.

# Presbytery Backs Sit-In Movement At Spring Meet

Journal & Guide Norfolk, Va. Int. 4-29-61 p3

PORTSMOUTH — The Presbytery of Southern Virginia of the United Presbyterian Church in the USA endorsed the sit-in demonstrations against segregation at public lunch counters and in other public places at its 74th stated spring meeting here recently. The meeting was held at the Community Presbyterian Church.

A recommendation on this movement and other current roblems was adopted following a report by the Committee on Social Education and Action which was made by Dr. J. M. Tinsley of Richmond, committee chairman. The title of the report was "Come, Let Us Think On These Things."

The recommendations in the report were as follows:

"2. **THAT UNITS** of the Presbytery's Committee on Social Education and Action be set up in each local church for implementing the general program of the department of social action and education.

"2. That the Presbytery of Southern Virginia go on record as endorsing the objectives of the "sit-in movement" against segregation at public lunch counters and public accommodations anywhere it is practiced, and that our ministers, ruling elders and communicant members be urged to lend their moral and material support to our brave, courageous and heroic young people in their quest to eliminate the injustice brought on by the evil of segregation and discrimination at public lunch counters and public accommodations anywhere segregation is practiced with special emphasis on businesses operating within the bounds of the jurisdiction of the Presbytery of Southern Virginia,, and the Commonwealth of Virginia.

"3. **WE DENOUNCE** legalized segregation as an abridgement to the true freedom of all citizens, irrespective of the so-called ethnological back ground, race or creed, and, if we are to survive as Christians and free people, we must find a way to erase these unjust enactments from our code of laws, that ours may be truly 'The Land of the Free, and The Home of the Brave!"

"4. Segregation is not a fact-but only fiction: We are led to believe that legalized segregation, as we know it today, is not a fact, never has been and never can be, but is fiction, at its worse, an empty dream of a dying world and was formerly intended by its original promoters to intimidate freedom - loving people, against the will of a majority and in favor of the few."

# Trespass Law Left Standing By US Court

RICHMOND — Despite the fact that the Virginia General Assembly's 1960 amendments to the state trespass law "may fairly be said to have been enacted with an eye to the sit-ins," that does not make them unconstitutional, a three judge special U. S. court ruled on Friday.

The effects of the decision was to deny the contention of 131 persons arrested in Petersburg, Hopewell and Lynchburg demonstrations against segregation that the amendments were a device aimed at continuing racial discrimination and should be outlawed.

**THE COURT** acted unanimously in holding that "racial segregation on private property" in private possession and operation has never been adjudged illegal.

Acting for the whole court, Judge Albert V. Bryan of Alexandria said that the 131 persons arrested had not shown that the law was used unfairly, or that its use against Negroes was discriminatory.

**HE ALSO** wrote that the court would not have granted an injunction requested by the 131, even if the amendments had been considered illegal because they had not exhausted their remedies in state courts and had not shown that the amendments would cause them great harm.

The petition for the 131 had contended that the law changes were enacted and used to enforce segregation, and violated the equal protection of the U. S. Constitution.

REPRESENTING the demonstrators were Joseph A. Jordan, E. A. Dawley, Leonard W. Holt and Henry Jones. The state was represented by the attorney general, Albertis S. Harrison and the commonwealth attorneys of the cities involved in the cases, which are still in state courts.

# Race Bars Fall At Leesburg

## 2 Lunch Places Serve Negroes

LEESBURG, Va., April 29 (Special).—Lunch counter integration took place here today after an inter-racial meeting of community leaders.

Three Negroes were served without incident at one drug store and two at another in this community of 3,000 persons.

Mayor George J. Babson said that the decision to let down the racial bar at lunch counters was taken at a meeting of a dozen persons yesterday at the St. James' Church Parish Hall.

### Middleburg Cited

"It was a spontaneous meeting of community leaders," the mayor said. "They felt the pressure was on after what happened at Middleburg and that we couldn't allow any problems to arise here."

Attending the conference in addition to the mayor were four Negro leaders, the owners of three drug stores, three ministers and several other town businessmen.

Three lunch counters were integrated in Middleburg early this month after quiet negotiations with the owners.

### Group to Meet Again

Mayor Babson said that apparently a sit-in demonstration was planned if the color bar wasn't lifted following the discussion. He said that the group would meet again in the future "to seek a continuous solution to this thing."

The mayor said that Leesburg—where about 15 per cent of the population is Negro—has experienced no racial problems in the past. Negroes have been served at lunch counters "when the owner knew them," the mayor said.

The mayor said that apparently most persons in the town felt there was no alternative but to accept integration.

# 2 Are Jailed For Sit-Ins At Hopewell

HOPEWELL, Va., April 27 (AP).—Two Negroes have been jailed here following a demonstration which occurred shortly after 33 other Negroes were convicted on trespassing charges in drugstore sit-ins last fall.

The Rev. Curtis Harris was charged with disorderly conduct and Herman Price, 18, was charged with trespassing after they participated in a sit-in at a drugstore yesterday. Both were jailed in lieu of $1,000 bond.

Authorities said a warrant charging disorderly conduct also would be issued for Norfolk Attorney Leonard W. Holt.

Five juvenile girls involved in yesterday's demonstration were released in custody of their parents.

Mr. Holt and the Rev. Mr. Harris led a group of 75 to 100 Negroes through a hymn-singing march through downtown Hopewell, which ended in the sit-in demonstration. Mr. Holt was defense attorney for the Negroes convicted in Municipal Court a short time before.

At the trial three Negro adults—Mrs. Mariah Roberts, Robert Graves, sr., and Simon P. Johnson—received 60-day jail sentences. Thirty juveniles were placed on probation for six months in the custody of their parents.

The adults, free on $250 bond each, noted appeals.

# 2 Negroes Hired At Lynchburg Store

LYNCHBURG, Va., March 15 (AP)—The secretary-treasurer of Leggett's Department Store chain said today the Lynchburg store has hired two Negro women clerks, putting into effect a policy announced last week by eight firms doing business here.

The two will report for work Thursday. Harold G. Leggett said, as of now, the policy applied only to the operation here. Leggett's operates some 80 stores in five states.

"We're just doing what we think is right—what is best for our stores,"—Leggett said.

A Lynchburg desegregation leader, the Rev. Virgil A. Wood, praised the action and caled it "a courageous move."

The Lynchburg Negro community last week agreed to call off a threatened boycott of stores in the community after the merchants said they would offer employment opportunities to qualified Negro job applicants.

In another development here, the City Council refered to the Lynchburg Interricial Committee a request from the Negro community for an end to segregation in publicly owned facilities.

The Council last night approved a move by Councilman Claude A. Hoskins that the committee hold public hearings and other meetings before reporting its findings and recommendations.

The Rev. Wood, president of the Lynchburg Improvement Association, said the matter did not belong with the interracial group. The Association two weeks ago called for an immediate end to segregation and threatened to seek relief in Federal court.

# Sitdown Case Attorney Accused As 'Disorderly'

## Exorbitant bail set for minister, youth

HOPEWELL, Va. — Leonard W. Holt, a Norfolk attorney accused of disorderly conduct in connection with a sitdown demonstration, told the AFRO he will surrender to local police authorities on May 29.

Commonwealth Attorney Ligon L. Jones revealed last Wednesday that a disorderly conduct warrant had been issued for Mr. Holt, but was not served because he had left town.

Contacted in Atlanta, Mr. Holt said he would return to Hopewell after completing trial work in Atlanta, Birmingham, Ala., and Louisville, Ky.

He said he expects to be defended by the law firm of Jordan, Dawley and Holt, with the assistance of Judge Sidney Clark of Wilmington, Del., and three Washington, D.C., attorneys, Hank Jones, Simon L. Cain and Wilbur Whitsett.

* * *

**THE SITDOWN** demonstration followed the trials, April 26, of 30 juveniles and three adults who were among 65 arrested here during last August and September. All were convicted.

Tre defendants and spectators used the empty courtroom for a protest meeting.

* * *

**DURING THE** meeting six persons announced to the Rev. Curtis Harris (President of the Hopewell Improvement Ass'n) that they were going to stage a sitdown demonstration.

Inspired by the example of the six, the remaining 100 persons in the courtroom decided to protest the convictions and show support for the six going to be arrested by peaceably walking in pairs through the business section of Hopewell. At the head of the column of marches was the Rev. Harris accompanied by Mr. Holt, defense atttorney.

Spontaneously the paraders started singing hymns: "We shall Overcome," "I Shall Not Be Moved," and "We're Marching To Zion." Drawn to the sidewalks to observe were hundreds of employees and shoppers in the downtown area.

Though policemen watched the entire procession, and on one instance directed traffic to allow the marchers to cross an intersection, no attempt by them was made to discourage the demonstration.

* * *

**AFTER THE** arrest of the six sit - inners had been completed and the protest march had been disbanded, a hurried conference took place in police headquarters.

The Commonwealth's attorney was sent for. Warrants were issued after some research through the criminal code. The Rev. Harris, who had gone to the police station to arrange for the release of the sit-inners, was then arrested on charges of disorderly conduct. A similar charge was brought against Mr. Holt. Bonds of $1,000 were demanded of the Rev. Harris and the one sit-inner over 17 years of age, George Price.

Ordinarily disorderly conduct charges are minor matters disposed of by the person charged forfeiting the usual $10 bond. Requiring $1,000 bonds for disorderly conduct is unheard of, the attorney stated. Bonds of this size are usual only when felonies or violent crimes have occurred, he declared.

**HOLT WAS** informed of the charges pending against him by long distance phone calls . . as he travelled to Noonan, Ga. in connecton with the hearing arising out of the contempt conviction of Carl Braden and Frank Wilkinson.

While the Rev. Mr. Harris was waiting for someone to post the two $1,000 bonds for George Price and himself, Price was subjected to intensive interrogation, apparently an attempt by police to obtain evidence for other possible charges.

The high bonds and the interrogation are interpreted as an attempt on the part of some city officials to bring all efforts for integration to an immediate halt. Apparently, long term jail sentences will be meted out to both Harris and Holt. Generally, the bonds are indications of the type of sentence that the Commonwealth's attorney expects to get. And the bonds in these cases are exorbitant, the lawyer said.

Under the particular statute involved the maximum punishment is one year in jail and a $500.00 fine.

The sitdown demonstrations began in Hopewell during the summer of last year. Because the sit-inners there are both the oldest and the youngest yet to be involved, nationwide attention was focused on the community.

Three of the 71 persons arrested for sitting in are over 60-years-old (Mrs. Minnie Robinson, John Phillips and Albert Absalom).

There are three sit-inners who were barely 11 years old when arrested. A dozen families within the colored community have as many as two members who are now appealing convictions for sitdown demonstrations, including father, mother and two children in several instances.

**CLASS OF '41 TUSKEGEE**

TUSKEGEE, Ala. — The Class of 1941 has presented Tuskegee Institute with a $2,500 gift to defray expenses in the construction of a modern chapel at the college. The presentation was made at the 20th class reunion held in conjunction with the 80th anniversary celebration.

# Lynchburg Group to Tell City Council To End Segregatio n or Face Court

The Washington Post
Washington, D.C.

LYNCHBURG, Va., Feb. 27 (AP) — The Lynchburg Improvement Association has announced it plans to demand an end to racial segregation nad discrimination in Lynchburg public facilities at a City Council meeting Tuesday.

The Rev. Virgil A. Wood, president of the Association, said failure to comply with the petition would spur the Association to file an omnibus suit against the city government with the U. S. District Court for Western Virginia.

Eighteen persons have been arrested in sit-in demonstrations in Lynchburg since last December. Six were freed last week after serving 19 days of their 30-day sentences. Six others were sentenced last week to 60 days and are serving the time.

Five others are free under bond or with appeals pending, and one adult remains in jail pending a hearing.

Tht suit is designed to force by injunction an end to racial discrimination in Lynchburg public parks, swimming pools, cemeteries, public buildings, courtrooms, schools and all other public facilities.

Mr. Wood said "whereas our city has inflicted and does inflict countless denials of equal opportunity solely because of race, we asked for an immediate end to all discrimination this week.

"We wish to avoid lititgation. Such should be unnecessary if you, our leaders, will act within the framework of your moral conscience.

"If our pleas go unheeded, where is there for us to go, but tohe Federal court; and it is there that we shall go."

Mr. Wood said the suit would be filed in U. S. District Court March 9, the day court hearings are set for some demonstrators.

Len W. Holt of Norfolk, one of a battery of lawyers drawing up the omnibus suit for the Lynchburg Improvement Association, said a similar suit was filed against city officials in Jacksonville, Fla. It resulted in a Federal Court injunction against the city forcing public facilities to open to Negroes as well as white.

## Virginia Puts Off Sit-in Case

The Atlanta Constitution
Atlanta, Ga.

LYNCHBURG, Va. (AP)—Hearings were continued here Tuesday for eight Negroes appealing jail sentences imposed in a sit-in demonstration at a downtown drug store.

The hearing for seven adults, appealing 60-day sentences, was set for April 5. A hearing for 16-year-old girl, sentenced to 30 days, was continued until April 6. The eight defendants continued free on $1,000 bonds each.

# 6 Sit-ins Released in Lynchburg

The Washington Post
Washington, D.C.

### Jail Sentences Cut 11 Days for Good Behavior

Jan 2-25-61

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., Feb. 24—The first group of six college students convicted for "sit-in" demonstrations at a local drug store was released from jail early today.

The four white and two Negro students left after serving 19 days. Their 30-day sentences for trespass were reduced for good behavior.

The students, in individual statements, said they had no regerts. The time they had to think strengthened their convictions that their protest was an expression of the injustice of racial discrimination, they said.

### Arrested in December

They were arrested last December when they sought service at the lunch counter in Patterson's store on Main st. The students refused to leave after Manager William Patterson denied them service.

Kenneth Greene, 28, student at the Negro Virginia Theological Seminary and College, was the first released. It was still dark when he left the jail shortly after 6 a. m. A few minutes later, Barbara Thomas, 21, also a student at the Seminary and College, was let out.

Then came George Brumback Jr., 20, and James Hunter, 20, students at Lynchburg College. Shortly afterwards Rebecca Owen, 21, and Mary Edith Dentley, 21, students at Randolph Macon Woman's College, joined the others on the sidewalk. All then walked to a Negro church and discussed their experiences.

The students were carrying stacks of textbooks and bundles of mail they had received.

They were met by college friends and by reporters from two Washington, D. C. newspapers.

The Lynchburg newspapers, the News and the Advance, did not send reporters or photographers to cover the release of the six students whose arrest catapulted their community into prominence.

Lynchburg papers later told the Associated Press they could not provide picture coverage of the release because they did not know the youths were going to be freed so early in the morning. There has been a virtual blackout on picture coverage of the segregation story by the Lynchburg newspapers in the last few days.

The Washington, D.C.

The six students are members of an inter-collegiate study group of students from the three colleges in Lynchburg and nearby Sweetbriar College.

The students said they had received hundreds of letters and cards from around the country and abroad. Included were cards of congratulations and sympathy. At first, they said, City Sergeant Charles M. Watts and his assistants tried to read all the letters but finally gave up and let the mail come in uncensored.

Miss Owen and Miss Bentley, who shared a cell, said they received more than 400 letters and cards on a single day. They were permitted to write two letters a week.

In their mail were letters from students at other colleges saying teh example of the Lynchburg students had given them courage to work for the end of discrimination in their own communities.

There also werel etters from Negroes in Lynchburg. One said "I will pray for you and all persons like you and I hope that your unselfish act will motivate other people to discuss freedom."

Since the six students went to jail, other "sit-ins" have taken place at Patterson's Drug Store. Six additional students from the Theological Seminary and College now are serving 60-day sentences and six others, including two Negro ministers, are out on bond awaiting trial.

Miss Owen, an honor student in religion at Randolph-Macon, said she was especially glad that white students took part in the first Lynchburg "sit-in."

"This is not a problem that the Negro should be called on to combat alone," she said. "We feel no bitterness against Lynchburg."

Brumback said the demonstration at Patterson's was a protest against a policy "which, although now protected by law, represents an invasion of the responsibilities of American citizenship."

"I am more sure than ever in my convictions," he declared.

Hunter said he experienced a feeling of unreality during the 19 days in jail. "I would sit o nthe bunk and think why am I here? What have I done?"

Greene, the oldest of the six students and a Korean war veteran, said of the jail term, "I will come back if it will help the cause."

The students said an attorney had told them while they were in jail that their sentence would be lightened if they would express regret for having broken the trespass law. This they said they would not do.

Miss Bentley, a music major, tried to memorize organ music for a recital she must give this spring. Miss Owen worked on her honors thesis by reading the letters and essays of the German theologian Dietrick Bonhoeffer, written while imprisoned by the Nazis.

The students said they made friends with the jailers and were treated with respect and kindness.

Hunter and Brumback shared a cell. Miss Thomas, alone most of the time, studied. Greene was in a cell with seven others where there was a constant card game.

After atending classes today, Miss Owen went to her home in Saluda, Va., to visit her father, a retired bank official, who has been ill.

Miss Bentley, a native of South Hill, Va., is the daughter of the Rev. and Mrs. Floyd T. Bentley. Her father, a Maryland boy—described by District police as the first juvenile dope addict they have encountered in four years—was awaiting Juvenile Court action yesterday in the Receiving Home.

Juvenile Squad Det. Sgt Charles Calderwood said the youth was picked up Thursday night by Thirteenth Precinc detectives for questioning in

# Delay Lynchburg Sit-In Appeal

## 7 adults, girl, 16, oppose jail terms

The Afro-American
Baltimore, Md.

LYNCHBURG, Va. — Hearings were continued here last week until April 5 and 6 for seven adults and a 16-year-old school girl appealing jail sentences which they were given following their arrest on trespass charges.

The arrests, which followed a sit-down demonstration in a Lynchburg drug store, resulted in 60-day jail sentences for the seven adults and a 30-day jail term for the school girl.

All are free on $1,000 bonds.

* * *

DURING THE week postal cards were sent out over the name of the "Committee of Concerned" asking for neither integration nor segregation, but for our community welfare.

Racial conflict, the cards continued, "has hurt our business and damaged our community name."

The cards said also that an "omnibus suit" was pending and urged businessmen and residents of Lynchburg to "try other ways before being forced . . . Recognizing the inevitable now, may, in the end, preserve our community."

Recipients of the cards were urged to direct their requests for action to halt the city's racial conflict to the City Council, the Bi-Racial Committee, and William Patterson of Patterson's Drug Co.

## April trial set

RUTHERFORDTON, N.C. — The trials of six high school pupils charged with trespassing during an anti- — The trails of six high were continued Monday to April 10. The six have been released under $100 bond each.

They were arrested during a sit-in at a downtown drug t ore a few minutes after a group of more than 50 had assembled near the courthouse in a segregation protest.

* * *

FAYETTEVILLE, N.C. — A group of colored boys and girls picketed downtown Fayetteville movie houses Thursday afternoon.

The youngsters formed into squads of five or six members each and marched quietly bearing placards proclaiming: "Marching For Freedom," "A New Day" and other slogans.

They maintained silence despite questions from other persons on the streets.

## Case reversed

MONTGOMERY, Ala. — The Alabama Court of Appeals Thursday reversed the convictions of the Rev. R. Edwin King (white) of Boston University and Elroy Embroy, a former Alabama State student, who were arrested while attempting to eat together in a hotel coffee shop.

Earlier, on March 7, disorderly conduct charges against them, six other colored students and a white professor from MacMurray College in Jackson, Ill., were thrown out by the court of appeals because the complaint failed to spell out what offense, if any, they committed when the group ate together in a colored restaurant.

## Warrants asked

HAMPTON, Va. — Commonwealth Attorney Elwood H. Richardson Jr., has been asked that trespass warrants be issued for 15 Hampton Institute students originally arrested under the law.

The charres of violation of segregated seating statutes were nolle prossed in Hampton Municipal Court last week. April 7 has been set for the start of hearings on the new charges.

* * *

CHARLOTTE, N.C. — Charles Jones, a theological student at Johnson C. Smith University, who spent 30 days in jail following his arrest during a sit-in demonstration at Rock Hill, S.C. last Feb. 7, has been reinstated as a student at Smith, university officials announced last week.

## 272 in Ky. jail

LOUISVILLE, Ky., — A total of 272 arrests have been made here to date in connection with the NAACP sponsored withholding of patronage campaign against the downtwn shopping area.

The arrests stem from the NAACP's "Nothing New for Easter" drive against segregation and involves the city's 75,000 Negroes.

Local NAACP president, the Rev. W. J. Hodge, estiates that Negroes spend $18 million annually here.

Mr. Hodge and J. Earl Dearing, president of the Association's State Conference of Branches, are among those appointed by Mayor Bruce Hoblitzell to a special committee to iron out the crisis.

Kentucky Gov. Bert T. Combs entered recent integration talks at city hall as students and adults substituted prayer for demonstrations. After the meeting, the governor told newsmen, "It was a very informative discussion . . . We're going to play it by ear."

In Juvenile Court, Judge Henry Triplett overrulled a defense motion that he vacate the bench in trials of 17 youths and one adult arrested in demonstrations and postponed trial of their cases.

About 450 students and adults met as usual but instead of marching downtown again, they spent the period singing and praying on the gneral theme of brotherhood.

A white man slugged an Episcopal priest and an elderly white woman was injured as an aftermath of Chattanooga's latest theater stand-in demonstration.

In addition nine young persons who tried to buy tickets to a white movie theater were arrested on charges of disorderly conduct.

## Ask law change

GREENVILLE, S.C. — A petition reuesting the repeal of a section of the City Code regulating serving of meals to white and colored people in public places has been presented to Mayor J. Kenneth Cass, with copies sent to managers of three leading variety stores in the city.

The petition preapred by tan Attorney Donald Sampson states that the offensive section is a "clear example of police power which may be inconsistent with Constitutional liberties and business ethics."

* * *

COLUMBIA, S.C.—Thirty-six demonstrators, including a minister and a 24-year-old student who was knifed by a white man, were convicted here on breach of the peace charges.

The trials of all, including the injured student, Lennie Glover of Adah, Pa., stemmed from an anti - segregation march on the State House March 2. Glover attends Benedict College here.

The minister convicted along with Glover was the Rev. Benjamin Glover, no relation, of Charleston. Both were given fines of $100 or 30 days in jail.

# Supreme Court Asked To Review Va. Sit-In Cases

Atlanta Daily World

WASHINGTON, D.C. — The U. S. Supreme Court was petitioned this week to review the cases of 34 Negro students who conducted a lunch counter "sit-in" in Richmond, Va., last year.

In a petition for certiorari filed July 22, attorneys for the NAACP Legal Defense and Educational Fund ask the nation's highest court to review an April 24, 1961 decision by the Supreme Court of Appeals of Virginia which upholds the students' convictions.

The students, who attended Virginia Union University, demonstrated at Thalhimer's, one of Richmond's largest department stores, on February 20, 1960, and were arrested and fined $20 each.

They had attempted to obtain service at two lunch counters, a soup bar and a restaurant reserved for white people. The store maintains a lunch counter for Negroes in its basement.

Atlanta Daily World

During the demonstration, which was entirely peaceful, the Negro group was refused service and asked to leave the store. When they remained, police were called and the students were arrested.

**RESULTS IN CONVICTION**

Their cases were tried in a Richmond police court ,resulting in conviction under a Virginia statute which makes it a crime not to get off private property when ordered to do so by an owner, or by someone acting for the owner.

In subsequent appeals, the convictions were upheld by the Hustings Court in Richmond, and the aforementioned Virginia Supreme Court of Appeals.

The Legal Defense Fund petition contends that the Virginia arrests were motivated by segregation, maintain by state law, and "constituted state enforcement of racial discrimination contrary to the due process and equal protection clauses of the Fourteenth Amendment."

"Thalhimer's," the attorneys argue, "as a great department store, is part of the public life of the community. .... In choosing to exclude Negroes from some of its restaurants, and to expel from the store all who protest against this humiliation, Thalhimer's followed a policy of public racial discrimination."

The petition also maintains that the students, as citizens, have the right to express themselves "on topics connected with their relations with the store," and that these expressions were at all times moderate and peaceful.

The Legal Defense Fund attorneys also contend that the convictions "were obtained without clear evidence in any of the cases, of notice to petitioners of the authority, or even the identity, of the store employee who ordered them out."

# Wisconsin Civil Rights Sit-In Ending, Hope for Laws Lost

Evening Star D A5 Sat 8-12-61

Washington D.C.

MADISON, Wis., Aug. 12 (AP).—Civil rights demonstrators, satisfied that their Capitol sit-in had at least brought attention to their cause, prepared today to go home.

The demonstrators' 13-day-and-night vigil in the Capitol Building rotunda had no effect on legislation.

The Legislature slammed the door yesterday on the last hope held by the demonstrators for favorable action on civil rights bills supported by the group.

Bills aimed at prohibiting racial discrimination in public housing programs and to increase the power of the Governor's Commission on Human Rights were killed as both houses rushed through their business in hope of recessing today until next fall.

Lloyd Barbee, Madison, president of the Wisconsin chapter of the National Association for the Advancement of Colored People, said his group, which sponsored the demonstration, was disappointed but not disheartened.

He said he believed the demonstration had some good results.

"There was a time when legislators wouldn't even admit there was a housing discrimination problem in Wisconsin," Mr. Barbee said. "At least they recognize the problem now."

"I also believe the public has a better understanding of the situation because of this sit-in," he said.

Mr. Barbee added that when the demonstration ends the final group of sit-ins—16 persons seated before the 16 columns in the Statehouse rotunda—will walk quietly out the west exit, the same way they came in July 31.

## SIT-IN STAGED IN WISCONSIN STATE CAPITOL

Chicago Tribune D 9 Tues 8-1-61

### 16 Vow to Stay Until Rights Bills Pass

Chicago Ill

Madison, Wis., July 31 (UPI)—Members of the National Association for the Advancement of Colored People seated themselves in the state capitol today and vowed to remain until the legislature acts on bills dealing with civil rights in housing or adjourns for the summer.

Sixteen persons—both white and Negro—stationed themselves at pillars in the capitol rotunda. They plan to relieve each other to continue an "around the clock" vigil in protesting the legislature's failure so far to pass the bills.

**Two Measures Killed**

Bills to give the governor's commission on human rights broad powers to curb discrimination in housing are still to be acted on by the Senate. The Assembly has already killed two such measures.

The demonstrators criticized Sen. Leo O'Brien [R., Green Bay], for what they called "bottling up" two bills in the Senate governmental and veterans' affairs committee, of which he is chairman.

They said minority groups still are discriminated against in Wisconsin "in housing, employment, and public accommodations." They emphasized that their protest is nonviolent.

Assemblyman Sherman Sobocinski [D., Milwaukee] last night challenged Gov. Gaylord Nelson to take a public stand on the controversial bills. Sobocinski and three other Milwaukee county Democrats have been criticized for voting against the bills.

**Urges Enactment**

Fairfield said Nelson sponsored the bills killed in the Assembly and still before the Senate. He said the governor appeared before Democratic caususes in the legislature to urge their enactment.

Fairfield said Nelson took public stands for such legislation 10 years ago when he was a member of the state Senate.

Meanwhile inside the capitol, debate on the Republican tax revision bill began in the assembly with several G. O. P. members vowing not to support the measure unless it is revamped.

The Assembly took up the bill despite a proposal to Gov. Nelson by Lt. Gov. Warren Knowles that debate in the lower house be delayed so that Nelson could hold a bipartisan conference with legislators to work out a compromise on Wisconsin's tax problems.

**Dislike Tax Proposal**

Nelson has not commented on Knowles' suggestion.

A group of Republican assemblymen said last week they were unsatisfied with the tax proposals centered around a 3 per cent sales tax—as passed by the Senate Thursday, 17 to 16.

Several want withholding incorporated into the bill, others object to the 50 per cent reduction of personal property taxes as inadequate. At least one G. O. P. assemblyman is flatly opposed to the sales tax.

## 100 Stage Sit-In In Wisconsin Capitol Rotunda

Philadelphia Inquirer D 6 Wed 8-2-61

MADISON, Wis., Aug. 1 (UPI)—"Freedom Lobbyists" completed the first 24 hours of an around-the-clock sit-in in Wisconsin's Capitol on Tuesday in their campaign for a state ban against segregated housing.

There were no incidents as the 100 Negro and white volunteers, working in 16-person shifts, kept their vigil in the Capitol rotunda.

There also was little evidence that their demonstration would speed committee approval of fair housing practices bills.

**'NO EFFECT'**

Philadelphia Pa

State Sen. Leo O'Brien, who heads the committee on Governmental and Veterans Affairs, which is condering the bills, said the sit-in would have no effect on the committee's operations.

The Green Bay Republican said the bills would be handled under "due process." He would not comment further.

Leaders of the "Freedom Lobbyists" have accused O'Brien of bottling up the bills. During the first night of their sit-in, the volunteers slept on the Capitol's marble floor or on chairs surrounding the rotunda.

The "Freedom Lobbyists" said they would stay in the Capitol, day and night, until the bills are passed or until the State Legislature adjourns.

**'WE WILL RETURN'**

Bernard Mann, an accountant for the Wisconsin Highway Commission and a Negro, said if the Legislature adjourns without approving the bills, "we will be back for the next session."

The volunteers, recruited mostly from the Madison branch of the National Association for the Advancement of Colored People, have permission to stay in the Capitol over the week end even if the Capitol is closed, a Capitol Guard said.

AUGUST

MADISON- SIT-IN (SEGREGATED HOUSING)

The Wisconsin Assembly has killed two measures to give the Governor's Human Rights Commission broad powers to curb racial segregation in housing. Similar bills are pending in the Senate.

# 8 Sentenced to Jail In Alexandria Sit-in

The Washington Post
P. 1
Thurs - 8-31-61

By Everard Munsey
Staff Reporter

The first jail terms for sit-ins in Northern Virginia were handed down yesterday by an Alexandria Municipal Court judge.

Judge James N. Colasanto convicted eight demonstrators, associated with the Congress of Racial Equality, for refusing to leave the 403 Restaurant, at 403 King st., Tuesday.

After verbally chastising the group, the Judge asked for a recommendation of "severe" punishment from the prosecutor. He imposed fines of $250 and 6-month jail terms for each. The terms will be suspended after 30 days on condition of good behavior.

A. Melvin Miller and Otto Tucker, attorneys for the demonstrators, appealed the convictions.

The demonstrators released under bond of $250 each, returned to the restaurant to picket during the afternoon.

Restaurant owner Alfred C. Pilla testified that the demonstrators, including two juveniles not tried yesterday, refused his request that they leave and ignored a policeman's warning.

Betty Jean Daniels, 20, of New Orleans, testified that although Pilla had previously refused to serve her she entered "because I was hungry ... wanted to be served."

Besides Miss Daniels, who said she is a student of English at Louisiana State University, the others convicted were: Roobert H. Balogh, 22, a New York City school teacher; Inga B. Powell, 31, an instructor at the University of California at Berkeley; William B. Greene, 28, a Hollywood radio and TV writer; Sidney M. Goldfarb, 18, of Peabody, Mass., a student at Harvard; Rudolph J. Lambard, 22, of New Orleans, a student at Syracuse; Mildred L. Winfrey, 19, listed at 634 North Alfred st., Alexandria, and Kathrina Dunlop, 19, listed at 406 North Payne st., Alexandria, a student at Virginia Tech.

**Called Unconstitutional**

Miller and Tucker argued that the application of the trespassj law was unconstitutional because the State acted to enforce the racial discrimination of the proprietor in the violation of the 14th Amendment.

Judge Colasanto said the Virginia Supreme Court of Appeals has ruled that the trespass law is "not a segregation issue." He noted that three of the sit-in demonstrators are white.

The sit-ins "are a deliberate attempt to force people to do something contrary to their individual beliefs. These things have to come in due course and not by force. This has to stop," the Judge said.

Alexandria Mayor Frank E. Mann, who attended the trial, said the City's concern is to protect the demonstrators and to allow them to use public spaces for any legal actions to protest what they feel are injustices. "If a private owner wants to get warrants (for trespass) that's up to him," he said.

# 10 in Restaurant Sit-In Due in Virginia Court

Evening Star
Wed - 8-30-61
Washington, D.C.

Ten sit-in demonstrators are scheduled to appear in court today on charges of trespassing in an Alexandria restaurant, where they were refused service.

The demonstrators were arrested in two groups yesterday. Six members of the CORE Interracial Action Institute were arrested at noon. Four other demonstrators, including two juvenile girls were arrested in late afternoon.

Both attempted sit-ins occurred at the 403 Restaurant, 403 King street. Alfred C. Pilla, the restaurant owner, asked the demonstrators to leave and, when they did not, he called in police. Mr. Pilla swore out warrants against the demonstrators.

The demonstrators were charged with trespassing after being forbidden to do so, which was stiffened recently to deal with sit-ins.

The maximum penalty is a year in jail and a $1,000 fine.

**Spend Night in Jail**

Police reported that all the demonstrators, with the exception of the two juvenile girls, spent the night in jail. Bond for those held in jail was listed at $250. The juveniles were released to their parents.

CORE (Congress of Racial Equality) has been holding an action institute at the Mount Vernon Unitarian Church in Fairfax County. It has been picketing the 403 Restaurant and three other King street eating places because attempts to negotiate integration had failed.

Almost a year ago, a local biracial committee effected integration at a number of restaurants and chain store lunch counters in the city, There were no demonstrations.

**Members Arrested**

The six CORE Institute members arrested by police were listed as:

William B. Greene, 28, a writer, television and radio announcer from Hollywood, Calif.; Inge B. Powell, 31, a teacher at the University of Califronia at Berkeley; Robert H. Ballough, 22, of Bayside, Long Island, a teacher in New York City schools; Betty Jean Daniels, 20, of New Orleans; Sidney M. Goldfarb, 18, of Peabody, Mass., and Rudolf J. Lombard, 22, of New Orleans. Miss Daniels, Mrs. Goldfarb, and Mr. Lombard were listed as students, but their schools were not identified.

Mr. Ballogh, Miss Powell and Mr. Goldfarb are white.

Shortly after 4 p.m. four Negro girls, not connected with the CORE Institute, were arrested. They were listed by police as Mildred L. Winfrey, 19, of 634 North Alfred street, an office worker; Kathina Mae Dunlop, 19, of 406 North Payne street, a student, and two 17-year-old girls. All four are from Alexandria. The juveniles will be tried in Juvenile and Domestic Relations Court and the adults in Municipal Court.

NOVEMBER

38a 1961

VIRGINIA

SIT INS

# Alexandria Convicts Six in Sit-In Appeal

An Alexandria Corporation Court jury yesterday found six sit-in demonstrators guilty of violating Virginia trespass laws, and set their penalty at fines of $100 each, omitting the jail terms they were given earlier.

Their cases had been appealed from the city's municipal court, where the demonstrators were fined $250 each and given six-month jail terms, with five months suspended.

In addition to the six fined by the jury, attorneys for both sides agreed that the same evidence applied in the cases of two other demonstrators. They also were found guilty, and fined $100 each.

An all-white five-member jury deliberated 34 minutes before returning the guilty verdict.

**See From Distant Points**

Those found guilty today were William B. Greene, 28, of Hollywood, Calif.; Sidney M. Goldfarb, 18, of Peabody, Mass.; Rudolph J. Lombard, 22, New Orleans, La.; Robert H. Barlogh, 22, of New York; Inge B. Powell, 31, of Berkeley, Calif., and Betty Jean Daniels, 20, of New Orleans.

Testimony in the case was brief. Alfred C. Pilla, owner of the 403 Restaurant on King street, told how the six demonstrators entered his place August 29 and refused to leave when he asked them to.

Under cross-examination, Mr. Pilla said the defendants, three of them white and three Negro, were properly dressed and orderly. He said he just did not serve Negroes.

Alexandria Police Patrolman C. T. Callahan told how Mr. Pilla beckoned him inside, where the six demonstrators again refused to leave on the patrolman's orders. Patrolman Callahan then arrested them.

Commonwealths Attorney Earl F. Wagner, in summing up, told the jury that the trespassing statute is designed to protect the rights of restaurants to serve whom they choose.

Defense Attorney Otto Tucker told the jury "these defendants are members of the human race . . . they are part of the general public."

Mr. Tucker asked for light sentences if a guilty verdict were to be returned.

After the defendants were found guilty, S. W. Tucker of Richmond, Otto Tucker's brother, moved that the verdict be set aside and that the sentence be suspended to permit time to file the necessary papers for appeal.

Judge William Woolls gave the defense 60 days in which to file.

**Two Others Convicted**

Later, the defense and prosecution agreed that the same evidence applied to the two remaining defendants in the case, Mildred L. Winfrey, 19, of the 600 block of North Alfred street and Katrina Dunlop, 19, of the 400 block of North Payne street, both in Alexandria.

They were also found guilty and fined $100 each.

# 8 Convicted in Appeal From Sit-In Verdicts

By Walter Douglas
Staff Reporter

Eight sit-in demonstrators convicted last August of violating the Virginia trespass law in Alexandria were again found guilty yesterday in their appeal to the City Corporation Court, but won reduced sentences.

An all-white jury of three men and two women returned the verdict and fixed the sentences at $100 fines after deliberating 34 minutes. Defense attorneys A. Melvin Miller and Otto Tucker said a further appeal is planned to the State Supreme Court of Appeals.

The eight, who are associated with the Congress of Racial Equality, were sentenced originally to 6-month jail terms to be suspended after 30 days on condition of good behavior and fines of $250 each by Municipal Court Judge James N. Colasanto.

Yesterday, Alfred C. Philla, owner of the 403 Restaurant, 403 King st., testified that the demonstrators refused his requests to leave his establishment Aug. 29.

Six arrested at a noon-time sit-in were: Betty Jean Daniels, 20, of New Orleans, a student at Louisiana State University; Robert H. Balogh, 22, a New York school teacher; Inge B. Powell, 31, an instructor at the University of California at Berkeley; William B. Greene, 28, a Hollywood radio and television writer; Sidney M. Goldfarb, 18, a Harvard student from Peabody, Mass., and Rudolph J. Lombard, 22, a Syracuse University student from New Orleans.

Arrested at another sit-in at the restaurant later in the afternoon were, Mildred L. Winfrey, 19, listed at 634 N. Alfred st.; Kathrina Dunlop, 19, listed at 406 N. Payne st., a student at Virginia Tech, and two juveniles.

Commonwealth's Attorney Earl F. Wagner told the jury trying the first six demonstrators that it should determine how much punishment to be given to "act as a deterrant to others."

Tucker told the jury that "these defendants are members of the human race—part of the general public." He said there is no way for any one of the general public to determine if an establishment is run by someone who has a "pet prejudice."

After the jury found the first six defendants guilty, Judge William P. Woolls sentenced the other two to the same $100 fine when both sides stipulated that the same testimony would apply to their case.

Staff Photo

SQUAT-IN DEMONSTRATION, used yesterday for the first time in the Negro drive against segregation in downtown eating places here, was employed in front of the Walnut Street Blue Boar cafeteria.

# 155 Negroes Jailed; 'Squat' Tactic Used

## Demonstrators Stop On Walk At 2 Places; 4 Are Unknowingly Served At Blue Boar

Negroes used new tactics yesterday in their demonstrations against segregation in downtown eating places.

Teen-age Negroes and a few adults squatted on the sidewalk in front of the Walnut Street Blue Boar cafeteria and the White Swan Restaurant, 566 S. Fifth.

Earlier in the day four light-skinned Negro women were unknowingly served in the Blue Boar while 16 Negro men and women who were refused admission walked in picket circles outside.

The "squatting" technique brought the arrest of 127 demonstrators by City police—117 juveniles and 10 adults, all in the afternoon Blue Boar demonstration. Twenty-eight others were arrested inside the Kupie Double Burger, 456 S. Fifth.

### Breach Of Peace Charged

All those arrested by City police were charged with breach of the peace. Those at the Kupie were arrested on warrants, also charging breach of peace.

The demonstrators, led by Frank L. Stanley, Jr., cochairman of the Negro steering committee, marched from their rally point at Quinn Chapel to the sidewalk in front of the Kentucky Hotel on Walnut. There they were formed into three single-file lines which moved to the front of the Blue Boar.

Once in front of the place, the demonstrators squatted down on the sidewalk. They left clear an area in front of the cafeteria windows, and it was through this area that customers passed to enter the place. To do so, white patrons had to pass under guardrailings that have been installed at the entrance since the demonstrations began.

Some cafeteria customers kneed their way through the squatting students but there was little of the shoving of other demonstrations at the Blue Boar.

The students sat and sang their familiar "Freedom" and "We shall not be moved" choruses and added some tunes of rock-'n'-roll beat—"We love integration like a houn' dog loves his bone," and "He's got the Blue Boar in His Hand."

A crowd estimated at almost 1,000 gathered on both sides of Walnut as the demonstrations progressed.

Police stood by, watching, and after about 50 minutes moved in to ask the demonstrators to move. When they refused, arrests were made. As patrol wagons carried away arrested demonstrators, other Negroes replaced them.

### Patron Faints

A Blue Boar patron, Mrs. Ida Moore, 60, of 4322 Taylor Boulevard, fainted inside the cafeteria and police took her to Norton Memorial Infirmary. She was treated there and released.

About 20 demonstrators squatted in front of the White Swan Restaurant until they were called to re-enforce the Blue Boar contingent.

Employees at the White Swan reportedly poured mop water on the floor by the front door and swept it out on the sidewalk under the squatters.

Other demonstrators took seats in Kupie Double Burger and remained there. They were not served.

Two Negroes were served at O'Neill's, Inc., a restaurant in the Starks Building. They left soon after they had eaten.

Williams Food Shop, Fifth and Market, closed its doors before the demonstrators arrived.

Stanley asked L. Eugene Johnson, owner of the Blue Boar, if he would negotiate with the Negro steering committee.

"Not until you call off these demonstrations," Johnson answered. "One week after you stop this mob action I'll meet with you."

Stanley said this would be "putting conditions on it" and offered to "meet right now—I'll call it off right now." Johnson refused.

When the four light-skinned women emerged from the cafeteria, they were cheered by the Negroes who had been picketing outside.

During the time the Negro women were inside, Blue Boar employees guarding the entrance refused to allow reporters and photographers to enter.

Later a Courier-Journal photographer, William Strode, got inside an dtook a picture of three of the women before he was ordered out.

Johnson said it was the practice of the cafeteria to serve Negroes if they got inside and up to the serving counter without being noticed. "Rather than embarrass them, we normally serve them," he said, and then inform them of the Blue Boar's policy not to admit Negroes.

### 'First Invitation'

Johnson also said that Stanley's offer to negotiate was the first invitation to meet with the Negro steering committee he has had. He said he had met twice with the Mayor's integration committee but "we've never been asked to meet with the steering committee."

Stanley had said earlier that he planned no demonstrations yesterday. Four members of the Negro steering committee accompanied members of the Mayor's committee to St. Louis to see hod desegregation of downtown establishments was accomplished there.

When asked why he did not go to St. Louis, Stanley winked and said, "Strategy."

### Raps 'Inconsistency'

The four light-skinned Negro women unwittingly served at the Blue Boar about 11 a.m. were Mrs. Charles Steele, wife of the executive director of the Louisville Urban League; Mrs. Marjorie Miles, whose husband operates a drugstore at 15th and Walnut; Mrs. J. E. Hankins, wife of the president of Mammoth Life Insurance Company, and Miss Dorothy Rhodes.

Stanley issued a statement saying: "How inconsistent can the policy of segregation be? Negroes are Negroes and only by the difference of color, some were served, and others refused."

## Stand-In Cases Pending In Courts

Trials of 14 teenage students and 7 adults arrested in connection with stand-in demonstrations against Stewart's Dry Goods Company and Fourth Street theaters have been continued in Juvenile and Police Court.

Police arrested a total of 72 student picketers and stand-in demonstrators Tuesday through Friday of last week. The later 58 were not formally charged.

K. D. Kerr, 39, of 6303 Camp Ground Road, was charged with contributing to the delinquency of a minor in Juvenile Court and disorderly conduct in Police Court. Juvenile Court charges were continued until March 16 and his police court case continued until March 28.

Delinquency cases against the 14 students were continued until March 16 cases of the other six adults were continued until March 16.

Staff Photo

WAITING FOR THE WAGON, demonstrating Negro students sing and clap rhythmically next door to the Mary Anderson Theater, where police arrested them. Theater was scene of many arrests. All were accused of blocking sidewalk.

# Arrest Of 175 Quells Segregation Protest

### 3 Negro Leaders Included; Liveliest Demonstration Yet At Theaters, Cafes

Mass arrests, including those of three Negro integration leaders, quelled the liveliest Louisville demonstration to date against downtown segregation yesterday.

Platoons of police hauled off about 175 Negroes to Police Headquarters, including three members of the Negro steering committee that is directing the campaign against segregated theater and eating facilities.

The arrested leaders were Frank L. Stanley, Jr., 24-year-old assistant to the publisher of the weekly Louisville Defender; the Rev. W. J. Hodge, 40, pastor of Fifth Street Baptist Church, and the Rev. F. G. Sampson, 35, pastor of Mount Lebanon Baptist Church.

**All Three Charged**

Stanley and Mr. Hodge are two of the three cochairmen of the steering committee. All three were charged with disorderly conduct and released on bond provided by representatives of the National Association for The Advancement of Colored People.

Earlier in the day, both Mayor Hoblitzell and the steering committee expressed willingness to resume negotiations aimed at opening all downtown business facilities to Negroes. Hoblitzell denied he had said there would be no more negotiations until the demonstrations were called off.

The Mayor indicated his committee on integration might meet again tomorrow. He said it had not met this week mostly because "half of its members are out of town."

**No Meetings Since**

Negroes resumed downtown parading and demonstrations last Friday after 13 days of negotiations failed to produce enough progress to satisfy them. The Mayor's committee, composed of top business and civic leaders, has not met since then.

Yesterday's demonstration by around 300 persons may not have been the largest of the seven staged here, but it produced arrests far exceeding those in all previous demonstrations put together.

Demonstrators concentrated yesterday on four theaters in the 600 block of South Fourth, and on the Blue Boar cafeterias at 644 S. Fourth and 410 W. Walnut. A fifth theater in the area, the Rialto, is closed for installation of Cinerama equipment.

Five adults and 170 juveniles were included in the 175 arrested. Besides the three leaders the adults were Areatha Lorraine Swint, 19, of 1036 Cedar Court, and Marshall Wilbert Moore, 20, of 606 E. Caldwell. All were charged with disorderly conduct and released on bond.

**Groups Sing Loudly**

The Negroes sang loudly as they circulated in front of the theaters. None of the businesses closed during the demonstrations, and the Blue Boars continued to admit white customers. The Brown Theater, around the corner on Broadway, was not affected.

Stanley said the demonstration was timed to coincide with a meeting of the Louisville Board of Aldermen, and that it would continue until the meeting ended. But it broke up at 6:25 p.m. after the participants were arrested.

Police Chief William Bindner said blocking of sidewalks was the reason for the arrests.

Concerning further negotiations, Mr. Hodge said before the demonstration, "We have let it be known to Mayor Hoblitzell that we're ready for the negotiations to resume as quickly as possible."

**Passers-By Let Through**

The Negro youths, with a scattering of adults, circulated past movie ticket windows and Blue Boar entrances in elliptical orbits. Their lines opened to let passers-by through. When a group stood still too long, police rounded up several Negroes for arrests, directing them into patrol wagons, or if no wagon was immediately available, corralling them against the fronts of buildings.

The youngsters went willingly, starting a lusty song of "Freedom, freedom, everybody wants freedom" as they entered the wagons. Inside, they stamped and clapped, sometimes rocking the wagon on its springs.

**Most Paroled To Parents**

They were still singing and clapping as they arrived at Police Headquarters, where the Crime Prevention Bureau was hard put to book them as fast as they came in. Some were placed temporarily in the Police Gymnasium. Most were paroled to parents, who arrived in a steady stream to pick up their children.

Capt. George Haendiges, chief of the Crime Prevention Bureau, said those arrested for the second time were sent to Children's Center. The juveniles were charged with delinquency, the adults with disorderly conduct. N.A.A.C.P. representatives were on hand at Police Court to make bond for the adults.

**Patrol Wagon Damaged**

Police reported the leather seat in one patrol wagon was ripped by the students.

Before the march, the demonstrators gathered as usual at Quinn Chapel A.M.E. Church, 912 W. Chestnut, for instructions.

*A member of the Negroes' steering committee, the Rev. F. B. Sampson, told them:*

"Under no conditions are you to abuse anyone with words or with your hands. If you feel that you cannot hold your temper, please don't go. If you don't want to get arrested, please don't go."

Laughter greeted his last admonition.

The demonstrators raised their hands and repeated after Miss Beverly Neal, a C.O.R.E. leader, a pledge not to push back or hit back, and to "treat the other person as a man, even though he denies my humanity."

They then left for Fourth Street in groups, each group with a specific assignment. They carried signs reading, "Christ Died for All," "Land of The Free? ? ?," "The Eyes of The World Are on Louisville," "The Time Is Now!", and the

like.

The Mary Anderson Theater was the scene of a large number of the arrests, including those of Mr. Hodge and Mr. Sampson. A merchant policeman stood squarely in front of the box office. The Negro youngsters baited him, trying to make him look them in the eye, holding a dollar bill in his face, and asking, "What's the matter, isn't my money as good as anybody else's?"

**Bill Passed Along Line**

Sometimes a dollar bill was passed from hand to hand as the line moved past the box office. At 5 p.m. the woman inside changed a sign to make the price $1.50 for adults, 50 cents for children.

At other theaters there was less baiting, the children filing past and chirping "Ticket, please," or saying nothing.

At the Walnut Street Blue Boar, about 25 demonstrators, mostly adults, circulated quietly. No City police were present, and only one merchant policeman guarded the door, letting white people in.

**Signs Carried**

The demonstrators carried signs, such as "We Like Louisville But Not Jim Crow," which they held up for persons inside the glass-fronted building to see.

As arrests depleted the line at United Artists Theater around 5:30 p.m., Stanley appeared at the head of a group marching south on Fourth to bolster the pickets.

Police Chief Bindner took Stanley by the arm from a moving line at the United Artists and steered him to a patrol wagon. Neither spoke. A group of students was loaded in behind Stanley.

**Fewer Sing Louder**

The singing seemed to grow louder as the lines grew smaller, and observers reported no weeping by arrested children, as had occurred in earlier demonstrations.

At 6:25 p.m., 15 to 20 police at the Mary Anderson loaded the last of the pickets there, including Mr. Sampson, into a wagon. A group of about 27 youths at the Kentucky Theater marched off down the street still singing, and Fourth Street was quiet again.

The only reported casualty was Police Capt. Charles V. Morris, who suffered an attack attributed to high blood pressure about 5:30 p.m. He was taken to General Hospital, where his condition was listed as good. He was to be moved to Methodist Evangelical Hospital later.

# Places Serving Beer, Liquor Face Sit-Ins

The Courier-Journal
Louisville, Ky.
4-20-61
Page 1, 5

The Negro sit-in demonstrations aimed at desegregation of downtown eating places will be extended soon to those serving beer and liquor.

This was announced yesterday by Frank Stanley, Jr., one of the cochairmen of a Negro steering committee directing integration efforts.

He called for "as many adults as possible wishing to participate in our demonstrations" to meet with student demonstrators at 3:30 p.m. today at Quinn Chapel A.M.E. Church, 912 W. Chestnut.

He said that many downtown eating places had bar facilities and "adults will be used in these places."

Asked if Negroes planned to begin the new sit-ins today, Stanley said, "I'd rather not say now."

Stanley announced the new plan after Dr. Martin Luther King, Atlanta integration leader, spoke at Quinn Chapel.

Stanley said three days of sit-ins by Negro students had brought about the desegregation of 16 eating places, but "we're still a long way from our goal."

**Cases Are Passed**

He said that if eating places continued t orefuse to serve Negroes, "We will demonstrate up to and through Derby weekend."

The cases of 38 juveniles arrested Tuesday on breach-of-peace charges at Kupie Double Burger, 456 S. Fifth, were passed to 10 a.m. June 22 in Juvenile Court yesterday. All were paroled to their parents.

Two 19-year-old boys were also arrested Tuesday at the Fifth Street place. One of them, Henry C. Anderson, Jr., 1227 S. 41st, was originally listed as being 17.

**Takes Out Warrant**

Robert F. Whitehouse, coowner of the Kupie, yesterday took out a breach-of-peace warrant against Anderson. Whitehouse signed a similar warrant Tuesday night against Charles W. Rhodes, 1026 Cedar. Police also placed a breach-of-peace charge against Rhodes.

Anderson was released yesterday on $25 bond. His case will come up in Police Court today.

A motion for a jury trial was filed in Police Court yesterday in behalf of Rhodes. The paper was signed by four attorneys who have been active in representing persons arrested in desegrgeation demonstrations here.

Judge Hugo Taustine said he had not decided whether to hold jury trials in Police Court and set a hearing May 25 for Rhodes, who is at liberty under $100 bond.

Staff Photo

FILLING UP . . . A police patrol wagon is loaded with demonstrating Negroes in front of the Rialto Theater on Fourth Street. Police search demonstrators before loading them. In background a group stands patiently at the ticket window. The patrol returned and got them later.

# 50 Arrested On Fourth Street As Negroes Demonstrate Again

The Courier-Journal
Louisville, Ky.
Hauled Away
In Police Vans
Mar. 25-61
P 1

More than 50 persons were arrested on Fourth Street yesterday afternoon as Negroes conducted demonstrations against discrimination for the third straight day.

Vanload after vanload of Negroes and some whites, most of them juveniles, were hauled away from in front of theaters.

They sang "The Battle Hymn of The Republic."

The demonstrations began shortly after 4 p.m. and ended about 5:15 p.m. when the Rev. Philip Smith left an emergency conference of civic leaders with the Mayor at City Hall and asked the demonstrators to go home.

**Active In C.O.R.E. Here**

Mr. Smith, pastor of First Unitarian Church, has been active in the Louisville chapter of the Congress of Racial Equality.

Many of the demonstrators had already been taken to jail on disorderly conduct charges when Mr. Smith arrived.

The demonstration was split into two divisions. One group carrying signs picketed Kaufman's of Kentucky and Stewart Dry Goods Company. The other with no signs, lined up in front of Fourth Street theaters and tried to buy tickets.

Most of the arrests occurred at the theaters.

**'Blocking Entrance'**

Police Chief William E. Bindner arrested siv girls and one boy at the Ohio Theater. He said they were blocking the entrance. Three other girls just in front of the box office were not arrested.

Clerks remained in all the theater box offices, but the windows of the box offices were closed.

At the Mary Anderson Theater a merchant policeman lined up a group of youths and then told Police Capt. Carl Dotson to arrest the two on the end. The captain refused, commenting:

*"These kids aren't doing anything wrong."*

A white man was arrested near the Rialto. Bindner said he would be charged with "interference." He was offering "encouragement" to the Negroes, Bindner said.

A bullet was found in the man's pocket. He said there was no powder in it. He refused to talk to reporters.

A Negro youth in front of the Rialto said the group planned to stay "until we get in." After an hour, merchant policeman L. N. Smith announced that all were under arrest.

He began shoving girls over to a corner, jabbing at some with his stick. Some broke by him to return to the box office. He shoved harder. When one girl protested, others in the group calmed her.

A police patrol finally hauled the group off after Mr. Smith, the Unitarian minister, tried to intervene with Bindner and prevent it.

"They are under arrest," Bindner said.

**Several Girls Cry**

The Negroes, with a few whites sprinkled among them, were for the most part docile, determined, and resigned to arrest. But several girls cried as they were put into police cars and patrol wagons.

Large crowds gathered. Police ordered everyone to keep moving along the streets.

At the Walnut Street Blue Boar Cafeteria, a Negro detective in plain clothes mingled with demonstrators and arrested one boy he said ordered others to block the door. The boy said he didn't say "block" it.

"This is the second time I have been so disorderly as to be arrested," the bespectacled boy commented. He pulled a sandwich from his pocket and began eating it as he was placed in the police car.

The signs carried by pickets at Stewart's included one with this message: "Buy nothing for Easter."

It was obviously a reference to a "shopping vacation" being urged by the National Association for The Advancement of Colored People and set to begin Monday.

## 'Squat-Ins' Reported In Louisville

Louisville, Ky.
Mar. 25 61
P 1
3-11
Courier-Journal

LOUISVILLE, Ky. (AP)—Anti-segregation demonstrators came up Monday with new tactics. Instead of sit-ins they squatted on the sidewalks in front of two downtown restaurants.

Police arrested 155 and charged them with breach of peace.

Police said 117 juveniles and 10 adults were arrested at a cafeteria and 28 others were seized inside a restaurant.

Earlier, four light-skinned Negro women were unknowingly served in the Blue Boar while 16 Negroes walked in circles outside after being refused admittance.

Demonstrations have been carried out intermittently for two months in seeking integrated facilities in the downtown business area.

Staff Photo

NEGRO PICKETS march down Walnut Street headed for Stewart Dry Goods Company as part of a protest against discrimination. Theaters along Fourth Street were also targets.

# Negro Sit-Ins, Pickets Continue As 6 Of 17 Firms Deny Service

## More Talks Due Tomorrow

Negro students seeking to spur desegregation of downtown businesses yesterday were served at 11 eating places, but were denied service at six.

At De Camillis Restaurant, 451 S. Third, about 50 youths left after a few minutes when they were told there was a $2 minimum for diners. Mrs. Lucy Le Camillis, proprietor, said she set the minimum for the students because "$2 is an average check."

The students were refused admission at the White Swan, 566 S. Fifth, and the W. & F Coffee Shop, 504 S. Third.

**Let In Only Whites**

The Chile Bowl, 616 W. Broadway, closed after 23 Negroes had sat unserved for 30 minutes. Then Frank C Ressnier, manager, stood by the door letting only white persons in for service.

The Franklin Way, 663 Armory Place, also closed briefly when two Negroes came in and asked to be served. The establishment opened again about 15 minutes later after student pickets left.

Dizzy Whiz, No. 2, 216 W. Broadway, closed after about 15 Negroes sat there for about an hour. There were no plans to reopen until this morning.

**Some Carried Signs**

Picket lines were set up at all these places briefly despite a cold wind and light rain

Some of the students carried signs bearing integration slogans and some sang.

There were no arrests and no incidents. About 200 students took part in the demonstrations.

*Eating places that served the students were:*

Colonnade Cafeteria, Starks Building; Whiz Sandwich Shop, 427½ W. Broadway; California Orange Bar, 314 S. Fourth; Country Kitchen No. 1, 738 S. ifth; Country Kitchen No. 2, 421 W. Broadway; Saratoga Restaurant, 128 W. Chestnut; Coffee Pot, 429 W. Broadway; Whiz Drive-In, 744 S. Fifth; Dandee restaurants at 417 W. Chestnut and 454 S. Fifth, and Bright Spot Hamburger Shop, 915 S. Fifth.

The Mayor's emergency integration committee held an unscheduled meeting at lunch yesterday at the Kentucky Hotel, presumably to discuss the demonstrations which were renewed Saturday with restaurant sit-ins after more than a month of quiet.

**Talks Due Tomorrow**

Mayor Hoblitzell, who Saturday deplored the sit-ins while negotiations were going on, said yesterday there was no change in plans for his committee to meet tomorrow with the Rev. Martin Luther King, Jr., and Negro leaders. The two groups and the integration leader will have lunch at the Sheraton Hotel at 1 p.m.

Hoblitzell also said members of both groups and representatives of downtown businesses still were to fly to St. Louis next Monday to study the progress of integration there. However, it was understood no representative of downtown restaurants would go along.

The Negro steering committee which is directing desegregation efforts yesterday called the Mayor's statement Saturday on the sit-ins "highly inopportune."

"He lost a magnificent opportunity to place the prestige of the Mayor's office behind his own committee, the steering committee, and business establishments already desegregated," the statement said.

# Mayor Plans Tests For Desegregation

## Sets Monday As Target In Plea To All Downtown Eating Places

Mayor Hoblitzell yesterday called on operators of all downtown eating establishments who have not done so to desegregate their facilities no later than Monday.

He also asked Negro leaders to cancel any further demonstrations supporting integration at least until next Wednesday.

The Mayor made the appeal at City Hall after a joint meeting of his emergency integration committee and representatives of the Negro steering committee that has been directing integration efforts.

At an earlier meeting, theater representatives gave the Negroes a target date for completion of integration of all downtown movie houses.

The Rev. D. E. King, a member of the steering committee, indicated the date was some weeks off and expressed some disappointment that it wasn't more immediate.

*The presbytery of Louisville deplores racial tension and offers prayers for Newport's gambling foes. Story on Page 12.*

*Here is the Mayor's statement on restaurant desegregation:*

"Citizens of Louisville:

"We have an extremely serious situation facing our community.

"As I have said before, with the full approval of the Mayor's committee, integration of downtown public accommodations is not only morally right and economically feasible but is also inevitable.

**Co-operation Called For**

"We must have the co-operation of all the involved groups, including the patrons, in order that integration can be accomplished in an orderly fashion. This we do not have today.

"Under these circumstances, after consultation with and upon the recommendation of the Mayor's committee, I am hereby requesting that no later than Monday, May 1, the operators of all downtown eating facilities quietly without publicity, desegregate.

"Meantime, I am asking that groups of three or four Negroes each, under the supervision of the steering committee, check all downtown facilities to determine whether this request to desegregate has been honored. I also am asking the Negro checking committees to report to the mayor's office full results of their investigations.

"I request that there be no further demonstrations during this testing period, and in no event prior to May 3."

**'We Will Continue'**

Asked if he knew what he would do if eating places refuse to honor his request, Hoblitzell said, "No sir, except that we will continue our efforts in this direction."

The Negro leaders declined comment on the Mayor's statement but scheduled a steering-committee meeting later last night to discuss their position on it and on the theater-integration target date.

Fred Latham, president of the Louisville Restaurant Association, said, "As far as the Monday date is concerned, I feel the Mayor is moving a little too fast to expect a great deal of co-operation." He declined further comment.

The Mayor's stand is an outgrowth of a trip he and representatives of his committee and the Negro group made to St. Louis to discuss integration procedures there.

# College Faculty Pickets Theaters

Chicago Defender Chicago Ill 4-15-61 p 12

DURHAM, N. C. — An interracial team of faculty members From North Carolina college and Duke universtiy joined forces with student from those institutions here this week in picketing two local theaters which segregate their audiences by race.

Picketing by the faculty members followed an anti-Jim Crow resolution released earlier in the week over the signatures of 136 faculty members at Duke and 125 at North Carolina College. Thus far, 14 members of the Duke university faculty and 11 from NCC have marched in the picket lines with students.

**CLOSES BALCONY**

Student picketing for the past two months has caused one of the theaters to close its balcony previously set aside for Negroes. Both managers have refused to comment on the extent to which picketing by the students may have affected their attendance.

Dr. J. Neal Hughley, college minister and professor of economics at NCC, and Dr. Charles King, professor of sociology, and Gerald Underwood, also in social science, are leaders in charge of the faculty pickets at NCC.

Duke university faculty leaders include Peter Klopfer and Dr. Robert Osborn.

These faculty spokesmen told reporters, "this picketing by the faculty members is not a one-time shot. It will be a continuous thing as far as we are concerned."

Their resolution said: "Recognizing racial segregation and discrimination in all forms as morally indefensible, contrary to democratic principles and harmful to American prestige, we, the undersigned members of the faculties of Duke university and North Carolina College, jointly express our interest in, and support of our students and others who peacefully demonstrate against the practice of segregated seating in the Center and Carolina Theaters here in Durham."

# Negroes Are Thwarted In Theater 'Stand-In'

The Evening Star Washington, D.C. Wed. 2-15-61

By the Associated Press

Theater officials and police thwarted efforts by Negroes to push their way into downtown Nashville, Tenn., movie houses reserved for white patrons.

Following this demonstration last night, the two dozen or so Negroes went to a Trailways bus restaurant—which had refused service to Negroes in previous sit-in attempts—and were served. A spokesman for the group said the quick and courteous service came as "somewhat of a surprise."

The demonstrators, who have sought to gain admittance to the all-white theaters through peaceful "stand-ins," tried more aggressive tactics last night. But none of them managed to elude officials of the four theaters which continued to accept white patrons.

**TV Man Arrested**

A television cameraman and a charter pilot were arrested in Sumter, S. C., after a druggist charged they had instigated a sit-in at his store for the purpose of getting film for a National Broadcasting Co. news program.

In Atlanta, five Negro high school students made final preparations for submitting entrance applications to Georgia Tech.

Ticket booths of the Nashville theaters have been moved inside lobby doors in a move to stave off the stand-ins, but the Negroes attempted to slip inside behind white customers or to push past theater officials.

Roger Scutt, Radio Station WMAK newsman, who watched the new attempt to break down the color bars at the theaters, said one Negro man got inside the lobby door but was ejected bodily.

**Bomb Threats Phony**

A crowd of about 500 gathered in the theater district but there were no other disturbances and police made no arrests among the Negro demonstrators or the white spectators.

Two of the theaters had phony bomb threats, causing police and firemen to make searches of the buildings which were empty of patrons at the time.

Druggist J. H. Lawson maintained that a sit-in attempt at his Sumter store resulted from the presence of George Carras, 36, cameraman for WSOC-TV in Charlotte, N. C., and Boyce Stradley, 46, Charlotte pilot who flew Mr. Carras to Sumter and was with him when he filmed the sit-in.

# Negroes Are Roughed Up At Theatres

Jackson Daily News Jackson, Miss. Wed. 2-22-61

By THE ASSOCIATED PRESS

A brief scuffle between Negro demonstrators seeking access to white theaters in Nashville, Tenn., and a group of white youths ended after several of the Negroes had been beaten and mussed up.

An estimated 50 white youths shouted insults Tuesday night as the students resumed their theater stand-ins. Monday night 26 Negroes and a white coed were arrested for a similar demonstration. All were released after spending the night in jail when City Judge Andrew Doyle ruled the fire ordinance under which they had been arrested had been replaced by a new one.

About 100 Negro students took part in Tuesday night's demonstration. Attacked by the white boys as they left the area, the Negroes did not retaliate although several were beaten and kicked and one had his glasses broken. Police stationed at the four downtown theaters did not witness the affray two blocks away and no arrests were made.

More than 60 Negro students were in jail at Sumter, S.C., today for refusing police orders to break up a mass march on the downtown area to protest segregation.

Young Negroes also went to jail at Columbia, S.C., and Lynchburg, Va., for staging lunch counter sit-in demonstrations. Pickets seeking entrance to white theaters at Chattanooga, Tenn., bore signs proclaiming, "We are misfits in a segregated society. Our color won't rub off."

There were three sit-in protests in the Sumter demonstrations. Most of those arrested were paraders who refused to return to the Morris College campus.

There was no immediate effort among the Sumter Negroes to post bonds of $100 each.

In Atlanta, the "jail, no bail" campaign of Negro students arrested about two weeks ago weakened slightly when nine posted $100 bonds on trespass charges in connection with sit-ins. But 70 students chose to remain behind bars.

In a federal court civil rights trial at Opelika, Ala., a Macon County voter registrar denied that he knowlingly made it more difficult for Negroes to register than for white persons. "They all lok alike to me," said Wheeler Dyson.

Federal attorneys charged that Negroes were systematically denied the ballot in the black belt county where Negro residents outnumber white persons 6-1. Twice as many white persons as Negroes are registered voters.

of lunch counters here a year ago, which resulted in the permanent lowering of racial bars in the cafeterias of seven stores.

J. B. White, district manager of the five-state Martin chain, said his firm had begun the test at some of its three theaters downtown. "No final decision has been made as to whether we will integrate permanently (on a full-scale basis) or not," said White. He said the decision would depend "on the outcome" of the tests.

Under terms of the test theater managers have reserved the right to refuse certain Negroes. The Negroes who have been permitted to enter the theaters have been mostly students from Fisk University, Tennessee State A&I University and the American Baptist Theological Seminary.

Detectives have been posted n the theaters to look out or trouble, but there has been one in the four days of the est so far.

# Negro Bars Lowered in Theater Test

The Washington Post Washington, D.C. Wed. 4-29-61

NASHVILLE, April 27 (UPI) Several downtown theaters are admitting small groups of Negroes in an experimental desegregation program.

The experiment began Monday with young Negroes appearing in groups of twos and threes at theaters owned by Loews, Inc., and the Martin Theater Co. of Columbus, Ga.

The test program followed brief negotiations between theater officials and Negro leaders and apparently was brought about by weeks of stand-in demonstrations by Negroes.

The plan is similar to the trial period given integration

38a 1961

TEXAS

THEATER- STAND-INS

V

# Stand-Ins At Bias Movies Called A Hit

Chicago Defender Chicago Ill.

AUSTIN, Tex. — (UPI) — Protest against movie theater segregation, sparked by University of Texas students, were held across much of the nation Sunday — Abraham Lincoln's birthday.

Feb. 25-Mar. 3-61

The largest demonstrations were staged at Austin, where the University of Texas is located. Hundreds of students conducted stand-ins in the central Texas city at movie houses.

In the stand-in protests, the demonstrators line up in front of the movie's ticket-seller and, when they reach the window, ask if the theater is segregated. If so, the protestor refuses to buy a ticket — and returns to the end of the line. Both Negroes and whites took part in the stand-ins in Texas.

**BOMB HOAX**

The only incident reported was a bomb hoax at a San Antonio theater. Police searched the movie house, but did not remove the patrons.

Other students in cities across the nation had promised Chandler Davidson, of El Paso, Tex., chairman of Students For Direct Action, that protests would be made. These cities included Houston, Tex., Shreveport, La., San Francisco and Ann Arbor, Mich.

Davidson said the demonstrations were aimed at Trans-Texas Theaters, the Interstate Circuit, Loews, Inc., and RKO theaters.

The demonstrations, which included picketing at some points, lasted anywhere from a few minutes to several hours.

When the protest ended in Austin, Davidson spoke to the demonstrators.

He said: "This has been a great success. This is not our last stand."

## Double Dose Theatre Bias For Sit-Ins

Chicago Defender Chicago Ill.

SAN ANTONIO — A fourth peaceful stand-in was held Sunday by 25 members of the Students for Civil Liberties at the Majestic Theatre — this time trying to gain admission for white students in the theatre's balcony reserved for Negroes.

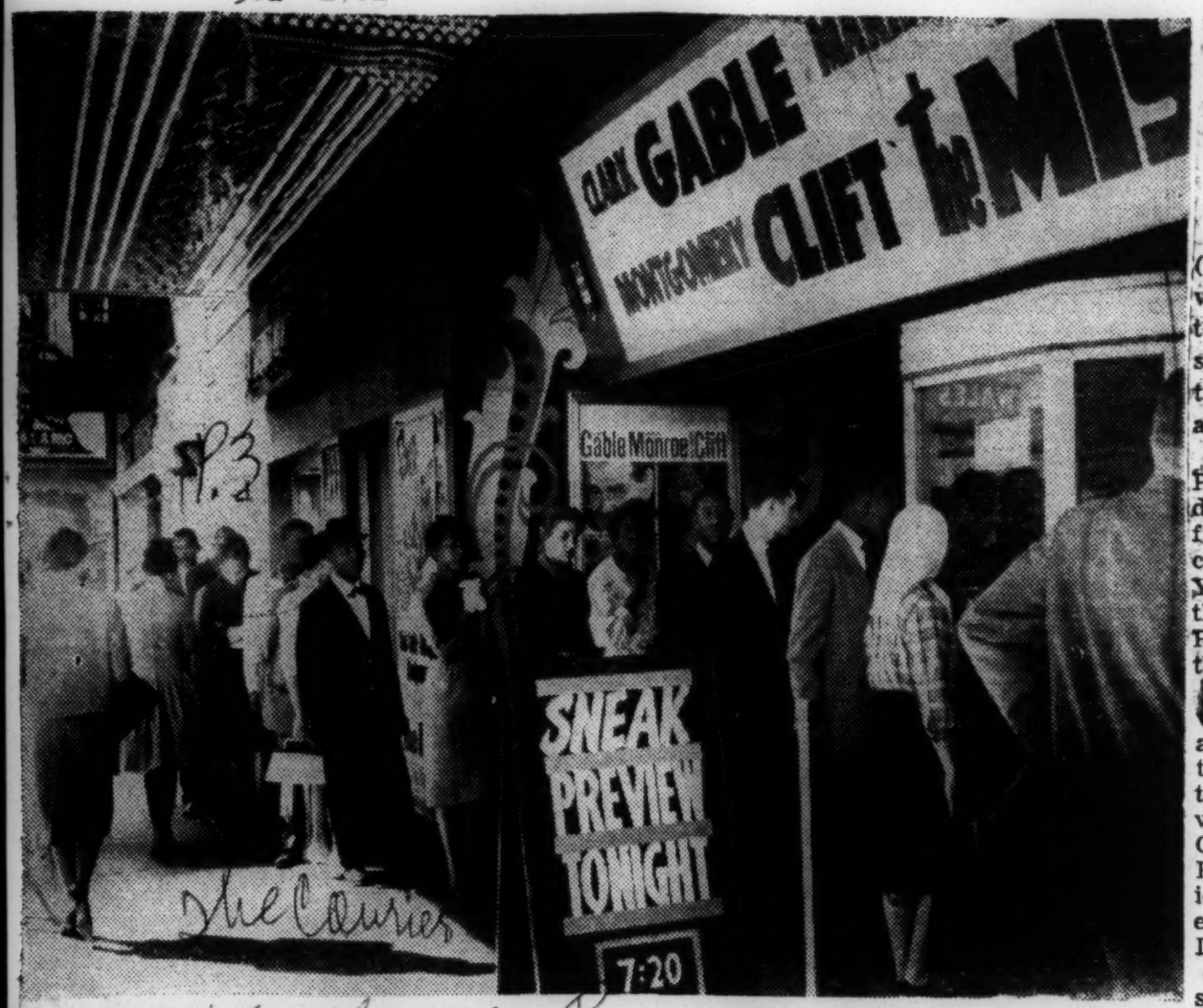
The white and Negro college and university students staged their demonstration from 4:30 to 7 p.m. at the theatre's rear entrance.

(15-21)-61

Lynn Krueger, manager of the Majestic, told the students the Interstate Theatres chain policy still calls for segregation.

In the reverse of stand-ins staged in February and early March, Negro students approached the balcony entrance and asked for tickets for their white friends.

"The demonstration was to show there is as much injustice in the back as in the front." Lone Castillo, SCL president. said.




**STAND-INS—BUT NOT ACTORS**—Members of the Dallas (Tex.) NAACP Youth and Young Adult Councils are waging a full-scale drive against local theatres that refuse service to Negroes. Joined by white students from Southern Methodist University, they stand in line, ask for tickets, and, when refused, call the manager. This holds up line. Lighter-skinned students get in, and then come back out and chat with their darker friends, to the confusion and embarrassment of management.

# Texans Publicizing Segregation Battle

The Washington Post

Washington D.C.

AUSTIN, Tex., March 26 (UPI)—The leader of a University of Texas group seeking to desegrate movie houses said today they plan to advertise their cause 2000 miles away in New York City.

Chandler Davidson of El Paso, Tex., chairman of Students for Direct Action, said funds are being raised to purchase a full-page ad in New York in an attempt to reach the president of the ABC-Paramount Theater chain with their plea.

Davidson said the group would ask college students and "famous personalities" throughout the country to contribute to their cause. The ad would "ask Mr. (Leonard) Goldenson (president of ABC-Paramount) to change his policies in Austin and in other progressive communities," Davidson said.

The student group has held stand-ins and picket lines at Austin theaters since mid-November trying to change segregation policies.

They have aimed at chain theaters—Interstate Theaters, Inc., a subsidiary of ABC-Paramount, and Trans-Texas Theaters, Inc.—But the movie maangement has not budged.

During the stand-ins, the students queue up at the box office, ask if all Americans will be sold tickets regardless of race, and when told "no" move back to the end of the line to repeat the performance.

Davidson said his group will shift its scope to the national level in an effort to "correct local problems."

"It has been emphasized upon us that pressure must be brought to bear in the East if we are to get anywhere," Davidson said. "But at the same time we must let the local theaters know we are still here."

Independent of the group, Booker T. Bonner, a 33-year-old government student at Texas, has held two one-man "hunger sit-ins" in front of a local fine arts theater "because I'm angry."

Bonner perched himself on a small stool and leaned against a light pole March 6. Over 63 hours and four glasses of water later, he retired. His second sit-in March 14 lasted 27 hours. Bonner said he planned a third hunger strike next week.

Bonner said he has heard statements that Negroes were satisfied with segregation, but he said "I'm here to show they are not."

"A liberian is allowed to attend local theaters and restaurants, but not an American Negro," Bonner said.

38a 1961

ALABAMA LUNCH COUNTER

# Montgomery Cafe Convictions Fall

Bham. Post-Herald
Bham Ala.
Wed. 3-8-61

## Alabama Court Of Appeals Sets Aside Disorderly Conduct Charges For Group

MONTGOMERY, March 7 (AP)—The Alabama Court of Appeals today set aside convictions of a white college professor, a white minister and seven Negroes arrested while dining together in a Montgomery cafe.

All three judges joined in ruling that the disorderly conduct charges against the nine defendants failed to spell out what offense, if any, they committed.

Eleven others, including the college professor's wife and 10 of his white students from MacMurray College at Jacksonville, Ill., were acquitted by the jury which convicted the educator, Dr. Richard Nesmith, last May 10.

Nesmith is dean of men and head of the Sociology Dept. at MacMurray.

**Another Court**

The white minister, the Rev. R. Edwin King of Boston University, and the seven Montgomery Negro defendants were tried in another court, without a jury, and all convicted. Like Nesmith, they were fined $100 and costs.

City police arrested Nesmith, his wife, the 10 MacMurray students, King and the seven Negroes last March 31 while they were eating together in a Negro cafe. All 20 defendants were fined $100 and costs in city court for disorderly conduct.

Using the language of a city ordinance, the arresting officers charged the white and Negro diners with disorderly conduct by using "violent, profane, indecent or boisterous conduct or language, or by conduct calculated to provoke a breach of the peace."

After their trials in City Court, the defendants appealed to state court, and the nine convicted there went on to the Court of Appeals.

Presiding Judge Robert B. Harwood and Associate Judges Aubrey Cates and Annie Lola Price on the appellate court held that the language in the complaints failed to specify what particular act the defendants were accused of committing.

The decisions were based, partly, on another ruling announced today in which the Court of Appeals reversed the disorderly conduct conviction of a white Baptist minister in North Alabama.

**Sentenced to 60 Days**

In that case, the Rev. Jesse C. Mitchell had been sentenced to 60 days in jail for an incident which occurred on the grounds of the New Bethel Baptist Church near Powell's Cross Roads in DeKalb County. Mitchell had been pastor of the church, but led a minority group in the formation of another church nearby after the Bethel congregation split.

The wording of the complaint against Mitchell was almost identical to that in the Montgomery cases, since both were patterned after a 1959 state law. The Montgomery ordinance is an almost exact duplicate of the state statute.

In setting aside the North Alabama minister's conviction, Judge Cates ruled that the complaint was too indefinite to allege a specific act.

Officers who arrested the white visitors and the Montgomery Negroes while dining together charged that the incident was calculated to cause trouble at a time when racial tension was inflamed.

Negro students at Alabama State College a short time before had staged a series of demonstrations against segregation. Two arrested at the cafe—Marzette Watts and Elroy Embry — had been expelled from Alabama State along with seven others as leaders of the demonstrations.

Nesmith, his wife and the 10 students who accompanied them said they came to Montgomery on a field trip to study sociological conditions in the South.

King, visiting the city separately, joined them at the luncheon.

The Negroes arrested at the luncheon, in addition to Watts and Embry, were Solomon S. Seay Sr. and Robert E. Dubose Jr., Montgomery integration leaders, and students Bessie Cole, James Richburg and Aner Ruth Young.

# MIXED DINERS FREED IN ALABAMA APPEAL

Bham. News
Bham. Ala.
Wed. 3-8-61

MONTGOMERY, Ala., March 7 (AP)—The Alabama Court of Appeals set aside today the conviction of a white college professor, a white minister and seven Negroes arrested while dining together in a Montgomery cafe.

All three judges joined in ruling that the disorderly-conduct charges against the nine defendants failed to spell out whate offense, if any, they had committed.

Eleven others, including the college professor's wife and ten of his white students from MacMurray College at Jacksonville, Ill., were acquitted by an all-white jury that convicted the educator, Dr. Richard Nesmith, last May 10. He is dean of men and head of the Sociology Department at MacMurray.

The white minister, the Rev. R. Edwin King of Boston University, and the seven Montgomery Negro defendants were tried in another court, without a jury, and all were convicted. Like Dr. Nesmith, they were fined $100 and costs.

# Mixed lunch retrial planned

The Bham News
Bham. Ala.

MONTGOMERY, Ala., March 10—City Prosecutor Dave Crosland says two white visitors and seven Montgomery Negroes will be tried again for eating together in a Negro cafe.

Thu. 3-10-61

**Their convictions on disorderly conduct charges were reversed by the Alabama Court of Appeals two days ago because the complaint filed by arresting officers failed to say specifically what they had done.**

Crosland said today he will amend the complaints and call the defendants to trial again in Circuit Court. They are free under bond.

# CONVICTIONS REVERSED

The Montgomery Advertiser
Montgomery Ala.
Wed. 3-8-61

# Mixed Dining Ruling Set Aside

By THE ASSOCIATED PRESS

The Alabama Court of Appeals Tuesday set aside the convictions of a white college professor, a white minister and seven Negroes arrested while dining together in a Montgomery cafe.

All three judges joined in ruling that the disorderly conduct charges against the nine defendants failed to spell out what offense, if any, they committed.

Eleven others, including the college professor's wife and 10 of his white students from MacMurray College at Jacksonville, Ill., were acquitted by an all-white jury which convicted the educator, Dr. Richard Nesmith, last May 10.

Nesmith is dean of men and head of the sociology department at MacMurray.

**10 STUDENTS**

The white minister, the Rev. R. Edwin King of Boston University, and the seven Montgomery Negro defendants were tried in another court, without a jury, and all convicted. Like Nesmith, they were fined $100 and costs.

City police arrested Nesmith, his wife, the 10 MacMurray students, King and the seven Negroes last March 31 while they were eating together in a Negro cafe. All 20 defendants were fined $100 and costs in city court for disorderly conduct.

Using the language of a city ordinance, the arresting officers charged the white and Negro diners with disorderly conduct by using "violent, profane, indecent or boisterous conduct or language, or by conduct calculated to provoke a breach of the peace."

After their trials in city court, the defendants appealed to state court, and the nine convicted there went on to the Court of Appeals.

**ACCUSED ACT**

Presiding Judge Robert B. Harwood and Associate Judges Aubrey Cates and Annie Lola Price of the Appellate Court held that the language in the complaints failed to specify what particular act the defendants were accused of committing.

The decisions were based partly on another ruling announced Tuesday in which the Court of Appeals reversed the disorderly conduct conviction of a white Baptist minister in north Alabama.

In that case, the Rev. Jesse C. Mitchell had been sentenced to 60 days in jail for an incident which occurred on the grounds of the New Bethel Baptist Church near Powell's Cross Roads in DeKalb County. Mitchell had been pastor of the church, but led a minority group in the formation of another church nearby after the Bethel congregation split.

**STATE STATUTE**

The wording of the complaint against Mitchell was almost identical to that in the Montgomery integrated dining cases, since both were patterned after a 1959 state law. The Montgomery ordinance is an almost exact duplicate of the state statute.

In setting aside the north Alabama minister's conviction, Judge Cates ruled that the complaint was too indefinite to allege a specific act.

To illustrate the point, the judge wrote:

"If a statute makes it a misdemeanor to spit on a public sidewalk, then the allegation that (the defendant) spat on the sidewalk should suffice. But if the statute denounces 'disturbing the act in a public thoroughfare which might menace the health of others', the charge must allege an act done."

Officers who arrested the white visitors and the Montgomery Negroes while dining together charged that the incident was calculated to cause trouble at a time when racial tension was inflamed. But the formal complaint did not say what act was committee.

Negro students at Alabama State College a short time before had staged a series of demonstrations against segregation, including a sit-in at the white lunchroom in the Montgomery courthouse.

Two of the Negroes who were arrested at the cafe—Marzette Watts and Elroy Embry — had been expelled from Alabama State along with seven others as leaders of the demonstrations.

Nesmith, his wife and the 10 students who accompanied them said they came to Montgomery during a field trip to study sociological conditions in the South.

King, visiting the city separately, joined them at the luncheon.

# Fines upset in racial case

The Bham News
Bham Ala.

MONTGOMERY, Ala., March 8 (AP)—Disorderly conduct convictions of two white men and seven Negroes arrested here while dining together in a restaurant have been set aside by the Alabama Court of Appeals.

Wed. 3-8-61

**The prosecution failed to specify what offense, if any, was committed by the white college professor, the white minister and the Negroes, all three judges said in a ruling yesterday.**

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City police arrested the defendants as they dined together in a Montgomery Negro cafe last March 31. The diners were charged, in the language of a city ordinance, with disorderly conduct by using "violent, profane, indecent or boisterous conduct or language, or by conduct calculated to provoke a breach of the peace."

The nine, convicted in City Court, appealed to state court and then to the Court of Appeals.

# Convictions of Mixed Diners Reversed

(Courier Press Service)

MONTGOMERY, Ala. — Those arrests and convictions of several whites and Negroes who ate together in a Negro cafe here last May have been reversed by the Alabama Court of Appeals.

Three judges unanimously agreed the disorderly conduct charges against the mixed group failed to spell out what offense, if any, they committed.

The reversal affected a white college professor, a white minister and seven Negroes arrested for eating together in a Negro cafe. The cafe was later ordered closed by police.

**ELEVEN OTHER** sons, including a group ofw nites—from MacMurray College, Jacksonville, Ill., were acquitted at the time of the trial of the charges. They were also in the cafe.

The incident occurred during the student demonstrations of Alabama State College students here. After the trials in city court, the defendants appealed to state courts and then moved on to the Court of Appeals.

That court held that the language of the police complaint failed to specify what particular act the defendants were accused of committing.

■

**THE WHITE** minister involved was the Rev. Edwin King of Boston University.

He was also arrested along with Elroy Embry, a Negro student then at Alabama State, for being in a white hotel restaurant with Mr. Embry, whom he had invited in as his guest, since he was stopping at the hotel.

ter he amends the complaint so as to allege specifically how their conduct was disorderly.

The Alabama Court of Appeals reversed their convictions because the complaint by arresting officers claimed disorderly conduct in general terms without saying what act they committed.

**APPEAL TO CIRCUIT COURT**

All nine defendants have been free under bond since last April when they were convicted in city court on charges of violating the disorderly conduct ordinance. They appealed to Circuit Court and on to the state appellate court.

Police raided a Negro cafe last March 31, and arrested all those having lunch together — Dr. Richard Nesmith, dean of men and head of the sociology department at McMurray College in Jacksonville, Ill., his wife, 10 of his white students, the minister and the seven Negroes.

**PROFESSOR CONVICTED**

An all-white jury in Circuit Court convicted the professor and acquitted his wife and the 10 students, who said they were in Montgomery on a sociological field trip.

Tried without a jury were the seven Montgomery Negroes and the other white visitor, the Rev. R. Edwin King, a Boston university student. All were convicted.

Each defendant was fined $100 and costs.

## Second Re-Trial Ordered In Alabama Sit-Ins

MONTGOMERY. — (ANP) — The Alabama Court of Appeals for the second time last week reversed the convictions of a visiting white minister and a Montgomery Negro arrested while trying to eat together in a white hotel coffee shop.

City attorneys who prosecuted the Rev. R. Edwin King of Boston university and Elroy Embry, a former student at Alabama State College for Negroes, acknowledged in court that the complaint against the defendants was improperly drawn.

With that admission, the appellate court sent the case back to circuit court because the trespassing complaint failed to identify the owner of the hotel where the incident occurred.

The tribunal cited previous court rulings that the owner of "property trespassed upon" must be named.

It was the second time this month that the Court of Appeals set aside convictions against King and Embry involving separate integration attempts.

## Nine To Face Trial Again For Eating Together In Ala.

MONTGOMERY, Ala. — (ANP) — Seven Montgomery Negroes and two whites — a college professor from Illinois and a minister from Boston — will be tried again for eating together in a Negro cafe.

City Prosecutor Dave Crosland said the defendants will be called to trial again in Circuit Court af-

38a 1961

# Trinity Students Back Sit-Ins for Integration

Students at Trinity College have adopted a resolution supporting sit-in demonstrations as a means leading to "nationwide integration."

The resolution, drafted and voted on Tuesday by students, deplores discrimination in any facility "allegedly serving the general public."

An individual has the right, it reads, "to work peacefully for the rectification of such social injustice through nonviolent legal protest."

Students voted 330 to 120 for the resolution. This College has an enrollment of 650.

The resolution also directs the Student Council to send letters of approval to businesses which have desegregated facilities and letters of censure to those "that promote segregation."

Students voted down directives to notify lawmakers "encouraging segregation" of the college's stand, and to start a campus "Mass and prayer" program for the sit-in movement.

Student Government president Marjory Weinberg, 21, a senior, said the resolution was "entirely a campus project." She said the National Student Association, to which Trinity belongs, had asked members to vote student positions on desegregation last year.

"Nowadays, the voice of the student is being heard around the world," added Paula Roy, another student.

ating deficit which he said resulted from a boycott by the hospital's more than 1150 Negro employes who protested the segregated dining areas. The hospital has only 100 white employes.

"There are simply not enough white employes for the cafeteria to break even," Denton said. He added the cafeteria, in a 1.5-million-dollar food services building completed last year, probably will be used in preparing meals for the hospital's 4700 Negro patients.

## Minister Declares Sit-Ins Hope For America's Future

WASHINGTON. — (ANP) — A Washington minister has declared his preference for student sit-ins as hope for America's future instead of a growing movement he described as profit-seekers and "organization men."

Unless the present American "pattern" is changed, the new rulers of the country will be "organization men"—amoral, ruthless, dim-visioned, the Rev. Dr. Duncan Howlett said last week.

He contrasted organization men, typified by the seven electrical company executives recently sentenced to jail for conspiracy, with the six Lynchburg students convicted for taking part in sit-ins.

D.C.

LUNCH COUNTER

# D.C. ministers protest bank job policy

By EDWARD PEEKS

WASHINGTON

For the second week in a row, a group of ministers picketed the banks which they allege discriminate against hiring colored people in higher jobs.

Once again, they assembled in front of the White House, in Lafayette Park where they called the problem of racial discrimination in the banks to the attention of President Kennedy through placards.

Banks, however, busily defended themselves against the charges.

Six major banks of Washington gave answers this week to the AFRO on the question of employing colored persons in other than menial jobs.

A group of ministers, under the Interdenominational Ministerial Alliance, prayed in front of the White House and picketed the financial district last week in protest over job discrimination.

Two building and loan associations also responded to the following question asked the major banks:

Do you employ colored persons in white - collar jobs?

* * *

**LENWOOD P. HARRELL,** president of Union Trust Company, said, "No, not generally speaking. We have a man who does a lot of things, including driving a car for me. He does some clerical work."

Asked if there were immediate plans to hire colored workers, Mr. Harrell replied, "I don't think so."

Allen Greenstreet, vice president of National Savings and Trust Company, said:

"We have no restrictions at all. It's not correct to say we don't employ colored in white collar positions. We have them in our printing department and they have been there for 12 years.

"While we don't have them in other sections, we don't have any restrictions because of race or color. We have 20 colored employees and some of them are porters, but they are very happy, too."

Robert C. Baker, president of American Security and Trust, said, "As far as we're concerned we have no racial practice in any shape or form. We are running a bank and we have to have standards. We aren't going to let the bars down either way (for white or colored).

"We have had two or three with us. In the last three weeks, we've had 12 or 15 people to come in. I don't think any passed the test.

"I don't know that we have any colored white - collar workers. I'd have to check to find out. We have 1,100 employees.

"I hope we can get some good people. We will be delighted to have them.

"And let me say again, we have no racial practice. Doyle Mitchell of the Industrial Bank was down here for lunch one day last week.

"We're for fairness, but we won't be pressured into anything that we think is not right."

* * *

**J. LEO LYNCH,** vice president of the National Bank of Washington, said, "We have colored employees. We hire persons regardless of their race. We have about 12 colored employees. They work in our stockroom, records section and places like that."

**James W. Walden** of the First National Bank said, "We have some colored on our staff, about three on our payroll. We used to have quite a few when we were in charge of our own building. There were about 14 on the payroll and two of them were supervisors in charge of the care of the building.

"Of the three now, two are doormen and we have a lady in charge of our lunch room."

**John McCormack** of Riggs National Bank said, "Generally, we don't give information out over the phone. We invite reporters to come in and discuss any problem they have.

"You realize the difficulty of talking over the phone. We have no way of identifying you."

**Edward C. Balz,** Perpetual Building Association, said "No comment."

Norman Martin, Suburban Trust Company, said, "We have no policy against hiring colored people as white-collar workers.

"We now have about 15 colored employees. They are messengers, porters and janitors."

The Afro-American
Baltimore, Md.
Sat. 3-11-61
p. 1

**MINISTERIAL PROTEST** against job discrimination in banks and other financial institutions was carried downtown last week. Clergymen prayed in front of the White House and picketed in the financial district. Shown before the American Security and Trust Company are (front row) the Revs. S. E. Guiles, J. D. Foy, E. Franklin Jackson, William Bishop and (back row) W. C. Cole, Andrew Fowler and Donald Ford.

# Florida Civil Righters Gird For Legislative

The Defender
Chicago, Ill.
Wk. Jan. 28-Feb. 3-61
p. 22

TALLAHASSEE, Fla.—Leaders of the Florida legislature are believed to be sharpening the ax for sit-in demonstrators and others working for integration and civil rights in this state.

When the Legislature meets in April, one item on the agenda will be a threat to jail the Rev. A. Leon Lowry, of Tampa, state president of the NAACP and a Baptist leader.

Lowry is charged with contempt for refusiig to cooperate with a legislativ committee which sought to check NAACP membership lists. The committee said it was looking for "subversives."

Recently the Florida Supreme Court upheld a 6-month jail sentence given the Rev. Theodore Gibson, head of the Miami NAACP branch, for his defiance of the same committee. Rev. Gibson, who is ector of Christ E. iscopal Church, i. appealing to the U. S. Supreme Court.

**SENTENCE OVERTURNED**

The Florida high court overturned a similar sentence given the Rev. Edward T. Graham of Miami, who refused to say he was a member of the NAACP. Graham is former president of the Miami NAACP.

The three ministers are among 47 persons in the United States who have defied such legislative committees on the ground that the purpose of these committees is to block integration and other social progress. These 47 take their stand under the First Amendment to the U.S. Constitution, guaranteeing freedom of speech, press, religion, association and protest.

Graham and Rev. Gibson were sentenced after the committee cited them for contempt. In Rev. Lowry's case, the committee voted to asl. the Legislature to jail the minister when it meets. The assembly can keep him in jail during its whole session if he still refuses to cooperate.

**WITHIN RIGHTS**

Lowry declared: "We have a right to associate with whomever we wish. It is not within the power of the Legislature to deny any citizen that right. There is no attempt on our part to flout any duly constituted legislaive committee. We are merely attemptiig to exercise our freedom."

Gibson said recently: "I shudder to think what would happen if the segregationists could get their hands on the membership list of an organization like the NAACP. I don't look at this as a personal matter at all, but rather as something which concerns all posterity."

Professors and college students will be the targets of a bill to be sponsored and pushed in the Legislature by Senator Randolph Hodges of Cedar Key, president-designate of the Florida Senate.

Hodges said he expects to obtain passage of a law to provide for the firing of any professor and the explusion of any student at state-supported universities who advocates or takes part in demonstrations such as lunch counter sit-ins.

## Sharpening Axes —

The Jacksonville Defender
Jacksonville, Fla.
1-17-61
p. 1

# Florida Seeks Anti-Sit-In Legislation

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Mr. Lowry summed it up when he said: "It is quite apparent that the committee's action is an attempt to intimidate and label an organization and to weaken it. We have been pressing for our rights in almost every area and that is why they are after us."

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Hodges said he expects to obtain passage of a law to provide for the firing of any professor and the expulsion of any student at state-supported universities who advocates or takes part in demonstrations such as lunch-counter sit-ins.

NAACP leaders and the Florida Civil Liberties Union are among groups fighting efforts to punish ministers, professors, students, and others working for civil rights and integration.

The Southern Conference Educational Fund has helped to organize a state-wide committee to counter efforts of the courts and the legislature to penalize these people. Protests to members of the Legislature and other public officials have been called for.

# Supreme Court asked to rule on Fla. sit-downs

The Afro-American
Baltimore, Md.
2-18-61
p. 3

WASHINGTON

The Supreme Court was asked Friday to review two lunch counter sit-in cases from Tallahassee, Fla., involving a group of Florida A and M students and four white students from Florida State University.

Attorneys for the American Civil Liberties Union filed the students' appeal.

They claimed that the arrest and conviction of the sit-in participants violated their constitutional rights of free speech and liberty to seek contracts privately by persuading the stores to serve them food.

* * *

**THE CIVIL** liberties group also stressed the need for a Supreme Court ruling on the sit-in question in view of the hundreds of cases now pending in various state courts.

"An authoritative expression of controlling constitutional principles is needed from this Honorable Court, the petition concluded."

The petition was filed by Tobias Simon, general counsel, and Albert Hopkins, a member of the board of directors of the Florida Civil Liberties Union.

In both instances the students were arrested after having been refused service at a Woolworth's lunch counter in downtown Tallahassee.

# Sit-In Fight Counts Are Denied by 5

TALLAHASSEE, March 7 (AP). Five persons arrested during disorders touched off by a sit-in demonstration by Negroes here last Saturday pleaded innocent today in city court to charges brought against them.

Their trial dates weren't set immediately by Judge John Rudd.

Two Negroes, Patricia Stephens, a leader in the sit-ins, and Benjamin Cowins, were charged with fighting and engaging in disorderly proceedings.

Three white persons also were charged. Nathaniel Warman was charged with assault and battery on a police officer, and his two sisters, Elsie and Natalie, were charged with assault and battery.

The disorders occurred at a suburban shopping center when a white youth and Cowins fought as the demonstrators were leaving the store. The white youth escaped.

City authorities said several white youths attacked a police sergeant, who was scratched on the neck.

# Leon Sit-In Negroes Get Jail Terms

TALLAHASSEE, March 30 (AP)—Two Negroes convicted of charges of fighting as an outgrowth of a sit-in demonstration today filed notice they would appeal.

City Judge John Rudd gave mandatory 30-day jail sentences to Benjamin Cowin and Patricia Stephens, both 21, and sentenced them to pay $500 each or serve 60 additional days in jail.

The judge released three white persons, Nathaniel Warman, 20, and Warman's two sisters, who were charged with assault.

The fight occurred as police broke up a sit-in demonstration March 4 at a variety store. Warman was charged with assaulting a policeman, and his sisters, Elsie and Natalie, with assault.

Judge Rudd said medical findings that Warman suffered from epilepsy indicated he could not be held responsible, and that his sisters, knowing his condition, were acting in what they considered Warman's defense.

The Negroes posted bonds of $1,000 each while their convictions are being appealed to the Leon County Circuit Court.

# 3 students lose plea, are jailed

TALLAHASSEE, Fla.—Jeff Poland, white, one of two former State University of Florida students serving 60-day jail terms for sit-down demonstrations, went on a hunger strike, last Friday.

Chief Jailer S. G. Revell of the city jail told the AFRO that the student was refusing both food and liquids placed in his cell.

The other student, Derek Lawler also white, is not participating in the hunger strike, the jailer said.

Poland and Lawler were jailed Monday along with Henry M. Steele, 17, after U.S. District Judge Harrold Carswell denied their petition for release on a writ of habeas corpus.

* * *

**TOBIAS SIMON**, one of the defense attorneys, asked that the students be released on ground their Constitutional rights were being violated.

Later the same day, Mrs. Steele, wife of the Rev. C. K. Steele, president of the local NAACP, paid the $300 fine levied against her son and he was released.

The Rev. Mr. Steele, who was one of the 1956 leaders of the anti-segregation bus boycott in Tallahassee, was in Washington where he was guest minister at a week-long revival service.

"I was opposed to my wife paying the fine," he told the AFRO.

* * *

**THE STUDENTS** were among 11 convicted and sentenced March 18, 1960, for sit-down demonstrations over segregated lunch counters at the Woolworth variety store here.

Eight of the 11, including Steele, chose to serve the 60-day jail sentences rather than be bailed out.

Leonard W. Holt, Norfolk, Va., attorney, who represented some of the defendants, said at the time that the defendants decided to go to jail in the hope of setting a pattern for other anti-segregation demonstrators.

* * *

**THE GROUP**, including Priscilla G. Stephens and Patricia Stephens, sisters, were among the defendants and subsequently attracted nation-wide attention as a result of the jail terms.

They traveled throughout the country lecturing, under auspices of the Congress of Racial Equality.

Miss Priscilla Stephens again was convicted of trespass charges last month and sentenced to 120 days in jail. The sentence is being appealed and currently Miss Stephens is out on bail.

* * *

**IN MIAMI** "Strong protests" to the Heart Association came from Miami CORE after colored members were turned away from a benefit dance, last week.

Mayor Robert King High said that he had no objections to colored attending the "Heart Hop" at city-owned Bayfront Park Auditorium.

The decision to conduct the benefit on a segregated basis was made by a steering committee of local disc jockeys as well as Heart Association representatives.

* * *

**CHARLIE MURDOCK**, who acted as general chairman and emcee for the dance, said the committee "felt that we could get a larger audience, avoid any friction and raise the most money for the association—our main goal—by keeping the dance segregated."

Dr. John O. Brown, CORE project director, said, "We do not feel such practices are practical if the group hopes to raise money for the association. In the past integrated benefits have been held here without incident. We shall protest any other discriminatory benefits no matter what the cause."

# Seven Stores End Bias in Clearwater

CLEARWATER, Fla. (ANP)— Managers of seven variety stores in Clearwater, Largo and Dunedin agreed last week to integrate their lunch counters. The move came after a committee of four Negroes met with store managers to discuss possible integration.

Though they declined to be quoted, the store executives said the Negroes feared what they called radical elements from the outside would come into the north Pinellas County area, and start sit-in demonstrations.

One of the men, Arthur Specht, general manager of 35 Grant stores in Florida, said he decided to integrate lunch counters after the peaceful desegregation of lunch counters in Tampa last August. The variety stores involved were Woolworth, Madison's and W. T. Grant.

# Lunch Counter Desegregation Started In Florida Stores

Clearwater, Fla.— Lunch counters were desegregated at 21 stores in Pinellas County Jan. 3. One Negro woman showed up to eat with white patrons.

Management of stores in St. Petersburg, Clearwater, Dunedin, and Largo agreed at meetings last month to start serving Negroes along with whites on Jan. 3.

The agreements were similar to those reached earlier between Negro leaders and managers of some stores at Tampa, Sarasota, and Bradenton. Integration started at some establishments in these cities more than two months ago.

# Cleric's son faces jail in Florida

WASHINGTON

The Rev. C. K. Steele, Tallahassee civil rights leader, said his 17-year-old son Henry Marion "may be put in jail any day now" as a result of his participation in the Florida sitdown case which was turned down for review by the Supreme Court.

"Most of the stores in Tallahassee would desegregate lunch counters were it not for the stubborn city government," the Rev. Mr. Steele told the AFRO.

He ended a week's revival Friday night as guest minister at Mt. Carmel Baptist Church, the Rev. R. L. Patterson, pastor.

"I have participated in protests with the young people but I don't direct their activities," the Rev. Mr. Steele said.

"Henry Marion, who just graduated from high school, was ordained to preach this year. He preached his trial sermon in February."

# Florida Measure Aimed At "Sit-Ins"

TALLAHASSEE — (UPI) — The first bill of the session dealing with race legislation was introduced in the House Friday by Rep. George Stallings of Duval. It was aimed at sit-in demonstrations.

The measure would prohibit officials and employes of state universities, university students, and state, county and municipal officials and employes from taking part in any demonstration that could result in violence.

It would have the effect of stamping out demonstrations like the one last year in Tallahassee, which was carried out almost entirely by white and Negro university students.

The bill would make any violation of the law a misdemeanor.

# 'Sit-In' Girl In Jail Again

TALLAHASSEE, Fla. — Patricia Stephens, who last year served 49 days in a Florida jail for sitting in, was sentenced to 120 days for participating in another CORE demonstration last week.

Miss Stephens and Ben Cowins were arrested on March 4, of this year while sitting-in at a Neisner lunch counter. They were charged with "disorderly proceedings." Previously that day members of CORE had staged sit-ins at both McCrory's and at Sears.

Judge Rudd sentenced Miss Stephens to 60 days or $500 and to a mandatory 30 day term for the "disorderly proceedings" charge. He also imposed a 30 day sentence for violation of probation imposed last year. This last sentence has since been suspended.

The CORE members were represented by Atty. Wolfman of the Miami chapter of the American Civil Liberties Union. An appeal will be filed.

# Six A&M Students Told To Start Sit-In Sentences

TALLAHASSEE, April 21 (AP) — Circuit Judge Ben Willis today ordered six Florida A & M University students to surrender within 21 days to pay fines or serve jail sentences on charges growing out of a sit-in demonstration March 12, 1960.

The Negro students are Benjamin Cowins, Robert Kemp, William Mathis, George Carter, Vecient Moore and Willie Black.

All were sentenced by Municipal Judge John Rudd. Each ordered to pay a fine of $300 or serve 60 days in jail.

Willis' order terminated a Dec. 27, 1960, order allowing them to appeal. Today's order said the appellants failed to appear, failed to file for review and made no effort to secure further review before any court.

A bill aimed at curbing participation of university students and teachers in sit-in demonstrations was introduced today in the Florida Legislature by Rep. George Stallings of Duval County. It would prohibit them from aiding, encouraging or participating "in any public demonstration which may result in public violence." "If violence resulted, and someone was killed, the participants would be guilty of a felony. Persons violating the law would be guilty of a misdemeanor.

In either case students would be expelled from the university and public employes would be fired.

Kemp, Mathes, Black and Cowins also were convicted of unlawful assembly. Rudd gave them 30-day suspended sentences on this charge.

Judge Willis previously had upheld city court convictions of eight Negro students charged in a Feb. 20, 1960 sit-in, and five white Florida State University students in the March 12, 1960, demonstrations against segregated lunch counters.

38a 1961

FLORIDA

PENSACOLA -LUNCH COUNTER

# 5 Sit-In Negroes Arrested

Birmingham Post Herald

PENSACOLA, July 12 (AP)—Five Negro teen-agers were arrested today at a sit-in demonstration at a downtown variety store lunch counter.

At the same time, an organized opposition sit-in was put on by a group of white boys. A series of sit-ins have been conducted by young Negroes in recent weeks but this was the first appearance of an opposiiton sit-in.

Huntsville, 7-13-61

The white youths took over all available seats at the Woolworth counter, leaving no places for the 12 to 15 Negroes. As white customers came up to the counter, the white youths would yield their places. The Negro group left after about 30 minutes.

Meanwhile, another group of about 20 Negroes appeared at the Kress Store lunch counter. It was closed by the manager and the group moved on to the Newberry store, in the same block. The counter there was closed also, but the Negroes remained seated.

Birmingham, Ala.

Police ordered the group to move on. When they failed to do so, the officers began arresting members on charges of unlawful assembly and refusing to obey a police order.

After the fifth arrest, other members of the group got up and left.

Those arrested, four boys and a girl, were booked at City Jail and released on appearance bonds pending a hearing in police court Friday.

# Jacksonville Integrates Its Counters

The Atlanta Constitution
Atlanta, Ga
F.2
wed. 5-17-61

JACKSONVILLE, Fla. (AP) — Lunch counter integration came quietly Tuesday to Jacksonville, where sit-ins in August touched off rioting and vandalism.

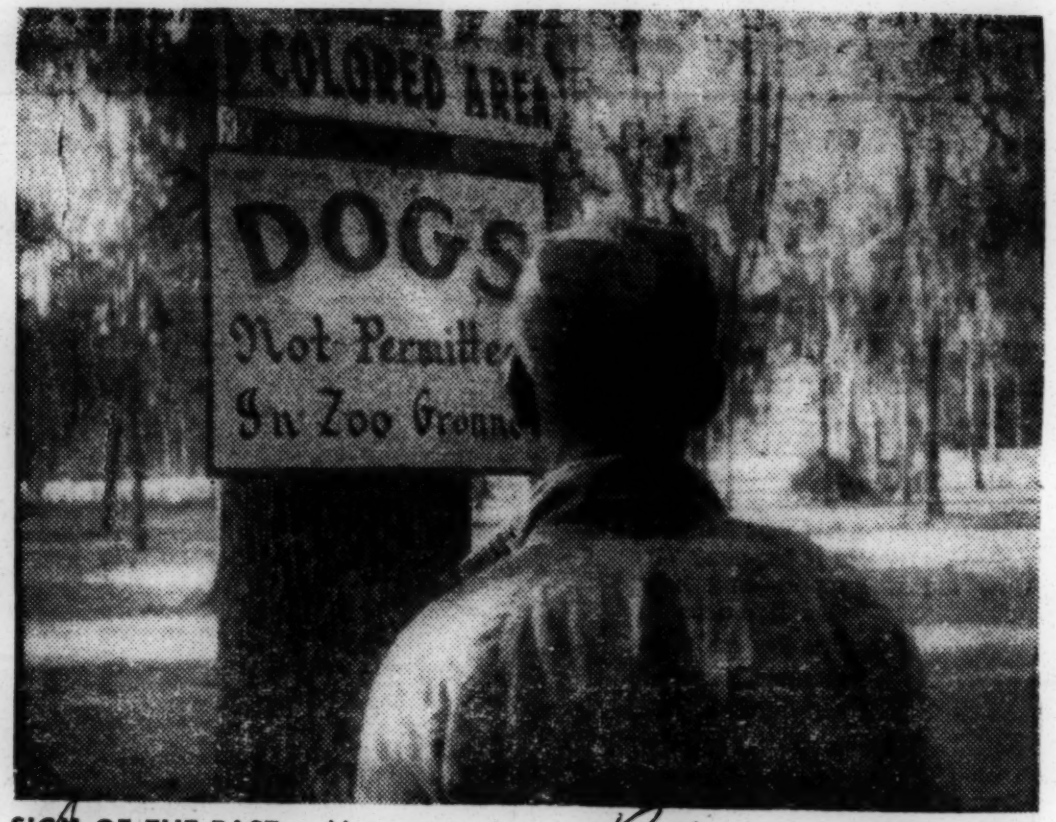
A few Negro youths were served at several—but not all—downtown lunch counters during the day without incident.

Apparently the plan to serve the Negroes had been worked out but store managers and others refused to comment.

A police official who didn't want to be named said plain-clothesmen watched the lunch counters at variety stores and reported most white persons paid no attention when the Negroes were served.

Spokesmen for a Chamber of Commerce race relations committee, formed after the rioting last August, were either unavailable or would not say whether the committee had worked out the integration plan.

**VICTORIOUS**— Shown strolling in the city zoo in Jacksonville, Fla., is a group of Negroes who enjoy integrated public facilities for the first time. The suit was sponsored by the Duval County Citizens Benefit Corporation.




**SIGN OF THE PAST**— Negroes in Jacksonville, Fla., read a sign of the past which was torn down at the city zoo when public facilities recently were integrated.

# Jacksonville Centers Mix Quietly!

JACKSONVILLE, Fla. — The walls of segregation came tumbling down in each and every recreational facility operated by this city, without untoward incidents of any kind.

**● The old order passed away at midnight, Sunday, Jan. 8, as a result of a Federal court order handed down in a "package" suit brought primarily by Frank Hampton, and prosecuted by Atty. Ernest D. Jackson Sr.**

**● All over town the "White" and "Colored" signs which have long dominated every aspect of the city's recreational facilities were torn down and tossed into garbage receptacles. One of these was salvaged and presented to Hampton as a trophy of victory over the by-gone era.**

Such incidents as were to be observed on Jacksonville's "Second Emancipation Day" were all to the good. Hampton, accompanied by a number of his supporters in the suit, escorted their children to the municipal zoo to "break the ice."

■

**ASKED BY** The Courier how he felt in physically opening the door to the ex "white" restaurant which he had already opened legally, Hampton replied:

**● "In holding that door open for those children I felt I was but exercising a natural right as a human being, American, and citizen of Jacksonville. I wouldn't have surrendered that job to anyone else for anything."**

That same day, on the formerly segregated Springfield playground, white and Negro kids picked teams—mixed ones—and began to "play ball" as though they had been at it that way all their lives.

At the city's new colliseum, Jaxons watched goggle-eyed for the first time at ice hockey being played, seemingly unaware that they were seated without regard to race for the first time.

■

**ALSO ON HAND** at the zoo to mark the occasion were Mr. and Mrs. Ira Coswell and their two small children.

This was the first time at the zoo for the latter, and they marched right up to the lunch counter and asked the white waitress for root beer. Delighted by the smiling service and all the wonders a zoo has in store, they acted as though they were honored guests at a spectacle created for them.

Some day, someone will have to explain to them how it was in the bad old days, when folks had to be on the watch for "Colored" signs on the zoo's lunch counter, picnic area, ticket lines and rest rooms.

■

**BUSINESS LEADER** Frank Hampton, who led a successful court fight to end the racial barriers in city-owned recreational facilities, said he was not surprised at the smooth manner in which the transition has taken place.

"It has been the politicians," he said. "They are the ones who have kept up the noise and agitation. The community, itself, has not been upset over it, just the politicians. And the Ku Klux Klan show had no effect on the community either," he concluded.

# Florida Lawmakers Set To Kill Sit-In Program

Journal + Guide
Norfolk, Va.
2/13

Special to Journal and Guide

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**MR. LOWRY** summed it up when he said: "It is quite apparent that the committee's action is an attempt to intimidate and label an organization and to weaken it. We have been pressing for our rights in almost every area and that is why they after us."

Mr. Graham and Father Gibson were sentenced after the committee cited them for contempt. In Mr. Lowry's case the committee voted to ask the Legislature to jail the minister when it meets. The assembly can keep him in jail during its whole session if he still refuses to cooperate.

**MR. LOWRY** declared: "We have a right to associate with whomever we wish. It is not within the power of the Legislature to deny any citizen that right. There is no attempt on our part to flout an yduly constituted legislative committee. We are merely attempting to exercise our freedom."

Father Gibson said recently: "I shudder to think what would happen if the segregationists could get their hands on the membership lists of an organization like the NAACP. I don't look at this as a personal matter at all, but rather as something which concerns all posterity."

# Students at FAMU under fire

The Afro-Am
Baltimore, Md
Dec 1-21-61
1/4

TALLAHASSEE, Fla. — Florida's war against the sitdown movement will take a new turn in April when the Legislature convenes.

At that time Sen. Randolph Hodges said he will introduce and work for passage of a bill to authorize the firing of any professor and expulsion of any student at a state-supported university who advocates or participates in a sitdown.

The students jailed last spring in the Tallahassee sitdowns were enrolled at Florida A. and M. University.

Sen. Hodges, of Cedar Key, is president - designate of the Florida Senate.

This will be the first state law specifically naming the sitdown movement although other states have passed laws aimed at the movement but not naming it. These have been laws against "trespassing" which have been both enacted and reinforced as anti - sitdown weapons.

There have also been cases, notably at Alabama State College and Southern (La.) University, where the state administration had ordered the expulsion of sitdowners. Faculty members have also lost their jobs for giving their support to the movement.

* * *

**SEN. HODGES'** plans are in direct opposition to the wishes of Florida Governor Leroy Collins who has repeatedly advocated that the sitdown situation be handled on a local level by committees composd of city officials, store managers, sitdowners and colored adults.

Gov. Collins has been virtually alone, however, in advocating a peaceful settlement. Most other Florida politicians have savored an iron - fisted policy.

This session of the Legislature will also see a continuation of the war against adults who are supporting the sitdowners — notably, NAACP officials.

The legislature formed an investigative committee to probe the NAACP. The coming session will consider a proposal to jail the Rev. A. Leon Lowry for refusing to give the committee names of NAACP members. The Rev. Mr. Lowry is state president of the NAACP.

* * *

**RECENTLY THE** Florida Supreme Court upheld a six-month jail sentence given the Rev. Theodore Gibson, head of the Miami NAACP. The rector of Christ Episcopal Church, the Rev. Fr. Gibson is appealing to the United States Supreme Court.

Florida's highest court overturned a similar sentence Graham of Miami, former president of the Miami chapter. The Rev. Mr. Graham even refused to tell the committee if he was a member.

The three ministers are among 47 NAACP leaders who have defied southern legislative investigating committees in refusing to turn over lists of NAACP members.

These leaders have stated that if known, NAACP members would be subjected to reprisals varying from economic to physical — such as bombing, arson, etc.

In the case of Florida, the investigating committee will ask the Legislature to jail the Rev. Mr. Lowry when it meets. He could be kept in jail for the whole session.

* * *

**ALTHOUGH** several African communities have seen the adoption of the American sitdown technique, there has been no violence recorded there.

Sam Sly, writing in several African papers, said:

"At two (sitdowns) I have witnessed (in Capetown, South Africa), there has been scarcely a stir from the surrounding teasippers and bun-eaters."

African sitdowners protest discrimination in public places just as American sitdowners do.

* * *

**TWENTY DALLAS, TEXAS** citizens staged a sitdown at the Continental bus Station in protest to segregation in food service. The sitdowns have been going on for four weeks. The Rev. H. Rhett James is leader of the group which operates as the Committee on Appeal for Human Rights.

Students of both races staged a massive protest at University Drug Store in Dallas after two colored students were refused service.

The students are enrolled at Southern Methodist University and are committed to wiping out segregation among merchants who derive most on their trade from the campus.

* * *

**IN COVINGTON, KY.,** two restaurants and one bowling alley were desegregated anter continuous picketing by interracial groups. Located there is Kentucky State College where students last year staged a strike over conditions allegedly connected with the sitdown movement. Formerly all colored, the college is now integrated.

In Rock Hill, S.C., Friendship College students demonstrated at two variety stores, Woolworth's and McCrory's. Sitdowns were staged at the two stores but the students left on request.

* * *

**IN JACKSONVILLE, FLA.,** signs designating "colored" and "white" rest rooms and drinking fountains were removed in downtown Hemming Park.

This action followed a federal court order integrating recreational facilities. The manager of the new coliseum said tickets to future events will be sold on a first come, first served basis with no jim-crow sections in the auditorium.

* * *

**IN ATLANTA,** Superior Court Judge George P. Whitman Sr. told the grand jury to investigate the sitdown movement. He said property owners have the right to exclude persons from their property, that those who refuse to leave are guilty of a misdemeanor and that conspirators should be punished.

In Pinellas County (Clearwater), Fla., lunch counters were desegregated at 21 stores.

**IN NEW ORLEANS,** Feb. 1 was set as the deadline for four sitdowners to appeal their 60-day sentences and $350 fines. The four, one of whom is a philosophy instructor at Tulane University, were convicted of "criminal mischief" in connection with a sitdown at McCrory's.

Sentenced were: Rudolph Lombard, Oretha Castle, Cecil Carter Jr. and Sydney L. Goldfinch Jr., the instructor. They were freed on bond of $750 each.

Appeals will also be made by six Lynchburg, Va. sitdowners who were given 30-day jail term. Four of them are white. They are freed on $1,900 bond.

* * *

**IN RALEIGH, N. C.** —30 students, most of them from Shaw University, attended services at several all-white local churches. There were no incidents.

Before the kneel-ins, the Rev. James S. Williams conducted a 20-minute service on the steps of the state capitol.

* * *

**TAKING A LEAF** from the sitdowners' book, 30 Greenwich Village beatniks staged a stidown and "snore-in" at the Gaslight Poetry Cafe.

They were protesting over the closing of the coffee house as a fire hazard.

# Supreme Court Denies Hearing On Sit-In Case

## Tallahassee Group Fails On Appeal

WASHINGTON (AP) — In its first action on a Southern lunch counter sit-in case, the Supreme Court Monday refused a hearing to eight Negroes and four whites convicted in a Florida lunchroom demonstration.

They were convicted in Municipal Court in Tallahassee in connection with sit-in demonstrations at a Woolworth store Feb. 20 and March 12 last year. Each received a sentence of 60 days in jail or a $300 fine.

The import of the action was not made clear. The court merely said it would not hear the appeal.

Court observers speculated the refusal may have been based, at least partially, on the fact that the case had not gone through Florida's highest courts. The appeal came here from the Circuit Court for Leon County, which affirmed the Municipal Court.

**RUN FULL COURSE**

The Supreme Court now has before it a sit-in case involving 17 Louisiana Negroes. This case has run the full course in state courts. The high court has not yet said whether it will hear arguments in this case.

The Tallahassee demonstrators were convicted under a city ordinance prescribing acts of disorderly conduct, breaches of the peace, and unlawful assembly.

In New York, James Farmer, national director of the Congress of Racial Equality, said he hoped the decision does not mean the court intends to avoid the issues raised by the sit-ins. Farmer's group organized the Tallahassee demonstrations.

The National Association for the Advancement of Colored People said it had no immediate comment.

**UNANIMOUS DECISION**

In a unanimous decision, written by Justice Potter Stewart, the high court staked out a forbidden area in the use of electronic eavesdropping. The decision threw out the conviction of three men accused of operating a big-time Washington gambling house near the State Department.

In the spring of 1958, police here suspected a row house was being used for gambling operations. They gained permission to enter the vacant adjoining row house and used a "spike mike" to listen to what was going on in the house next door.

The instrument was a microphone with a spike about a foot long attached to it, together with an amplifier, a power pack, and earphones. The officers inserted the spike several inches into the wall between the two houses until it hit a heating duct, thus converting the entire heating system into a conductor of sound.

Stewart said the facts in the case did not require the court to "contemplate the Fourth Amendment implications of these and other frightening paraphernalia which the vaunted marvels of an electronic age may visit upon human society."

He said eavesdropping accomplished by means of such a physical intrusion was "beyond the pale of those decisions which . . . held that eavesdropping accomplished by other electronic means did not amount to an invasion of Fourth Amendment rights."

The Fourth Amendment forbids unlawful search and seizure.

1. Let stand a decision of federal courts in Philadelphia barring use of labor union funds for the payment of legal expenses of accused union officers.

Raymond Cohen and three other officers of Local 107 of the Teamsters Union are under charges of conspiracy to defraud members of the local. A majority of the local's members voted to pay the legal expenses of the accused officers, but nine dissenting members won an injunction in U. S. district court. The Court of Appeals affirmed this.

2. Upheld, 6-2, the Michigan law which imposes a higher tax on shares of stock in national banks than on shares in savings and loans associations. Justice Tom C. Clark, speaking for the majority, said this does not constitute unlawful discrimination against national banks or their shareholders as a class. Justice Charles C. Whittaker wrote a dissenting opinion in which Justice William O. Douglas concurred.

Justice Stewart took no part in the case.

# SIT-IN APPELLANTS FAIL IN U.S. COURT

## High Tribunal Refuses Hearing in Fla. Case

By KARL R. BAUMAN

WASHINGTON (AP) — In its first action on a southern lunch counter sit-in case, the Supreme Court Monday refused a hearing to eight Negroes and four whites convicted in a Florida lunchroom demonstration.

They were convicted in Municipal Court in Tallahassee in connection with sit-in demonstrations at a Woolworth store Feb. 20 and March 12 last year. Each received a sentence of 60 days in jail or a $300 fine.

**IMPORT NOT CLEAR**

The import of the action was not made clear. The court merely said it would not hear the appeal.

**Court observers speculated the refusal may have been based, at least partially, on the fact that the case had not gone through Florida's highest courts. The appeal came here from the circuit court for Leon county, which affirmed the municipal court.**

The Supreme Court now has before it a sit-in case involving 17 Louisiana Negroes. This case has run the full course in state courts. The high court has not yet said whether it will hear arguments in this case.

**COPE MAN COMMENTS**

The Tallahassee demonstrators were convicted under a city ordinance proscribing acts of disorderly conduct, breaches of the peace, and unlawful assembly.

**In New York, James Farmer, national director of the Congress of Racial Equality, said he hoped the decision does not mean the court intends to avoid the issues raised by the sit-ins. Farmer's group organized the Tallahassee demonstrations.**

The National Association for the Advancement of Colored People said it had no immediate comment.

**EAVESDROP RULING**

In a unanimous decision, written by Justice Potter Stewart, the high court staked out a forbidden area in the use of electronic eavesdropping. The decision threw out the conviction of three men accused of operating a big-time Washington gambling house near the State Department.

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The instrument was a microphone with a spike about a foot long attached to it, together with an amplifier, a power pack, and earphones. The officers inserted the spike several inches into the wall between the two houses until he hit a heating duct, thus converting the entire heating system into a conductor of sound.

**FOURTH AMENDMENT**

Stewart said the facts in the case did not require the court to "contemplate the Fourth Amendment implications of these and other frightening paraphernalia which the vaunted marvels of an electronic age may visit upon human society."

**He said eavesdropping accomplished by means of such a physical intrusion was "belond the pale of those decisions which . . . hel dthat eavesdropping accomplished by other electronic means did not amount to an invasion of Fourth Amendment rights."**

The Fourth Amendment forbids unlawful search and seizure.

# High Court Snubs Appeal Of Sit-Ins

## Refuses To Act In Initial Test Of Mix Convictions

WASHINGTON (AP)—The Supreme Court today unanimously refused to act on an appeal by 12 persons arrested during two sit-in demonstrations at a white lunch counter in Tallahassee, Fla.

It was the first time the high tribunal had been asked to rule on a case growing out of a wave of sit-in demonstrations in the South.

The court gave no reason for its refusal to act on the appeal. It merely listed the case among a group of appeals in which it denied hearings.

The 12 persons who appealed had sat at a counter in an F. W. Woolworth Co. store at 120-126 N. Monroe St., in Tallahassee.

Eight of those who appealed are Negroes. The others are white. Each was sentenced in Tallahassee Municipal Court to pay $300 fine or serve 90 days in jail. The demonstrations occurred Feb. 20 and March 12, 1960.

The 12 questioned whether their arrest and convictions constituted "unlawful interference" with their freedom of speech and liberty of contract—right to do business with the establishment—in violatoin of contitutional guarantees of due process and equal protection of the laws.

# The High Court And Sitdowns

The refusal of the Supreme Court Monday to review the first of a series of sitdown cases headed in its direction in itself is not significant.

In letting stand the convictions of 12 Tallahassee, Fla., students for sitting at the counter of an F. W. Woolworth store, the court in its unanimous ruling was merely saying that the cases should have been first passed on by the Florida Supreme Court.

Because of this technical error, the youngsters, eight of them students at Florida A. and M. University and four enrolled at Florida State University, unfortunately must now pay fines of $300 each or serve 90 days in jail.

The lesson to be noted here is that appeals must be taken painfully, step-by-step through state courts before seeking review in the Supreme Court. It is one that should not be forgotten.

Because this procedure was not followed, the nation's highest tribunal did not pass on the merits of the students' contentions that their arrests were "unlawful interference" with freedom of speech and liberty of contract (right to do business with the store) as guaranteed them under the Constitution.

* * *

**NO SUCH ERROR** appears in the cases of 17 Baton Rouge, La., student sitdowners. The hope is that in these cases the court will be given a clear-cut opportunity to rule on the legality of the sitdown movement.

Such a rule unquestionably would have direct bearing on scores of cases awaiting judicial determination in ten other states.

The Baton Rouge appeal goes to the very heart of the matter in that it challenges the right of a state, through abuse of its police power, to protect the segregation policies of private store and restaurant operators.

Baton Rouge police arrested the demonstrators after they refused to leave a Kress dime store lunch counter. Warrants charging disturbance of the peace were sworn out, not by management of the store, but, by the arresting officers themselves.

The arrests followed the pattern established last July all over the South. Chain store management, fearing nationwide boycott and a rash of false arrest suits, ordered local managers not to swear out arrest warrants for sitdowners.

* * *

**POLICE IN A** number of Southern cities took it upon themselves to fill the gap. If they did not have hastily-enacted "trespass" laws under which to proceed, they arrested sitdowners charging everything from disorderly conduct and disturbing the peace to violation of fire laws. They did this despite the fact that in all situations, sitdowners were the most peaceable persons present and the red-necked rowdies who resorted to violence went unmolested.

The Supreme Court established beyond doubt the right of all citizens to receive unsegregated meal service at bus and railroad terminals in the Bruce Boynton case. It upheld the Howard student's contention that he was unjustly denied service in a Richmond, Va. bus terminal.

The court, as it also did in the earlier Atlanta air terminal case, termed such racial discrimination an undue burden on interstate commerce.

Should it rule, and we are confident that it will, that peaceful demonstrators are to be protected from hostile police interference, the sitdown movement will have added another 'missile' in its growing arsenal of weapons against segregation.

3ca 1961

FLORIDA

SUPREME COURT REFUSES TO ACT
LUNCH COUNTER

# Supreme Court Refuses Appeal In Sit-In Cases

The Tallahassee Daily Democrat

Tallahassee Fla.

BY THE ASSOCIATED PRESS

The U.S. Supreme Court hasity. Vice President Lyndon B. refused to review the first case Johnson was named chairman brought before it in connection and Secretary of Labor Arthur with the wave of sit-in demon- J. Goldberg vice chairman.

strations at variety store lunch "Through this vastly strength- counters in the South the past ened machinery," Kennedy said year.

Dec. 3-7-61

The High Tribunal merely said sure that Americans of all colors Monday that it would not hear and beliefs will have equal access the appeal of eight Negroes and to employment within the four white persons convicted in government, and with those who Municipal Court at Tallahassee, do business with the govern- Fla., in connection with sit-in ment."

Tallahassee Fla.

demonstrations in that city.

The President also announced

The import of the action was that he has directed all federal not made clear. But defense agencies "to take immediate ac- counsel said the decision did not tion to broaden government em- determine the merits of the case. ployment opportunities for mem- bers of minority races."

Tobias Simon, Miami attorney who represented the 12 defendants, said a similar case pending in the Supreme Court from Miami "represents a much more succinct legal picture."

He referred to sit-ins at a Miami shopping center where, he said, management admitted refusing to serve the group because it included Negroes.

Simon said possibly the Supreme Court refused to review the Tallahassee case solely because of factual questions as to whether or not it involved solely racial issues.

But South Carolina Atty. Gen. Daniel L. McLeod said at Columbia the Supreme Court action "could turn out to be a most significant one." He said he was "most impressed" by the court's upholding of police powers employed in maintaining peace and order.

A few hours later in Washington, President Kennedy set up by executive order—effective in 30 days — a President's Committee on Equal Employment Opportunity. Vice President Lyndon B. Johnson was named chairman and Secretary of Labor Arthur J. Goldberg vice chairman.

"Through this vastly strengthened machinery," Kennedy said in a statement, "I intend to insure that Americans of all colors and beliefs will have equal access to employment within the government, and with those who do business with the government."

## High Court Bars Appeal By Sit-Ins

A.P. Herald Tribune New York N. Y.

Dec. 3-7-61

### In First Such Case Brought to Tribunal

WASHINGTON, Mar. 6 (AP). —The Supreme Court today unanimously refused to act on an appeal by twelve persons arrested during two sit-in demonstrations at a white lunch counter in Tallahassee, Fla.

It was the first time the high tribunal had been asked to rule on a case growing out of a wave of sit-in demonstrations in the South.

The court gave no reason for its refusal to act on the appeal. It merely listed the case among a group of appeals in which it denied hearings.

**8 Were Negroes**

The twelve persons who appealed had sat at a counter in an F. W. Woolworth Co. store. Eight of those who appealed are Negroes. The others are white persons. Each was sentenced in Tallahassee Municipal Court to pay a $300 fine or serve ninety days in jail. The demonstrations occured Feb. 20 and March 12, 1960.

In their appeal, those involved in the action questioned whether their arrest and convictions constituted "unlawful interference" with their freedom of speech and liberty of contract (right to do business with the establishment) in violation of Constitutional guaranties of due process and equal protection of the laws.

**Tallahassee's Argument**

The City of Tallahassee in a brief opposing any Supreme Court hearing for the twelve asserted there was no racial question involved in the case.

The brief said that if the twelve had complied with a command by the Mayor to immediately and peaceably leave the lunch counter there "would have been no arrests. It added that the Mayor of Tallahassee "had good reason to believe that the continued assembly of the petitioners (the sit-in by the twelve) would cause a riot."

**Names of the 12**

Those appealing in the case were Henry M. Steele, William Haywood Larkins, Patricia Gloria Stephens, Priscilla Gwendolyn Stephens, Angelina Nance, Barbara Joan Broxton, John Anglish Broxton, Clement Collier Carney, Robert K. Armstrong, Roland W. Eves, Derek Spencer Lawler and John J. Poland. The latter four were listed as white students.

In other actions today, the court:

### *Gambling Conviction Is Reversed*

Threw out the gabling convictions of three men in Washington because police obtained evidence by driving a "needle microphone" in the wall of a house. Justice Petter Stewart, who delivered the opinion, said the Constitution's Fourth Amendment guarantees against unreasonable search and seizure and added that "the personal rights which it secures, have a long history." He asserted: At the core stands the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion. "The case involved Meyer Schwartz, Julius Silverman and Robert L. Martin. Each was sentenced to twenty months to five years' imprisonment.

## Justices Fail To Elaborate On Decision

Miami Herald

Dec. 3-7-61

### Body Also Limits Use Of Electronic Eavesdropping

BY KARL R. BAUMAN

WASHINGTON, March 6 (AP)—In its first action on a Southern lunch counter "sit-in" case, the Supreme Court today refused a hearing to eight Negroes and four whites convicted in a Florida lunchroom demonstration.

They were convicted in Municipal Court in Tallahassee in connection with sit-in demonstrations at a Woolworth store Feb. 20 and March 12 last year. Each received a sentence of 60 days in jail or a $300 fine.

The import of the action was not made clear. The court merely said it would not hear the appeal.

Court observers speculated the refusal may have been based, at least partially, on the fact that the case had not gone through Florida's highest courts. The appeal came here from the Circuit Court for Leon County, which affirmed the Municipal Court.

The Supreme Court now has before it a sit-in case involving 17 Louisiana Negroes. This case has run the full course in state courts. The high court has not yet said whether it will hear arguments in this case.

The Tallahassee demonstrators were convicted under a city ordinance proscribing acts of disorderly conduct, breaches of the peace, and unlawful assembly.

**NAACP Is Mum**

In New York, James Farmer, national director of the Congress of Racial Equality, said he hoped the decision does not mean the court intends to avoid the issues raised by the sit-ins. Farmer's group organized the Tallahassee demonstrations.

The National Association for the Advancement of Colored People said it had no immediate comment.

In a unanimous decision, written by Justice Potter Stewart, the high court staked out a forbidden area in the use of electronic eavesdropping. The decision threw out the conviction of three men accused of operating a big-time Washington gambling house near the State Dept.

In the Spring of 1958 police here suspected a row house was being used for gambling operations. They gained permission to enter the vacant adjoining row house and used a "spike mike" to listen to what was going on in the house next door.

**'Spike Mike'**

The instrument was a microphone with a spike about a foot long attached to it, together with an amplifier, a power pack, and earphones. The officers inserted the spike several inches into the wall between the two houses until it hit a heating duct, thus converting the entire heating system into a conductor of sound.

Stewart said the facts in the case did not require the court to 'contemplate the Fourth Amendment implications of these and other frightening paraphernalia which the vaunted marvels of an electronic age may visit upon human society."

He said eavesdropping accomplished by means of such a physical intrusion was "beyond the pale of those decisions which . . . held that eavesdropping accomplished by other electronic means did not amount to an invasion of Fourth Amendment rights."

**Forbids Unlawful Search**

The Fourth Amendment forbids unlawful search and seizure.

Stewart cited a decision which upheld the use of an electronic device on the wall of a house as a permissible invasion of privacy. He said he found no occasion to re-examine the earlier decision, "but we decline to go beyond it, even by a fraction of an inch."

In other action today the court let stand a decision of Federal courts in Philadelphia barring use of labor union funds for the payment of legal expenses of accused union officers.

Raymond Cohen and three other officers of Local 107 of the Teamsters Union are under charges of conspiracy to defraud members of the local. A majority of the local's members voted to pay the legal expenses of the accused officers, but nine dissenting members won an injunction in U. S. District Court. The Court of Appeals affirmed this.

# Supreme Court Refuses To Review Conviction Of 12 In Florida Sit-In

## Brief Order Not Explained

From Wire Dispatches

Washington, March 6.—The Supreme Court refused Monday to review the first case brought to it from the wave of sit-in demonstrations at lunch counters in the South.

The court left standing the convictions of eight Negro and four white students for sitting at the counter in a Woolworth's store in Tallahassee, Fla. Each was sentenced to pay a $300 fine or spend 60 days in jail.

So far as could be learned, the justices were unanimous in refusing review. At least none noted dissent. There was no explanation for the action, simply one-line order stating that the petition for review had been denied.

### Significance Discounted

Observers cautioned against reading too much significance into the court's action. They warned that it could not necessarily be takne as an indication of what the Supreme Court will do in the large number of sit in cases approaching it.

The particular reason for questioning the meaning of this case is that it may have had a technical flaw. The city of Tallahassee, opposing Supreme Court review, claimed that the 12 convicted youths had not followed out the possible avenues of appeal in the Florida courts.

The Supreme Court will not hear cases from the State courts unless they have been taken as far as possible within the State judicial system.

### Rules On Eavesdropping

The Supreme Court now has before it petitions for review from 17 Negro students convicted in sit-in tests in Baton Rouge, La. Those cases were filed earlier than the Tallahassee case but have not yet been acted on.

In another decision written by Justice Potter Stewart, the high court staked out a forbidden area in the use of electronic eavesdropping. The unanimous decision threw out the conviction of three men accused of operating a big-time Washington gambling house near the State Department.

### Listened With 'Spike Mike'

In the spring of 1958 police here suspected a row house was being used for gambling operations. They gained permission to enter the vacant adjoining row house and used a "spike mike" to listen to what was going on in the next house.

The instrument was a microphone with a spike about a foot long attached to it, together with an amplifier, a power pack, and earphones. The officers inserted the spike several inches into the wall between the two houses until it hit a heating duct, this converting the entire heating system into a conductor of sound.

Stewart said eavesdropping accomplished by means of such a physical intrusion was "beyond the pale of those decisions which . . . held that eavesdropping accomplished by other electronic means did not amount to an invasion of Fourth Amendment rights." The Fourth Amendment forbids unlawful search and seizure.

In other action the court let stand a decision of federal courts in Philadelphia barring use of labor-union funds for the payment of legal expenses of accused union officers.

38a 1961

FLORIDA

# Fla. 'Sit-In' Appeal, Based On Restrictive Convenant, Rejected

WASHINGTON (UPI)—The Supreme Court Monday rejected an appeal of Negro and white sit-in demonstrators arrested in Tallahassee, Fla.

The brief order left standing their convictions and upheld the fines or jail sentences given them.

The court acted on appeals by two groups of students, who were arrested for disorderly conduct after refusing to leave the lunch counter in the F. W. Woolworth Five and Ten Cent Store.

Woolworth sells to Negroes in all departments of the store except the lunch counter.

The brief order gave no reason for the high court's refusal to hear arguments in the case.

The Tallahassee appeal had been viewed as a possible opportunity for the high court to set legal precedent in the sitin disturbances which have flared throughout the South.

Still pending is a request for Supreme Court consideration of three sit-in appeals from Baton Rouge, La.

The mayor of Tallahassee personally instructed police in both instances to arrest the students after they ignored his order to leave. All drew $300 fines or 60 days in jail. The Leon County Circuit court affirmed the convictions.

The principal legal argument by the demonstrators has been that no arm of the state government may use its power to compel racial discrimination at the behest of a private party.

They relied on the 1948 Supreme Court decision which dealt with real estate covenants designed to preserve all white-neighborhoods. The court held these racially restrictive agreements are not enforceable in court.

In the Tallahassee case, it was argued that the city may not enforce trespass laws which result in racial discrimination.

The students contended that their cases are actually stronger than the real estate cases because the arests were demanded by third persons, including the mayor, rather than by Woolworth, whose property was involved.

They cited the 14th Amendment's guarantee of "due process of law" and "equal protection of the laws."

## REVIEW REFUSED IN FLORIDA SIT-IN

### High Court, Without Dissent, Lets Stand the Conviction of Twelve Students

Special to The New York Times.

WASHINGTON, March 6—The Supreme Court refused today to review the first case brought to it from the wave of sit-in demonstrations at lunch counters in the South.

The Court left standing the convictions of eight Negro and four white students for sitting at the counter in an F. W. Woolworth Company store in Tallahassee, Fla. Each was sentenced to pay a $300 fine or spend sixty days in jail.

As far as could be told, the justices were unanimous in refusing review. At least none noted dissent. There was no explanation for the action, simply a one-line order stating that the petition for review had been denied.

Observers quickly cautioned against reading too much significance into the court's action. They warned that it could not necessarily be taken as an indication of what the Supreme Court would do in the large number of sit-in cases approaching it.

**Technical Flaw Possible**

The particular reason for questioning the meaning of this case is that it may have had a technical flaw. The City of Tallahassee, opposing Supreme Court review, contended that the twelve convicted youths had not followed the possible avenues of appeal in the Florida courts. The Supreme Court will not hear cases from the state courts unless they have been taken as far as possible within the state judicial system.

The Supreme Court has before it petitions for review from seventeen Negro students convicted in sit-in demonstrations in Baton Rouge, La. Those cases were filed earlier than the Tallahassee case but they have not been acted on.

The Tallahassee case began on Feb. 20 and March 12, 1960, when groups of Negro students sat at the Woolworth lunch counter and demanded service. That store serves Negroes in all departments except the lunch counter, as is true of many Southern variety outlets.

The white students sat at the counter in sympathy on March 20. They ordered and received food and passed some of it to the Negroes.

**Action of Mayor**

The manager of the store did not ask any of the students to leave. But the Mayor of Tallahassee, saying that he feared a riot, personally ordered the students out. When they refused, he told the police to arrest them for breach of the peace.

In their petition for review the students made the point that they had actually done nothing violent that could be called a breach of the peace. And they argued that since the Mayor, not the store owner, had ordered them out, this was clearly a governmental action against persons because of race.

SUPREME COURT REFUSES TO ACT

LUNCH COUNTER

# Court Refuses Sit-In Appeal

WASHINGTON (AP) —In its first action on a southern lunch counter sit-in case, the Supreme Court Monday refused a hearing to eight Negroes and four whites convicted in a Florida lunchroom demonstration.

They were convicted in Municipal Court in Tallahassee in connection with sit-in demonstrations at a Woolworth store Feb. 20 and March 12 last year. Each received a sentence of 60 days in jail or a $300 fine.

The import of the action was not made clear. The court merely said it would not hear the appeal.

**Speculation.**

Court observers speculated the refusal may have been based, at least partially, on the fact that the case had not gone through Florida's highest courts. The appeal came here from the Circuit Court for Leon County, which affirmed the Municipal Court.

The Supreme Court now has before it a sit-in case involving 17 Louisiana Negroes. This case has run the full course in state courts. The high court has not yet said whether it will hear arguments in this case.

The Tallahassee demonstrators were convicted uder a city ordiwere convicted under a city ordiderly conduct, breaches of the peace, and unlawful assembly.

In New York, James Farmer, national director of the Congress of Racial Equality, said he hoped the decision does not mean the court intends to avoid the issues raised by the sit-ins. Farmer's group organized the Tallahassee demonstrations.

The National Assocition for the Advancement of Colored People said it had no immediate comment.

In a uanimous decision, written by Justice Potter Stewart, the high court staked out a forbidden area in the use of electronic eavesdropping. The decision threw out the conviction of three men accused of operating a big-time Washington gambling house near the State Department.

In the spring of 1958, police here suspected a row house was being used for gambling operations. They gained permission to enter the vacant adjoining row house and used a "spike mike" to listen to what was going on in the house next door.

The instrument was a micro phone with a spike about a foot long attached to it, together with an amplifier, a power pack, and earphones. The officers inserted the spike several inches into the wall between the two houses until he hit a heating duct, thus converting the entire heating system into a conductor of sound.

The Fourth Amendment forbids unlawful search and seizure.

# Supreme Court Turns Down Tallahassee Sit-In Review

WASHINGTON—The Supreme Court refused Monday to review the first case brought to it from the wave of sit-in demonstrations at lunch counters in the South.

The court left standing the convictions of eight Negro and four white students for sitting at the counter in a Woolworth's store in Tallahassee, Fla. Each was sentenced to pay a $300 fine or spend 60 days in jail.

So far as could be learned, the justices were unanimous in refusing review. At least none noted dissent. There was no explanation for the action, simply a one-line order stating that the petition for review had been denied.

Observers cautioned against reading too much significance into the court's action. They warned that it could not necessarily be taken as an indication of what the Supreme Court will do in the large number of sit-in cases approaching it.

The particular reason for questioning the meaning of this case is that it may have had a technical flaw. The City of Tallahassee, opposing the Supreme Court review, charged that the 12 convicted youths hadn't pursued the possible avenues of appeal in the Florida courts. The Supreme Court won't hear cases from the state courts unless they have been taken as far as possible within the state judicial system.

The Supreme Court now has petitions for review from 17 Negro students convicted in sit-in tests in Baton Rouge, La. Those cases were filed earlier than the Tallahassee case but have not yet been acted on.

The Tallahassee case began on Feb. 20 and March 12, 1960, when groups of Negro students sat at the Woolworth lunch counter and demanded service. That store serves Negroes in all departments except the lunch counter.

The white students sat at the counter in sympathy with the sit-ins on March 20. They ordered and received food and passed some of it on to the Negroes.

The manager of the store did not ask any of the students to leave. But the manor of Tallahassee, saying that he feared a riot, personally ordered the students out. When they refused, he told the police to arrest them for breach of the peace.

In their petition for review the students made the point that they had done nothing violent that could be called a breach of the peace. And they argued that since the mayor, not the store owner, had ordered them out, this was clearly a governmental action against persons on account of race.

The latter point is significant because the Constitution prohibits only governmental, not private discrimination. The tough legal problem in most sit-in cases is whether there is any "state action" when a private property owner calls in the authorities to enforce his discriminatory regulations.

The students were convicted in the Municipal Court of Tallahassee, and the convictions were affirmed in a county circuit court. There is no further appeal guaranteed under Florida law, but it is possible to ask the higher courts for discretionary writs of certiorari to look at the face of the record.

This last step was not taken by the students. They claimed that the Florida procedure did not permit review of constitutional questions by writs of certiorari.

# Court Will Look Again At Sit-Ins

WASHINGTON (UPI) — The Supreme Court is expected to take another look soon at racial sit-in demonstrations despite its rejection of an appeal by student demonstrators in Tallahassee, Fla.

Three more appeals from Baton Rouge, La., are on the court's docket and may be acted on March 20. Appeals from other states also are on the way to the high court.

Eventually, the court seemed bound to establish legal guidelines for handling the widespread Negro and white demonstrations at privately operated lunch counters in the South.

The court Monday without comment denied review to a group of Negro students and to a white group. The demonstrators were convicted of disorderly conduct after refusing to leave a lunch counter in an F. W. Woolworth's store in Tallahassee. There was a dispute between the parties over whether the appeals should have come to the U.S. Supreme Court, or first should have gone farther in state courts.

This factor may have caused the Supreme Court to deny review. But the justices themselves gave no reason.

The 12 students were sentenced to 60 days in jail or fined $300.

The issue in the sit-in cases was whether a city could use its police power to enforce racial segregation in a store or other privately operated establishment.

## High Court Weighs 'Sit-In' Appeal

By the Ass

Washington

The Supreme Court of the United States at its next session may announce what action it will take on a second appeal involoving "sit-in" demonstrators at white lunch counters in the South.

In a brief order Monday, the high tribunal denied a hearing to eight Negroes and four white persons who were arrested in a demonstration in Tallahassee, Fla. They face sentences of 60 days in jail or $300 fine each.

The court's order of the denial gave no explanation. Some observers surmised the refusal might have been because the 12 persons had not first taken their case to the Florida Supreme Court.

It was the first time the Supreme Court had acted on appeal papers involving "sit-in" demonstrations.

The second appeal still before the court was filed by 17 Negroes who were arrested in Baton Rouge, La. They were sentenced to four months' imprisonment each, with the provision that three months could be suspended upon payment of a $100 fine by each.

Between now and the court's next session, on March 20, the justices will study the appeal papers filed by the 17, who hope to obtain a hearing and dismissal of their sentences.

The justices may be ready to announce at the March 20 session whether they will grant or deny a hearing in the Louisiana case.

The 17 in their appeal contend the states have no power to compel segregation of races. They assert Louisiana therefore could not penalize them for expressing dissatisfaction over "being relegated to second-class status in public establishments."

## Lunch counters now desegregated in Florida cities

CLEARWATER, Fla., Jan. 5—(AP)—Lunch counters were desegregated at 21 stores in Pinellas County Tuesday. One Negro woman showed up to eat with white patrons.

Management of stores in St. Petersburg, Clearwater, Dunedin and Largo agreed at meetings last month to start serving Negroes along with whites on Jan. 3.

**The agreements were similar to those reached earlier between Negro leaders and managers of some stores at Tampa, Sarasota and Bradenton. Integration started at some establishments in these cities more than two months ago.**

A check with store managers in the four communities affected yesterday brought only one report of integration. A Negro woman dined alone and without disturbance at McCrory's in Clearwater.

The group working out the agreement at St. Petersburg requested news media to allow the change to become a reality "in an orderly way, without advance fanfare."

At Tampa, spokesmen for several firms which agreed to integration said no Negroes have sought service at lunch counters in recent weeks.

## End Lunch Counter Ban In 21 Clearwater Sites

CLEARWATER, Fla. (ANP)—Lunch counters were desegregated at 21 stores in Pinellas County. One Negro woman showed up to eat with white patrons.

# Coach's charges on firing called 'absurd'

# Morals, not sitdowns involved

**Special to the AFRO**

TALLAHASSEE, Fla. — Charges that a football coach at Florida A. and M. University was fired because of his opposition to sit - in demonstrations, were branded as "completely absurd" last week.

A university spokesman told the AFRO Saturday morning that the dismissal of Macon L. Williams "was purely a matter of morals."

Williams, freshman coach and the school's head recruiter, told a national news service on Friday that he had been let out of his $6,000-a-year job at the school because he disapproved of student participation in racial demonstrations.

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ACCORDING to Williams, he was a victim of "personal prejudice on the part of Dr. George W. Gore Jr.," the president of Florida A. and M.

The firing came about, he said, "because I have consistently opposed student sit-ins and other demonstrations. As far back as the boycott," Williams continued, "I refused to join in demonstrations. I rode the buses and I expressed my feelings openly on the campus.

"I am convinced this has been a factor in the dismissal I intend to fight this unfair action. The charges against me are not true."

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THE "CHARGES" are that the young coach had torrorized three women students.

According to the information reportedly contained in 500 pages of recorded and transcribed testimony, Williams sought to molest the young women in an apartment they shared off the campus.

The girls are said to have signed affidavits in support of the allegations. These affidavits were drawn up after a faculty committee had heard them testify.

* * *

"MR. WILLIAMS," the spokesman told the AFRO, "has never been identified with any social change movement here. There is no basis whatsoever for his story about sit-in opposition.

"It was a purely moral issue that was involved in his dismissal. The reasons reportedly given by him are completely absurd."

## Sit-In Trio Starts Jail Terms

*By the Associated Press*

**Tallahassee, Fla.**

Two white college students and a Negro youth have begun serving 60-day jail sentences at Tallahassee, Fla., after carrying their convictions in a variety store sit-in demonstration all the way to the Supreme Court of the United States.

The high tribunal refused to hear their appeal March 6 apparently because they did not take their case through all the state courts first.

Two weeks later the Supreme Court agreed to hear arguments in the fall on appeals of Negroes convicted in sit-ins at Baton Rouge, La., the first such action by the court since the wave of sit-ins began in the South.

**Three Jailed**

The three, who went to jail Monday rather than pay $300 fines, were Derek Lawler, a Florida State University student; Jeff Poland, former FSU student; and Henry M. Steele, a son of the Rev. C. K. Steelse, a Negro integration leader.

Shortly after they entered the jail their attorneys sought their release on grounds the constitutional rights of the three were being violated. However, a federal judge denied the petition.

The Justice Department began an investigation of reports of discrimination against Negroes seeking to vote in three Mississippi counties, Madison, Walthall, and Forrest. The New Orleans Federal Bureau of Investigation office said the Madison County probe was ordered at the request of John Doar, acting assistant United States Attorney General for civil rights.

**Warning Sounded**

In another Mississippi development, Medgar Evers, National Association for the Advancement of Colored People state field secretary, warned demonstrations will continue in Jackson until segregation barriers fall. Several Negroes were arrested during a recent read-in at a Jackson public library.

A request by Negroes to use a municipal golf course at Macon, Ga., would be considered by the City Council at a meeting Wednesday, Mayor Edgar H. Wilson reported. The course is segregated.

The Augusta Coach Company asked United States District Court to uphold a Georgia Public Service Commission rule calling for segregation on public conveyances for reasons of public health.

## Sitdowner out of jail

WASHINGTON

Patricia Stephens of the Florida sitdown movement was in Washington this week to visit friends after her most recent release from a Tallahassee jail.

She and Ben Cowins, Florida A. and M. student, are free under $1,000 bail each, after their arrest on charges growing out of sitdown protests at Neisner's Five and Dime Store and Sears Roebuck in Tallahassee.

## Coed Sentenced To 120 More Days In Jail For Sit-Ins

TALLAHASSEE, Fla. — (ANP) — Patricia Stephens, who last year served 49 days in a Florida jail for sitting-in, was sentenced last week to 120 days for participating in another demonstration.

Miss Stephens, a college student, and Ben Cowins were arrested on March 4th of this year while sitting-in at a Neisner lunch counter. They were charged with "disorderly proceedings."

Judge Rudd sentenced Stephens to 60 days or $500 and to a mandatory 30 day term for the "disorderly proceedings" charge. He also imposed a 30 day sentence for violation of probation imposed last year. This last sentence has since been suspended.

# Suit to Halt Negro Pickets In Pinellas Left to Judge

CLEARWATER, March 24 (AP)—Attorneys for opposing sides wrapped up their cases today in a circuit court suit seeking to prevent Negroes from picketing a St. Petersburg store.

J. E. Webb, founder and owner of Webb's City, a famous St. Petersburg "drug store" where just about anything may be purchased, filed suit seeking to have the National Association for the Advancement of Colored People permanently stopped from picketing his store for lunch counter service.

Judge Jack White told attorneys he probably would rule in two weeks.

He indicated that "constitutional questions involved are rather delicate ones."

Webb was granted a temporary injunction last December after several days of picketing by the St. Petersburg branch of the NAACP.

Attorneys for Webb argued that the picketing was not peaceful and that, even if it was, it was subject to injunction because it was for the "unlawful purpose of discouraging trade at Webb's City and thus force Webb to comply with the wishes of the NAACP for integrated lunch counters.

Attorneys for the NAACP said the plaintiffs failed to show any evidence of violence in the picketing.

They argued that to deny the defendants the right to picket peacefully for what they believe to be their rights would be to deny them their constitutional rights to freedom of speech.

During the noon recess, the Negro lawyers and followers of the case had lunch at counters of variety stores in downtown Clearwater.

The Clearwater and St. Petersburg lunch counters, including Webb's City, integrated eating facilities voluntarily last December.

However, Webb said he is continuing to push for a court injunction against picketing, saying he is fighting for the right of a merchant to operate his store without interference from any group.

*RATHER THAN PAY FINES*

# 2 White Youths, Negro Begin Sit-In Jail Terms

TALLAHASSEE, April 10 (AP)—Two white college students and a Negro youth jailed on charges growing out of a 1960 sit-in demonstration made an unsuccessful move today to gain their freedom by a federal court order.

Federal Judge Harrold Carswell denied their petition for release on a writ of habeas corpus. Attorneys for the three contended their constitutional rights were being violated.

The three who went to jail rather than pay $300 fines were Derek Lawler, a Florida State University student; Jeff Poland, former FSU student, and Henry Steele, son of an integration leader here.

They were ordered to surrender after the U.S. Supreme Court refused to review their convictions. The high court indicated they should exhaust their appeals in state court before going there.

Poland, who recently was dropped from Florida State, appeared at the police station with a Bible in his hand to begin his term.

Two other FSU students fined in the same case, Roland Eves and Stephen Poe, paid $300 fines. Another former student, Robert Armstrong, was confined to a hospital and could not appear for the court action.

They were convicted by City Judge John Rudd of charges of disorderly conduct growing out of a sit-in demonstration at the Woolworth variety store. Police said the Negro and white demonstrators refused to leave the counter on order of the City Commission. The Leon County Circuit Court without comment refused to review the case.

# 8 ministers give aid to sitdowners

ATLANTA — "Hunger is a part of the human makeup. We were hungry in body and in spirit to be treated like men."

With this thought the Rev. Otis Moss Jr. led eight local pastors in a sitdown which resulted in their jailing last Wednesday. After two days and two nights in jail, each was freed on $100 bond.

The ministers' action was in support of the 78 student sitdowners jailed the previous week. Bound over to the Fulton County grand jury, the students chose to remain in jail rather than pay $100 bond for freedom.

In city court before Judge James Webb, who also bound the ministers over to the grand jury, the 25-year-old Rev. Mr. Moss said:

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"WE ARE not lawless. We believe in the Constitution of the United States; we believe in God and in the power of redemptive suffering.

"We entertain no hatred toward anyone. We have nothing but love in our hearts for the man who refused us service, the policeman who arrested us and the judge before whom we stand."

The Rev. Ross W. Anderson, a 60 - year-old white preacher who was in the group of arrested clerics, said to the judge:

"In this critical period of history, if we go on denying the laws of God and man, civilization as we know it will be destroyed."

The Rev. Mr. Moss is pastor of Providence Southeast Baptist Church. The Rev. Mr. Anderson is from the Koinonia Farms community which has been under fire from Georgia authorities.

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THE OTHER ministers were: The Revs. Benjamin J. Johnson, 49, Mt. Calvary Baptist Church; Walter R. McCall, 37, Providence Baptist; Joe D. Grier Jr., 31, Fort Street Methodist; Joseph E. Boone, 38, Bush Memorial Congregational;

Also the Rev. Albert L. Dunn, 26, Fountain Memorial AME, and the Rev. Roosevelt W. Moore, 47, Gordon Road Methodist Church.

The sitdown was staged at Terminal Station. When arrested, the ministers at first declared they would stay in jail as long as the jailed students. Later, they desided to post bond for freedom so they could help on the mass prayer service planned for Sunday.

THE REV. WILLIAM HOLMES BORDERS, who coordinated plans for the service, told the AFRO Saturday that it would be held either at the Fulton County jail, where the students are, or Wheat Street Baptist Church, which he pastors. Jail authorities advised the group not to plan the service for the jail for fear of disturbing the prisoners.

He said that from 10 to 12 thousand persons are expected. On Wednesday night, after the arrest of the eight ministers, almost 2,000 persons attended a mass meeting at Warren Memorial Methodist Church.

Speakers were the Rev. Mr. Borders and Dr. Martin Luther King Jr. Dr. King declared that "you can do nothing but disobey an unjust law" for in obeying an unjust law, you uphold it.

He declared also that the colored citizens of Georgia would not accept "token integration" because "you can no more have 'token integration' than you can have 'token democracy.'"

MEANWHILE, STUDENT demonstrators are continuing sitdowns and picketing — none were arrested last week. The Atlanta colored community is maintaining a "buyers' strike" on stores that practice discrimination also.

As the 78 jailed students continued to tax the limited facilities of Fulton County Jail, Sheriff Ralph T. Grimes said if there are any more mass arrests, he would have to send the new prisoners to jails in other Georgia counties.

County solicitor John T. Kelley indicated he was in no hurry to end the sitdowners' jail stay by setting an early trial date. He said:

"They will be brought to trial but they will be handled routinely, and if they want to stay in jail, that's where we want to put them anyway."

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ATLANTA SITDOWNERS won the praise of a Georgia Segregationist, Roy Harris who said: "You've got to hand it to them. They're willing to go to jail for their beliefs."

Speaking to a segregationist rally, Harris said he "always wanted to see one southern governor who had the courage to let a federal judge put him in jail" for refusing to follow school desegregation orders.

Another speaker at the rally, an Atlanta restaurant-owner, said:

"They say Lumumba is buried. I don't believe it. I think somebody had him for dinner."

Maddox has run several paid ads in Atlanta newspapers in opposition to the sitdowns and school desegregation.

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IN NASHVILLE demonstrators against movie jim crow got a pleasant surprise when they topped off their "stand in" with a visit to the Trailways bus station lunch counter where they had previously been refused service. They were served "quickly and courteously," according to a spokesman for the group. They were also served at the Greyhound bus station.

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THE FIGHT AGAINST segregated movie houses continued on several fronts. In Chapel Hill, N.C., some 350 members of the University of North Carolina faculty bought a newspaper ad urging that segregation be abolished.

On the previous Sunday, "Brotherhood Day," a group of colored demonstrators marched from a church mass meeting to the City Hall area. They protested jim crow at local movie houses.

The demonstrations against movie jim crow were also tied to Lincoln's Birthday as hundreds of students from the University of Texas staged demonstrations in Austin.

In Dallas, students from Southern Methodist University also staged protest marches.

Other demonstrations were held in San Antonio, Houston, Shreveport, New York, Chicago, Los Angeles, San Francisco, Cambridge, Mass., Ann Arbor, Mich., Oberlin, Ohio and Champaign, Ill.

In Savannah, Ga., a city park was closed when about 100 colored persons entered.

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IN SUMTER, S.C., a white camera - man was arrested and charged with disorderly conduct when he filmed the forceful ejection of two colored sitdowners by a burly restaurant operator.

Arrested along with George Carras was Boyce Stradly, an airplane pilot, who flew the newsman to Sumter from Charlotte, N.C. for the assignment.

They said the cafe operator threw a soft drink on the cameraman and manhandled the pilot. He was not arrested.

Three sitdowners arrested in connection with the incident were: Ivor G. Moore, 19, Bronx, N.Y.; Herman H. Harris, 20, Lancaster, and Eddie Drummon, 18, Greenville. Another sitdowner, Clifford Sumner, 21, Waycross, Ga., said police struck him as they placed him under arrest.

J. H. Lawson, a Sumter druggist, accused the National Broadcasting Company of stagind the sitdown deliberately. The network denied it. Films of the incident were shown over NBC which got them from WSOC-TV, the Charlotte affiliate which employs Carras.

Nine Charleston, S.C. sitdowners posted a total of $900 bond after being arrested in a sitdown at a Kress store. Five more chose to stay in jail pending a court hearing. All were high school students.

Trial for six Little Rock, Ark. sitdowners was delayed a third time last week by Judge Quinn Glover. He set April 27 as the hearing date on the plea of the sitdowners' attorney, E. V. Trible.

The attorney cited the fact that the Arkansas Supreme Court has not ruled on the constitutionality of the state law under which the sitdowners were arrested.

An anti - sitdown law was introduced in the Tennessee House of Representatives. The bill would make it a misdemeanor to loiter in a business place after being told to leave.

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SPEAKING IN DETROIT, James J. Blake, a sitdowner from Morehouse College in Atlanta, said his group would "continue to sit in, stand in, walk in, fly in, wade in and move in until the walls of segregation come tumbling down."

Judge Herman E. Moore, retired as U.S. District Judge for the Virgin Islands, commended the sitdowns. He spoke at a banquet given in his honor in Chicago.

He said, of the movement, "This is not only our struggle in American but a struggle for the dignity, peace and justice of people all over the world.

"Today, it is becoming the mode of the world to adjust things by peaceful settlement. There can be no peace by force. We have found that there can be no peace unless it is a just peace."

STAR IN PICKET LINE.—Dr. Vasco Smith, a leader in the civil rights movement in Memphis, is one of the few Memphians willing to walk a downtown picket line. Recently, Dr. Smith had Howard Martin, 65, arrested on a disorderly conduct charge. The prominent dentist said he was walking a picket line when Martin approached him with a knife open in his hand. Dr. Smith told the court: "Martin didn't say a word, but he started at me and I was afraid he intended to attack me." Martin said: "I was walking down Main street minding my own business, cleaning my fingernails with a pocket knife when the officers arrested me." Judge Boushe ruled it was on man's word against another and dismissed the charge against Martin.

## SITDOWN HIGHLIGHTS

Trial begins this week for 189 students and two NAACP officials arrested in Columbia, S.C.

Last of 14 students jailed in Rock Hill, S.C., released this week. Mammoth mass meeting set.

Thirteen of 64 arrested in Sumter, S.C., convicted. Appeals being filed. Trials for 64 start this week.

City of Lynchburg, Va. faces challenge on segregated public facilities. Suit due in Federal Court, March 8.

U.S. Attorney General Robert Kennedy asked to investigate arrest of 15 on Virginia segregated stat- ing law faces challenge in Hampton. Segregated buses in Macon, Ga. theatre faces boycott by University of Virginia students.

The Realm Of Religion

# Minister Believes Sit-Ins Must Be A 'Protest In Love'

## P. A. Smith Meets Task With Cool Head

By ORA SPAID
Courier-Journal Religious Editor

It is quite human to have one attitude toward something in the abstract and a different attitude toward the same thing in the concrete.

Thus a man may quarrel with the American Medical Association but swear by his own doctor, be anti-Catholic but vow that "some of my best friends are Catholics," harshly condemn "young hoodlums" but soften with sympathy when he meets one up close.

It is this paradox with which sit-in demonstrations by Negroes seek to deal.

### 'Treat Us As Persons'

The Rev. Philip Smith explains it this way: "When our kids picket a place that will not serve Negroes, they are saying, 'You must treat us as persons; you can't deal with us in the abstract.'"

The idea is to "force the segregationist to confront himself," to make his segregation policy a matter of conscience. To do this, the demonstrators must "protest in love." So all stand-ins of the C.O.R.E. (Congress of Racial Equality) group, which Mr. Smith advises, take an oath of nonviolence—never to strike back even if struck, to "grant self-dignity to every individual even if he withholds mine."

### Almost Accidental

Mr. Smith's connection with C.O.R.E. is almost accidental, but his role in the demonstrations and negotiations for desegregation of downtown Louisville businesses are an extension of his guiding philosophy.

Mr. Smith is minister of First Unitarian Church and is among the integration leaders meeting with Mayor Hoblitzell's committee. He and a member of his church, Dr. George Kimbrough, chairman of Louisville Unitarians for Social Action, are the only white men among the integration leadership.

### Has Important Role

Mr. Smith's role in the negotiations has been an important one—that of a quiet and cool head steadily holding up the rule of principle, insistent upon desegregation but insistent also that the means to that end not trail off into opportunism.

It is a role that has come suddenly and early—Mr. Smith is only 31, and he has been in Louisville little more than a year.

He's a New Englander—born in Bangor, Me.—with a Boston accent and more the man than a social reformer.

He got involved with C.O.R.E. when its members asked him to be an adult leader after their parents rejected other leadership that had been trying to sponsor the organization here.

THE REV. P. A. SMITH
Gets early test

### Blended Easily

C.O.R.E. blended easily into the activities of Louisville Unitarians for Social Action, a group which formed during the relief crisis of last spring and continued with demonstrations against discrimination in the showing of the "Porgy and Bess" movie here. L.U.S.A. also surveyed restaurant operators in downtown Louisville and found some of them feeling that racial integration was inevitable but looking for some "out"—such as a City ordinance or all-at-once desegregation—to justify it to their customers.

There has been more good will in desegregation than some people realize. One department store integrated its restaurant after a series of talks on the friendliest terms. And in one case where negotiations failed and demonstrations began, a department-store executive showed that kindness was not forgotten when he offered chairs to the foot-weary pickets.

### Shuns Labels

Mr. Smith doesn't like labels but admits that "naturalistic humanist" fits him as closely as any. He sums up his philosophy as "an attitude of reverence for life" and feels strongly that the church must be "an atmosphere in which individuals can confront themselves more honestly."

Only as man "quits evading himself" can he confront his need of others and the realization that "love does not come on earth until a human exhibits it."

These beliefs lead Mr. Smith not only to work for trustful relationships between Negro and white but also to insist upon the integrity of those relationships once established. "It is the politics of tyranny when you violate individual integrity."

It is for this reason that he is morally opposed to any boycott of business in downtown Louisville by Negroes.

And his clinging to the idea of bargaining in good faith has been an important element when negotiations threatened to bog down.

Staff Photo

PRINTED PROTEST . . . Negro youths protesting segregated downtown businesses yesterday carried signs stating their complaints. The youngsters marched in the downtown area. No arrests were made.

38a 1961

# igh State Court
# Trespass Law

## 100 sit-in cases involved in plea

NEW YORK — The American Civil Liberties Union appealed this week to a three-man Federal district court in Richmond to accept jurisdiction and rule on sitdown cases involving more than 100 Virginia defendants.

The suit is based on the state's 1960 anti - trespass law. In its brief, the ACLU said:

"Over 100 individuals are threatened with a criminal prosecution for asserting their rights to dignified treatment by various commercial establishments.

"If the prosecutions are allowed to proceed — in the face of a clear federal Constitutional question — plaintiffs will plainly suffer great and immediate irreparable injury, the kind of injury that necessarily and invariably flows from the burden of defending a criminal action.

"In addition, the conduct engaged in by plaintiffs is the assertion of human rights protected by the United States Constitution and therefore, is singularly appropriate for adjudication by the federal courts."

Sitdowners' attorneys have argued that the anti - trespass law is a violation of civil rights guaranteed by the Constitution. They asked that the statute be invalidated not only because of its language but also because of the setting in which the law was enacted and is applied.

**LAWS THAT THE** State of Arkansas used to arrest and convict 11 sitdowners were attacked by Wiley Branton last week in the State Supreme Court at Little Rock.

Mr. Branton said the laws are unconstitutional and unfairly administered.

The students were arrested last March and April during sitdowns at Woolworth's, Pfeifers of Arkansas and the Gus Blass Department Store. The Pine Bluff attorney said that if white persons had done the same thing his clients had done—request service at a lunch counter — they would not have been arrested.

In making the arrests, he said, the police were using the force of law to support the private prejudice of the store manager.

* * *

**A STATE'S** attorney said the students were not arrested for asking for service but because they refused to leave when denied service.

**Associate Justice J. S. Holt asked if they had been told to leave because they were colored. The state's attorney did not answer this question directly but said violence was threatened because of their presence.**

The court, highest in the state judiciary, took the case under submission. It set no date for a ruling.

Arrested on March 10 at Woolworth's were: Chester Briggs, Ledridge Davis, Frank James, Charles Parker and Vernon Mott. In city court, each was fined $500 and sentenced to 60 days.

Arrested April 13 at Pfeifers of Arkansas were Eugen D. Smith, William Rogers Jr., McLoyd Buchanan and Sammy J. Baker. They also received $500 fines and 60-day jail sentences in city court.

**On April 13, at Gus Blass Department Store, Thomas B. Robinson and Frank Lupper were arrested. They were fined $1,000 each and sentenced to seven months in jail.**

Mr. Branton, assisted by Harold B. Anderson, also of Pine Bluff, said all of these penalities were excessive.

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**IN GREENVILLE, S.C.,** a 17-year-old girl, Miss Leola Clements, asked the city council to repeal city ordinances which require eating establishments to practice racial discrimination.

She was joined in her plea by Mrs. Juanita Carter, the Rev. J. S. Hall, and Donald Sampson. Miss Clements and Mrs. Carter are officers in NAACP units.

Looking on as the Council heard the statements were some 175 colored persons who packed the City Hall Council chambers. Greenville Mayor J. Kenneth Cass told the group that the Council would study the request and give a decision soon.

* * *

**IN GREENSBORO, N.C.,** five colored teenagers picketed a theatre showing "Porgy and Bess" after they were denied admission. It was the second picketing incident in recent weeks.

**Pickets earlier paraded in front of a Chapel Hill theatre where the same movie was showing and where they had been denied admission. Several white persons also picketed the movie in Chapel Hill.**

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**IN OKLAHOMA CITY,** Okla., a white Catholic priest arrested with a group of anti - segregation demonstrators was cleared of a disorderly conduct complaint.

Judge Hillis Sanford, dismissing the complaint against the Rev. Robert G. McDole, said the assistant pastor at Corpus Christi Catholic Church "was on a frolic of his own and his superiors have far more jurisdiction than I."

Eight other persons arrested for the demonstration in the lobby of the Cravens Building were granted a continuance. They are: Mrs. Clara Luper, NAACP youth advisor; Mrs. Ella L. Floyd, Freddy L. Edwards, Willie Johnson, Ed Stone, Stephen E. Wilson, Miss Paula Dean and Mrs. Lu A. Atkins.

**IN RALEIGH, N.C.** the state supreme court said restaurant operators had a right to refuse service to colored persons.

It made the ruling in upholding the conviction of seven Durham sitdowners convicted of trespassing at a Kress store.

**The court also upheld the conviction of Robert Williams, militant integrationist in Monroe. He was convicted of trespassing at a Monroe drug store.**

In denying the appeal, the court said restaurant operators have the right to serve either white persons only, colored persons only or mixed groups.

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**IN MONTGOMERY,** the state Court of Appeals refused a rehearing for 14 colored persons sentenced to jail because they rode on city buses without regarding jim crow regulations in Birmingham.

Among the persons convicted was the Rev. F. L. Shuttlesowrth who was not on the bus at the time. He was arrested because at an earlier meeting, he had advocated bus desegregation.

**The Rev. Mr. Shuttlesworth was fined $100 and sentenced to 90 days in jail. J. S. Phifer, another defendant, was fined $100 and sentenced to 60 days.**

The other 12 drew 180-day sentences. They are: Arthur L. White, the Rev. C. F. Jackson, Johnny C. Collins, Miss Annie Buckley, Alfred Thomas, Joe Hendricks, Jim Hendericks, Willie Butler, Miss Roberta Brinson, James C. Suttles, Misses Doris Burrell and Lillie Bowman.

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**SITDOWNERS' CONVICTIONS** were also upheld in Georgia as 32 persons fined $100 each in Savannah vainly sought relief from the state Court of Appeals.

Attorneys for the sitdowners said that the 1960 law under which they were arrested was racially discriminatory. The court upheld the view of state's attorney that the sitdowners gathered at the lunch counter to disturb the peace.

**In Atlanta city court, two Morehouse College students were acquitted of disorderly conduct. They wre arrested, along with a white man, in a disturbance on a city bus when they refused to move.**

John E. Gullatt, 18, and Robert L. Grier, 19, were on the bus with a 16-year-old girl. A white man allegedly told them to move and threatened them with a knife when they refused. He also grabbed one of them, they said.

The white man forfeited $15 bond rather than appear in court.

Ben F. Tilman got a 60-day suspended sentence in an Atlanta court after admitting that he had told an untruth when he said colored pickets at a downtown store assaulted him for crossing the line.

**Tilman then said he was assaulted by another man — then said he had been drinking and hurt himelf in a fall. He said he made up the stories to keep from being fired from his job at a trucking firm.**

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**TWO STUDENTS at Lynchburg (Va.) College were severely reprimanded and placed under suspension for participating in a sitdown with two other white students (from Randolph - Macon Women's College) and two colored students (from Virginia Theological Seminary).**

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**AN EMERGENCY** defense fund was set up by Plymouth Congregational Church in Milwaukee for Arthur L. Bacon, a Talladega (Ala.) student who was assaulted as he sat in an Anniston, Ala. railway station.

**A church committee said: "The drama unfolding now at Talladega College is a challengt to us here in Milwaukee also."**

In Montclair, N.J., the 100-member Council on Human Relations set up an educational campaign to advance integratin in housing, schools, employment and social life. The council has 100 white fembers.

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**IN ANN ARBOR, Mich.,** Michael A. Crisovan paid a $100 fine for refusing a colored patron admittance to the Newport Batsing Beach which he operates.

The case was brought under Michigan's Diggs Act which prohibits such iscrimination.

# Negro Sit-Ins Continue In Some Southern Cities

the Talladega Daily Home
Talladega Ala.
Date 2-14-61

By THE ASSOCIATED PRESS

Negro sit - in demonstrations broke out again in three Southern states in what leaders described as a renewed attack against segregation at lunch counters and restaurants.

Eight Negroes were arrested in one downtown Lynchburg, Va., drug store, but three others were served without incident at another drug store lunch counter.

Negro leaders discussed an all-out movement against segregation in Lynchburg during a recent prayer meeting. Primary target was to be the Patterson drug store where six college students now serving 30-day jail sentences were arrested during a sit-in last December.

It was at Patterson's that all eight arrests were made Monday under Virginia's trespass law. Two demonstrators were released on bond ,the others remained in jail.

Three Negro youths staged a brief sit-in at a downtown Krystal Restaurant in Chattanooga, Tenn., the first since last spring's massive sit-in. Police were called but no arrests were made.

Shortly afterward Negro leaders said that "stand-ins, wade - ins, swim-ins, and play - ins probably will be forthcoming in Chattanooga."

The Rev. Dogan Williams, pastor of Wiley Memorial Methodist Church, said these tactics are sweeping the country and will almost inevitably strike in Chattanooga.

"As long as the Negro hasn't achieved status of a full-fledged citizen and equal rights this sort of thing will happen," said the Rev. Horace Tyler, pastor of the Fairview Presbyterian Church.

In Atlanta, four Negro-sit-in demonstrators forced the closing of a downtown drug store lunch counter but no arrests were made.

In another Atlanta development, three of some 80 demonstrators jailed during last week's extensive sit-ins posted bond after staying in prison over the weekend.

Nearly all the demonstrators originally refused bond in an effort to dramatize their "jail, no bail" protest of segregated lunchroom practices.

At Winston-Salem, N. C., the faculty of Wake Forest College passed a resolution asking the board of trustees at the Baptist-supported institution to admit Negro students. Wake Forest officials had no comment.

# Here Is The Text Of Committee Report

The Courier-Journal
Louisville, Ky.
Date 2-13-61

## Mayor's Group Says 'Significant Progress Made In Talks With Downtown Business

*The formal report which the Mayor's Emergency Integration Committee delivered yesterday to Negro and other antisegregation leaders follows:*

"The Mayor's Committee was appointed on Friday before last. It immediately entered into discussions with downtown public-service establishments to ascertain whether or not further orderly integration was feasible.

"Its efforts were initiated in an atmosphere of tension. On the one hand it found a lack of understanding and misgivings regarding its objectives. On the other, it encountered impatience with delay and a determination that immediate progress be accomplished.

"Less than two weeks have elapsed since the committee's formation and it has been unable to completely reconcile all of the conflicting emotions just mentioned. Nevertheless, significant progress has been made in general, and almost unhoped-for progress has been made in specific instances.

### Idea Well Accepted

"In general, the committee has found the idea of integration well accepted by the businesses and businessmen involved. Many of the misgivings have been dispelled, and broadly speaking the desirability of bringing about orderly integration has been accepted.

"As to specific accomplishments, the committee points first to its own creation by the Mayor of the City; it reports that it has interviewed many businessmen and several groups of businesses and has explained its objectives; it has issued a public statement urging adoption of the program of integration by the business establishments of this community; it has appeared before the boards of directors of business organizations and urged endorsement of the committee's program.

"Such recommendations are presently under consideration by the said boards. The committee has made similar recommendations to religious organizations, as evidenced by the statement of the Louisville Ministerial Association issued on Tuesday of this week. This followed a reiteration of his strong position by Archbishop Floersh in the issue of the Catholic Record of March 4.

"The committee has secured approval of a program in the restaurants of the largest department stores in the area. Agreements have been made in other fields which are confidential in nature and cannot now be publicly disclosed.

"The above developments have occurred despite public statements and press releases which intensified the misgivings earlier mentioned and thus hampered the progress which the committee could otherwise have hoped for.

### 'Need No Agreements'

"This statement cannot be answered by the assertion that no agreement to refrain from such action existed. Men of good will working toward an unselfish objective need no agreements to refrain from doing that which they know conflicts with the program or makes more difficult the ultimate attainment of their objectives.

"It is the considered opinion of this committee that if such activity is discontinued and if the specific instances of planned integration above referred to are permitted to proceed without demonstration and in a co-operative manner, other businesses in the area will follow the pattern quickly and in substantial numbers.

"We all must now demonstrate to the public that further orderly integration can be accomplished in those areas in which agreement has been established.

### Advances Are Noted

"In its investigations and deliberations, the committee noted that without demonstration and without pressures full integration had already occurred in, among others, three of the major downtown hotels, four of Louisville's leading restaurants, an art movie house, and restaurant facilities in two of the major retail establishments, all of the major variety chains and all of the major drug chains.

"Admittedly, this does not represent full realization of the objectives of the committee. We therefore reaffirm our belief, as expressed in our public statement on Sunday, that integration of the public-service establishments is morally right and economically expedient and express the hope that as a result of this partial cataloging of Louisville's progress others will be inspired to voluntarily bring about similar results in their own establishments.

### To Hold Self In Readiness

"In view of the foregoing, the committee will hold itself in readiness to take further steps whenever it can feel assured that it has attained new effectiveness by virtue of proof of orderly progress in integration programs now being undertaken. Any future success must depend on a spirit of mutual confidence between all interested groups."

*Members of the Mayor's committee are:*

Mayor Hoblitzell; Dillman Rash, president of Louisville Title Company; Thomas A. Ballantine, vice-president of Glenmore Distillers; William Harrison, chairman of Louisville Central Area, Inc., and head of Taylor Drug Stores; George W. Norton, president of WAVE, Inc.; Barry Bingham, president of The Courier-Journal and The Louisville Times; John M. Hennessy, Jefferson Circuit Court clerk; Henning Hilliard, a broker; John Acree, Jr., president of Lincoln Income Life Insurance Company; Archibald P. Cochran, president of Anaconda Aluminum Company, and Henry Y. Offutt, Jr., president of Kentucky Trust Company.

# SIT-IN CAMPAIGNS SPREAD IN A YEAR

The N. Y. Times

## Protests on Discrimination Assume the Proportions of a National Movement

New York

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Jan. 28 — The Negro lunch-counter demonstrations that began a year ago next Wednesday have grown into a national protest movement against many forms of discrimination. 1-29-61

The sit-ins continue today in cities like Atlanta, where merchants have refused to desegregate eating facilities. But the lowering of racial barriers at lunch counters in more than 125 Southern communities has led the students and their adult supporters to turn to other fields of protest. P. 64

There have been stand-ins at theatres, kneel-ins at churches and wade-ins at public beaches. Demonstrators have prayed on the steps of Southern capitols, paraded through the streets and picketed courthouses and city halls. "Selective buying" has become a widely used weapon against businesses that practice discrimination.

### Boycott Extends North

The movement has spread far beyond the South. Northern chain stores have been boycotted because their Southern outlets discriminate against Negroes. Protests have been staged in the North against de facto school segregation and discrimination in housing and other fields.

Greenwich Village beatniks have appropriated the methods, if not the goals, of the students with an overnight snore-in at a coffeehouse that was ordered evacuated as a fire hazard. And a biracial group has conducted a sit-in against tearoom segregation in Capetown, South Africa.

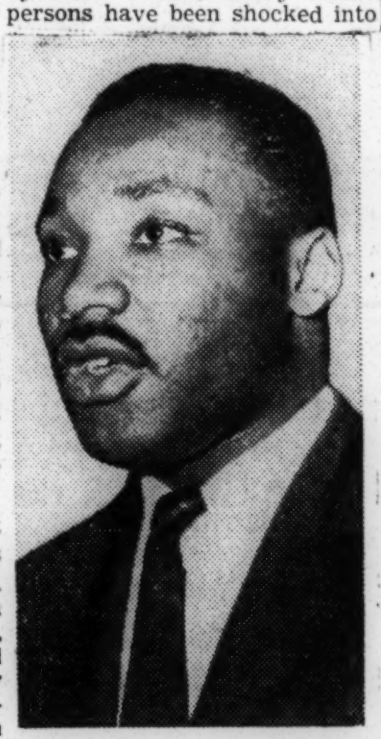
Negro adults and white liberals, mostly students, have joined the movement. Behind their action lies a factor that many observers consider more significant than the desegregation of the lunch counters. This is the psychological impetus that the demonstrations have given to the over-all civil righs struggle.

"It has brought a reawakening among both whites and Negroes," Mrs. Ruby Hurley said this week. She is regional secretary in the Southeast for the National Association for the Advancement of Colored People.

### 'New Awareness' Seen

In her annual report, she said of this new attitude:

"By the year's end, more Negro adults had turned from their old casual ways to more dynamic action. Many white persons have been shocked into



Associated Press

**LED SIT-IN: The Rev. Dr. Martin Luther King Jr.**

the realization that lines of communication must be established between the races, that positive changes must be made."

Gordon R. Carey, field director for the Congress of Racial Equality, commented:

"There is a new awareness of the racial problem throughout the country."

Edward B. King Jr., administrative secretary of the Student Nonviolent Coordinating Committee, agreed. He predicted that the anniversary of the sit-ins would bring an upsurge in activity.

"We once again will dedicate ourselves to purge this country of the rabies of racism and not with the deliberate speed evidenced in school desegregation," he asserted. "On the timetable of the world, tomorrow is today. Only forthright action can square America's racial practices with the world's changing order of democracy and human rights."

### Dr. King Is Spokesman

The committee was established last April to provide coordination and exchange of information among college groups involved in the nonviolent protest movement. It was formed at a student meeting called by the Southern Christian Leadership Conference, headed by the Rev. Dr. Martin Luther King Jr.

Dr. King, no relative of the committee secretary, has served as spokesman and symbol of the movement. Many of its participants are dedicated to his principle of passive resistance and nonviolence.

The sit-ins began somewhat inconspicuously last Feb. 1 in Greensboro, N. C. The setting was a Woolworth lunch counter. The four participants—freshmen at the Agricultural and Technical College of North Carolina—said later that they had not realized the far-reaching implications of their actions.

They took seats at the counter with a casualness that belied their uneasiness. After their request for service was refused, they sat silently until the store was closed. Then they went to the local branch of the N. A. A. C. P. for advice and legal aid.

### Started in Chicago

The sit-in technique had been used before. A biracial group pioneered it in Chicago in 1942. This group later founded the Chicago Committee of Racial Equality, parent organization of the Congress of Racial Equality, also called C. O. R. E. The Youth Councils of the N. A. A. C. P. had also employed the sit-in. But the act of the four freshmen caught the imagination of Negro students across the South.

This occurred at a time of growing dissatisfaction with the slowness of school desegregation. It offered an opportunity for the Negro youth to rebel against the gradualism heretofore accepted tacitly by his elders. It appealed to the student's taste for the dramatic in a way that voter registration campaigns and litigation never could.

Southern whites have given the protests a mixed reception. Serious racial strife has erupted in some communities. Others have moved quickly to find an acceptable solution with as little disruption as possible.

### Negro Youths Attacked

After two weeks of sit-ins at Jacksonville, Fla., whites armed with axe handles, baseball bats and other weapons set upon Negro youths. Intermittent rioting followed. Other riots have taken place in Portsmouth, Va., and Chattanooga, Tenn.

There have been mass arrests in many Southern cities. The most highly publicized involved Dr. King. He was jailed here after he refused to leave the Magnolia Room at Rich's, Atlanta's largest department store.

A spokesman for the Legal Defense and Educational Fund of the N. A. A. C. P. reported this week that the organization had spent 40 per cent of its $405,000 budget last year in defending 1,700 cases involving demonstrators.

Typical of the reaction of the militant segregationist is that of Lester Maddox, a restaurant operator here who mixes his racial views with menu listings of 25-cent, "skillet-fried" chicken in weekly newspaper advertisements.

### Calls Students 'Lawless'

He recently asked:

"Why do Atlanta merchants continue to allow lawless Negro student agitators, renegade whites and outside subversive forces—all of whom have knowingly or unwittingly become a part of the Communist plot to divide the races and overthrow our American republic—to disrupt and shut down the operation of food service facilities?"

But there has been progress as well through the efforts of responsible community leaders, according to the Southern Regional Council.

"The principal means used by these cities and towns to meet the sit-in problem has been the creation of biracial committees," the council said.

"By this action, municipalities have confined the sit-in problem to the local level, insulated from the storms of state politics. They have also given reality to the oft-expressed desire for better communication between the races."

The council has also pointed out that the demands for desegregation fall directly upon merchants, "a group sensitive to so many pressures as to be peculiarly unprepared for the role of leading social change."

The southeastern manager of a chain variety store put it this way this week: "You're damned if you do and damned if you don't."

He said that his company had lost a considerable amount of business in northern states because of its policy of integrating lunch counters in Southern stores only when local merchants went along. The problem in the South, he said, is the decrease in patronage from both whites and Negroes who fear violence.

The merchants have been upheld so far in their contention that tney have a legal right to refuse service to Negroes. But the N. A. A. C. P. asked the United States Supreme Court on Jan. 2 to decide whether the police could be used to help merchants enforce that right.

The question raised by the lunch-counter controversy appears to be one of principle. A spot check of communities in which discrimination has been ended indicates that only a few Negroes are exercising their newly won privilege.

### Accused of Insincerity

A somewhat different problem has been posed by the kneel-ins at white churches, a phase of the movement that had its start in Atlanta. Some churches have welcomed the Negroes warmly while others have either turned them away or have sought to seat them in segregated balconies.

In most cases, they have not returned to the houses of worship that accepted them readily. This has caused some persons to accuse the demonstrators of insincerity.

While church segregation is not confined to the South, the kneel-ins here have been followed by one of the most positive stands yet taken. Representatives of the ninety-nine churches in the Atlanta Presbytery, the largest unit in the Presbyterian Church in the United States, called on its members this week to receive all who attend services without discrimination.

Two fields—recreation facilities and employment—have been singled out for special attention this year. Both Mr. Carey of C. O. R. E. and Mr. King of the Student Coordinating Committee said that theatres would be among the chief targets.

Mrs. Hurley said that the N. A. A. C. P. Youth Councils would probably devote most of their activity to a campaign designed to win better jobs for Negroes.

# Northern City Plans To Battle Integration

The Commercial Appeal

## New Rochelle To Appeal U.S. Ruling—Sit-Ins In Atlanta

New Rochelle Standard Star

By United Press International

New integration troubles flared on both sides of the Mason-Dixon Line yesterday.

Seventeen Negro students were arrested in Atlanta for staging a lunch counter sit-in, and in New Rochelle, N. Y., the board of education voted to appeal a Federal ruling ordering the Lincoln Eelementary School desegregated. 12-8-61

The Congress of Racial Equality announced in New York that demonstrations would be staged in "sympathy" with 13 Negro students sentenced to jail terms in Rock Hill, S. C., for refusing to leave a segregated lunch counter. 1-15

Student leader Edward King of Atlanta urged that Rock Hill be made the next battleground for integration. He called on "all who share the conviction of the . . . students to go to Rock Hill, S. C., and join them at the lunch counters and in jail."

Lonnie King, another of the student leaders in the South-wide movement, was among the 17 arrested in Atlanta yesterday. They were charged under the state's trespassing act when they refused to leave a cafeteria. They had picked up food as they moved through the line, but when they got to the cashier their money was refused.

The vote by the New Rochelle Board of Education to appeal a Federal integration ruling followed a public meeting Monday night at which several speakers voiced opposition to the appeal.

Parents of eight Negro children who filed the original suit charge that Negroes have been allowed to register at only one elementary school in New Rochelle - Lincoln Elementary which is 94 per cent Negro. They also charge that their children were receiving a substandard education at Lincoln School.

# Capetown Sit-Ins Provoke No Violence

By SAM SLY

EDITOR'S NOTE: The sit-in technique revived last year by a group of Negro college students is being used in several African countries to break down racial barriers. This article, taken from "Contact," a paper published in Capetown, S. Africa, tells of the public reaction to these demonstrations.

CAPETOWN, S. Africa.—(ANP) So far the anti-apartheid cafe "sit-ins" that a group of Capetown liberals are conducting have happily not been visited with the fire-hoses, clubbings, black marias, fist blows and spittle that made the lunch counter sit-ins in the Southern States so heroic—and so triumphant.

At two I have witnessed there has been scarcely a stir from the scrouning tea-sippers and bun-eaters, though as the campaign develops this may change. If it does, these people will not be provoked by assault: they will not squeal at legal punishments. They are steadfast people.

Most whites do not hate Coloureds here, and there are not enough Africans (an eighth of Capetown's 800,000 people) to produce the fear-crazed atmosphere of White Durban or the Rand.

Most Whites do not fear the "Coloured" vote here, but they may be roused by this far more radical claim: socialy oneness. Many whites can bear the thought of non-whites next to them on the voters' roll, but even the Progressives advocate restrictive convenants on title deeds, to spare them the final "disaster" of non-white neighbours.

Political "new deal" talk and the superficial interracial calm may look as if they favour the sit-ins.

But these Liberals are probing, and if they strike a raw nerve in the whites' racial consciousness, the reflex may be to their cost. In the long run it will be to South Africa's gain.

As Jim Crow began to die a lingering death in the Southern States, the Dixiecrats turned nastier than ever.

Do you remember the twisted faces of the white school children in the Little Rock news-photos? Then last March four very young Negro students walking quietly up to a lunch counter?

The people at our sit-ins are neither very young, nor students, nor are they of one race or another.

**Liberals Sit In**

So far they are mostly Liberals who therefore call themselves South Africans, admitting no racial classification (as I heard them tell the policemen taking their names at Caledon Square charge-office).

Why are they doing this? To protest publicly against social segregation, to demonstrate their rejection of racialism and apartheid, to challenge the acceptance of status based on colour—all of these adding up to their task as Liberals—to defeat apartheid in this and very form.

I have confidence in the sit-in teams, in their patriotic motives and in their determination.

The sit-ins get good laughs: This is not gloomy-faced heroism. At the first, a neighbouring tea-sipper said to a bun-eater:

"They must be Canadian diplomats." And one counter-hand answered another's question: "Oh they're Natives from one of those countries that don't have apartheid Zambezi, I think it is."

At the second, a waitress got it all wrong, by consenting to serve two "Coloured" men and refusing one sun-tanned "White" girl in the party.

## Sitdowner says students should be encouraged

TOLEDO, Ohio (ANP)—"We (student crusaders) should be encouraged, not in the radical things, but to do those things which they know are right, always remaining humble and pointing people toward God."

This was the message of William Bush, a ministerial student at Philander Smith College, in an address here.

He said some people say the time is not ripe for action on civil rights but young people in the South are moving toward goals for which an earlier generation of Christian parents prayed and fought.

# Sit-Ins, Profit-Seekers Contrasted in Sermon

By Kenneth Dole
Staff Reporter

Unless the present American "pattern" is changed, the new rulers of the country will be "organization men"—amoral, ruthless, dim-visioned, the Rev. Dr. Duncan Howlett said yesterday.

He contrasted organization men, typified by the seven electrical company executives recently sentenced to jail for conspiracy, with the six Lynchburg students convicted for taking part in sit-ins.

"Who represents us," the minister of All Souls' Church asked in a sermon,—"these giant electrical corporations with their conspiracies to insure large profits for themselves at our expense, or these half-dozen students protesting a practice they believe to be unrighteous?"

"Who represents us — corporate magnates willing to sacrifice a few junior executives 'for the good of the company' and in order to maintain their own positions of security in the social and financial circles where they move, or a group of students whose future is still before them and who enjoy only the security their parents can provide?"

If the country continues in its present way, organization men, Dr. Howlett said, will soon be running government, education, the armed services and the church, as well as industry. The organization man, he said, has only one standard, "the organization of which he is a part."

He follows this standard blindly even if it differs "from what he may believe in his heart," the minister said.

The congregation sang as its concluding hymn an early Negro spiritual, "Jacob's Ladder," in tribute to the six students—"American citizens," Dr. Howlett said, "who bear in their minds and hearts the sense of rectitude in which this Nation was born and in which she grew to greatness."

SITDOWN SUMMARY:

# S.C. resists; Va. yields somewhat

The hiring of two colored saleswomen in Lynchburg, Va., the exoneration of three students in Rock Hill, S.C., and increased participation by white students and teachers, were among the main features of the sitdown movement the past week.

The two women were hired by Leggett's Department Store in Lynchburgh. There are 80 other Leggett stores in five states. Five other Lynchburg stores are reportedly interviewing potential saleswomen.

The hiring is part of an agreement between merchants and civic leaders that picketing be discontinued for 60 days to allow the city's interracial committee time to negotiate for discontinuance of lunch counter public facilities segregation.

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**ELSEWHERE IN** Virginia, the boycotting of segregated theatres continues in Charlottesville and Hampton, with a number of white students and teachers participating in the protest.

The effort to negotiate an end to theatre segregation continues in Charlotte, N.C. Colored and white students and teachers continue the picketing of two theatres in Durham, N.C.

The exoneration of three Friendship College students arrested for picketing in Rock Hill, S.C., is being taken as indication of the increasing difficulty authorities are experiencing in enforcing various anti-picketing laws.

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**THE ONLY** violence in South Carolina reported as a result of sitdown demonstrations was in Rock Hill where two young men were attacked by white hecklers.

A number of colored and white youths were arrested in Savannah, Ga., Friday, as the result of a reported "riot" following a parade.

Elsewhere in the South there were sitdown activities in the following places: Louisville, Ky., Atlanta, Ga., West Palm Beach, Fla., New Orleans, La., and San Antonio, Tex. Detailed stories inside.

3-a 1961

GENERAL

LUNCH COUNTER

# Negro Students Fan Integration Fires Across South

By THE ASSOCIATED PRESS

Hundreds of young people observed emancipator Abraham Lincoln's birthday with demonstrations against segregated motion picture theaters and in support of the "jail, no bail" stand of some imprisoned Negro students.

White persons and Negroes, North and South, protested segregated movies. In some instances pairs of white youths and Negroes made unsuccessful attempts to get into all-white sections of Southern theaters.

At San Antonio, Tex., a bomb was reported placed in the 3,600-seat Majestic Theater shortly after an integration demonstration out front.

About 350 persons were inside at the time. Manager Lynn Krueger said he decided not to evacuate them when officers advised him the anonymous call was believed to be the work of a crank. The building was searched but no bomb was found.

The demonstration at San Antonio followed the same pattern used in Austin, Houston, and Dallas, Tex.

A white student approached the box office and asked to "purchase a ticket for myself and my American Negro friend." A theater official replied, "You may purchase one for yourself but not for your Negro friend."

One theater was picketed in San Antonio, two in Dallas, three in Houston and four at Austin.

At Austin pickets showed their disapproval of the segregationist policies of the governors of Louisiana and Arkansas by introducing some words of their own for the traditional text of the "Battle Hymn of the Republic."

"We'll send Jimmie Davis to an integrated hell," they sang, and "we'll hang Orval Fabus to a sour apple tree."

In Austin and Houston the crowds of Negro and white demonstrators swelled to 200 or more, while about 50 each marched in Dallas and San Antonio.

Students also demonstrated outside theaters in New York, Boston and Chicago which do not segregate Negroes, but have common ownership with Southern theaters which do.

About 50 students assembled in New York's Times Square and marched outside the Paramount Theater. The manager said there was no segregation at the theater but the marchers said they were protesting segregation policies of movie houses owned by American Broadcasting-Paramount Theaters Inc. in the South.

At Rock Hill S. C., about 1,000 Negroes from many Southern states attended a rally in a church in support of the "jail, no bail" stand of 13 imprisoned Negro college students.

The students went to jail for 30 days rather than post bonds to appeal their convictions of trespassing by refusing to leave the segregated lunch counter of a Rock Hill variety store.

Ernest A. Finney Jr., Sumter, S. C. Negro attorney who represented the 13 students told the mass meeting:

"The Negro can fully realize his true self only when he becomes fully integrated into America's economic, social, intellectual and political life."

Six hundred demonstrators drove in a motorcade to York, 15 miles away, where the students were in jail. Several others tried to attend Sunday services at churches for white persons. They were admitted at three churches and turned away from two.

# Voice Of The Student Is Being Hear Around World

WASHINGTON---(ANP)--"Nowadays, the voice of the student is being heard around the world," declared Paula Roy, a student at Trinity college here.

This comment was made in regard to a resolution adopted last week by the student body of Trinity, supporting the sit-in demonstrations as a means leading to nationwide integration.

The resolution, adopted by a vote of 330 to 120, deplored discrimination in any facility "allegedly serving the general public."

It stated that an individual has the right "to work peacefully for the rectification of such social injustice through non-violent legal protest."

It also directed the students council to send letters of approval to businesses which have desegregated facilities, and letters of censure to those who promote segregation.

The resolution was a "campus project," according to Marjory Weinberg, the student government president. She added, however, that the National Student Association, to which Trinity belongs had asked members to vote student positions on desegregation last year.

Trinity is a predominantly white Catholic college, with an enrollment of 650 students. While the student body is chiefly white, there is no discrimination against admission of any qualified students because of race.

MOVIE THEATERS TARGET

# Segregation Under Fire By Hundreds Of Marchers

By THE ASSOCIATED PRESS

Hundreds of young people, white and Negro, North and South demonstrated against segregation outside movie theaters Sunday.

In some Southern cities the Lincoln's Birthday demonstrators made efforts to get into all-white sections of theaters, often in pairs—one white youth and one Negro.

In New York, Boston and Chicago students demonstrated outside theaters which do not segregate Negroes but have common ownership with Southern theaters which do.

At San Antonio, Tex., there was an anonymous telephone report that a bomb had been placed in a theater shortly after a demonstration against segregation ended there. But none was found after a search.

**LUSTY SINGING**

At Austin, Tex., the pickets sang lustily—to the tune of "Battle Hymn of the Republic" —words showing their disapproval of the segregationist policies of the governors of Louisiana and Arkansas.

"We'll send Jimmie Davis to an integrated hell," they sang, and "We'll hang Orval Faubus to a sour apple tree."

About 50 students gathered in New York's Times Square and marched outside the big Paramount theater.

Although the manager commented that "there is no segregation here," the marchers said they were protesting segregation policies of movie houses owned by American Broadcasting-Paramount Theaters, Inc., in the South.

**NO COMMENT**

There was no comment from ABC-Paramount.

The same company was the target in Boston, where some 50 young people marched outside the Boston Theater, and in Chicago, where a group of about 60 paraded outside several theaters partly owned by ABC-Paramount.

In Austin and Houston, Tex., the crowds of Negro and white demonstrators swelled to 200 or more. About 50 each marched in Dallas and San Antonio.

In San Francisco demonstrations at two theaters followed the same pattern. Police estimated about 50 students picketed the Paramount and St. Francis Theaters, neither of which is segregated.

Earl Long, manager of both theaters, said the picketing had no effect on ticket sales. The demonstrators carried placards and sang. They said picketing would continue Monday.

# Race Protests Mark Feb. 12

By the Associated Press

Hundreds of young people observed emancipator Abraham Lincoln's birthday with demonstrations against segregated motion-picture theaters and in support of the "jail, no bail" stand of some imprisoned Negro students.

White persons and Negroes, north and south, protested segregated movies. In some instances pairs of white youths and Negroes made unsuccessful attempts to get into all-white sections of southern theaters.

At San Antonio a bomb was reported placed in the 3,600-seat Majestic Theater shortly after an integration demonstration in front of the structure.

**Building Searched**

About 350 persons were inside at the time. Manager Lynn Krueger said he decided not to evacuate them when officers advised him the anonymous call was believed to be the work of a crank. The building was searched, but no bomb was found.

The demonstration at San Antonio followed the same pattern used in Austin, Houston, and Dallas, Texas.

A white student approached the box office and asked to "purchase a ticket for myself and my American Negro friend." A theater official replied, "You may purchase one for yourself but not for your Negro friend."

One theater was picketed in San Antonio, two in Dallas, three in Houston, and four at Austin.

**Disapproval Shown**

At Austin pickets showed their disapproval of the segregationist policies of the Governor of Louisiana and Arkansas by introducing some words of their own for the traditional text of the "Battle Hymn of the Republic."

"We'll send Jimmie Davis to an integrated hell," they sang, and "We'll hang Orval Faubus to a sour-apple tree."

In Austin and Houston the crowds of Negro and white demonstrators swelled to 200 or more, while about 50 each marched in Dallas and San Antonio.

Students also demonstrated outside theaters in New York, Boston, and Chicago which do not segregate Negroes, but have common ownership with southern theaters which do.

**Students Assemble**

About 50 students assembled in New York's Times Square and marched outside the Paramount Theater. The manager said there was no segregation at the theater, but the marchers said they were protesting segregation policies of movie houses owned by American Broadcasting-Paramount Theaters, Inc., in the South.

At Rock Hill, S. C., about 1,000 Negroes from many southern states attended a rally in a church in support of the "jail, no

# Says Jail-Ins Hurting Race

By LOUIS LAUTIER
(Washington Correspondent For N.N.P.A.)

THE MARTYRDOM which students seek by accepting jail sentences after having staged demonstrations in restaurants to protest against racial discrimination does not make sense.

The "jail-in" tactics actually hurt the young people who are acquiring police records which may haunt them in later life. The arrest statistics which these young people are piling up also injure colored people generally by making themes appear to be more criminal than they are.

Any adult advising jail-ins ought to have his head examined.

Of course, the sit-down demonstrations served several useful purposes:

1. They dramatized the issue of the refusal of variety and other stores to serve colored customers at their lunch counters.

2. They raised cases to test the validity of the application of trespass, disorderly conduct, breach of of the peace, and unlawful assembly laws.

But once a test case has found its way into the courts in a given locality or a state, the wisdom of staging demonstrations for the purpose of getting arrested and going to jail is questionable.

**THE CASTE SYSTEM**

Such tactics may have worked in India under Mahatma Gandhi, Hindu nationalist leader, against British rule. In Ghandhi's lifetime the caste system was deeply entrenched among the Hindus. India has outlawed the caste system but there are still places there where a low-caste Hindu may not even drink at the public well.

Moreover, the people of India are wretchedly poor. Many of them now have no place to sleep except the streets of New Delhi, Calcutta, Bombay and other towns and cities. They may be seen early in the morning getting up off the sidewalks where they have spent the night and rolling up the rags on which they slept and which represent their wordly treasurer.

To the masses of people in India jail certainly offered more shelter than they had.

But these are not the conditions in the United States. Colored people here are simply fighting for 1st class citizenship. Going to jail is not advancing that goal.

The courts here are the proper forum for a determination of questions which have arisen out of the sit-down demonstrations. A number of cases are now in the process of reaching decision by the highest court of the land.

The NAACP is seeking a review by the Supreme Court of three cases in which the questons and facts are identical.

Baton Rouge, La., police arrested John Burrell, Jannette Hoston and Mary Briscoe, students at Southern University, for violating a state law making criminal "any other act" committed "in such a manner as to unreasonably disturb or alarm the public."

These students had merely requested non-segregated service at three different lunch counters in stores where they were otherwise welcome.

**THE ISSUES**

In these cases, the NAACP wants the Supreme Court to decide:

1. That mere refusal to move from a lunch counter seat when ordered to do so by an agent of the stores does not constitute a disturbance of the peace and the law under which the arrests were made is unconstitutional because it deprives defendants of their constitutional rights.

2. That there was no disturbance of the peace except for the activities in which the defendants engaged, to protest segregation, and the use of the criminal process in such a situaton deprives defendants of their constitutional rights.

The American Civil Liberties Union is also seeking a Supreme Court review of two lunch-counter sit-down cases from Florida.

In those cases, a group of colored students were refused service at a Woolworth's lunch counter in Tallahassee, Fla., Feb. 20, 1960 and four white students who sought service for colored students in the same store were arrested on March 1.

Police arrested both groups on orders of the city's mayor. The colored and white students were convicted in Municipal Court of disorderly conduct, breaches of the peace, and unlawful assembly. The convictions were upheld by the Leon County Circuit Court.

The American Civil Liberties Union contends that the convictions violated the students' rights of free speech and liberty to seek contracts privately by persuading the store to serve them food.

"The legal, moral, and social issues raised by the cases at bar are of nation-wide importance," the ACLU asserts in its petition for review.

The ACLU has also asked a three judge Federal District Court at Richmond to pass on the constitutionality of Virginia's anti-trespass law in cases involving more than 100 defendants.

Virginia amended its anti-trespass law in 1960 in an effort to reach the sit-down demonstrations.

The brief filed with the court points out that over 100 individuals "are threatened with a criminal prosecution for asserting their right to dignified treatment by various commercial establishments."

In addition to these cases, the legality of convictions in sit-down demonstrations is being tested in numerous other state courts. Thurgood Marshall, director-counsel of the NAACP Legal Defense and Educational Fund, has reported that 75 lawyers throughout the country are now engaged in defending students who participated in sit-downs.

Surely the students who are now staging demonstrations to get arrested and go to jail should quit such nonsense and let the courts decide the issues.

# Segregation At Theaters Is Protested

Hundreds of young people, white and Negro, North and South demonstrated against segregation outside movie theaters Sunday.

In some Southern cities the Lincoln's Birthday demonstrators made efforts to get into all-white sections of theaters, often in pairs —one white youth and one Negro.

In New York, Boston and Chicago students demonstrated outside theaters which do not segregate Negroes but have common ownership with Southern theaters which do.

At San Antonio, Tex., there was an anonymous telephone report that a bomb had been placed in a theater shortly after a demonstration against segregation ended there. But none was found after a search.

At Austin, Tex., the pickets sang lustily—to the tune of "Battle Hymn of the Republic" — words showing their disapproval of the segregationist policies of the governors of Louisiana and Arkansas.

"We'll send Jimmie Davis to an integrated hell," they sang, and "We'll hang Orval Faubus to a sour apple tree."

In Austin and Houston, Tex., the crowds of Negro and white demonstrators swelled to 200 or more. About 50 each marched in Dallas and San Antonio.

In San Francisco demonstrations at two theaters followed the same pattern. Police estimated about 50 students picketed the Paramount and St. Francis Theaters, neither of which is segregated.

38a 1961 GENERAL LUNCH COUNTER

# Negroes Move In on Lunch Counters Again

The Christian Science Monitor

By Joseph H. Baird

Special to The Christian Science Monitor

Atlanta

Negro college students here have begun a new series of "sit-in" demonstrations at downtown restaurants with the apparent purpose of dramatizing their fight for equality at the table before President Kennedy and the Justice Department.

A total of 37 students were arrested under Georgia's antitrespassing law Tuesday and Wednesday after declining to leave two restaurants where they were refused service. Most of the Negroes converged on Sprayberry's Cafeteria, located in the Peachtree-Seventh Street Building which is leased by the federal government for some of its southeastern offices.

Meanwhile, Lonnie King, Jr., Negro student leader of the Committee on Appeal for Human Rights, which is directing the "sit-in," announced that the group had telegraphed Attorney General Robert K. Kennedy asking for an immediate investigation of the arrest of Negro students here.

### White House Prodded

The request followed by only a few days the submission to the White House by the Southern Regional Council, a bi-racial organization with headquarters in Atlanta, of a memorandum asking President Kennedy to use the full power of his office to assure Negroes equality of treatment in all areas of life.

Mr. King announced that the 20 Negro students arrested Wednesday would not seek to make bond, but would follow the student group's earlier policy of "jail, not bail" as a means of dramatizing their protest.

Mr. King and Miss Herschelle Sullivan, of Pittsburgh, Pa., vice-chairman of the Committee on Appeal for Human Rights, were among 17 Negroes arrested at Sprayberry's Cafeteria Tuesday. They posted $100 bond, explaining their action on the grounds that their freedom was required to direct the "sit-in" movement.

Four of the 17 were released by City Judge James Webb after they pleaded that they did not hear a demand by the manager of the cafeteria to leave after they had been refused service. The others were bound over for trial in the Fulton County Criminal Court.

### Police Summoned

Of the 20 students arrested Wednesday, 13 demanded service at Sprayberry's Cafeteria, the other seven staged their "sit-in" at Denny's Grill, a small restaurant just across the street from Rich's department store which closed all its restaurants last fall following a series of "sit-in" demonstrations there. The managers of both eating places called police after the students refused to leave.

A Georgia law passed by the General Assembly in early 1960 provides that a person who is requested by the management to leave a restaurant and refuses to do so may be arrested for trespassing.

In a series of "sit-in" demonstrations held in Atlanta last fall just before the beginning of the Christmas shopping season about 80 Negro students were arrested under the anti-trespassing law. They were released, however, after Mayor William B. Hartsfield intervened in their behalf and managers of department and chain drug stores were the "sit-in" occured refused to press charges against them.

### Two Factors Given

Sources in close touch with the student protest movement said the new wave of "sit-ins" was motivated by two factors.

First, leaders felt that since they had done nothing since the mass release of protesters last fall to call their demand for equal rights to public attention, it was "dying on the vine."

Second, with a new national administration in power, they wanted to dramatize their fight before the White House and Justice Department in the hope of obtaining federal support.

Atlanta Negro leaders were heartened last fall during the presidential campaign when President Kennedy telephoned the wife of the Rev. Martin Luther King to express his concern over the Negro leader's sentence to Reidsville Prison by Judge J. Oscar Mitchell of De Kalb County.

At the time the Rev. Mr. King was on probation for driving an automobile without a Georgia driver's permit and following his arrest for participation in the Atlanta "sit-ins." Judge Mitchell sentenced him to serve a four-month term.

### Obligation Cited

After Mr. Kennedys' phone call and an appeal by the President's associates to Gov. S. Ernest Vandiver, Mr. King was released on bond pending an appeal. His case was taken under consideration by the Georgia Court of Appeals here Wednesday.

Benjamin Brown, a member of the Committee on Appeal for Human Rights, said that the students taking part in the latest "sit-ins" did not intend to be arrested. However, he said that since they had been," they have a moral obligation to stay in jail."

"It's a personal conviction on the part of every student there to remain in jail so citizens of Atlanta and all over the world will know that injustice is prevalent in the South," Mr. Brown said.

The Negro students apparently feel also that their appeal to Washington will excite more sympathy and interest if those arrested remain behind bars than if they were free on bond.

It was learned that several Atlanta Negro students have gone to Rock Hill, S.C., where the students of Friendship Junior College have been staging "sit-ins" and street demonstrations.

gia Court of Appeals Wednesday that a traffic sentence imposed upon him in DeKalb County was illegal and that his arrest in an Atlanta lunch counter sit-in a few days earlier violated the United States Constitution.

Attorney D. L. Hollowell, in arguing the Negro integration leader's appeal from a four-month jail sentence, all but gave formal notice that the case will be taken to the United States Supreme Court if the state appellate courts rule that the Rev. Mr. King must serve the sentence.

The court of appeals took the case under advisement.

Mr. Hollowell charged that the state actions against the Rev. Mr. King were designed solely to attempt to further the cause of racial segregation.

After the Rev. Mr. King was arrested at Rich's department store Oct. 19 for taking part in a lunchroom sit-in. DeKalb officials charged his actions were a violation of probation in the traffic case. The Rev. Mr. King had been fined $25 and sentenced to 12 months in a public works camp for driving without a license. Judge Oscar Mitchell had suspended the jail term.

# Department stores change their policy

The Afro-American

RICHMOND

A major victory for sit-downers was scored here last week when two of the city's largest department stores desegregated its dining facilities after 11 months of picketing and boycotting by colored citizens.

The stores. Thalhimers and Miller and Rhoades, were the last of seven stores to desegregate. Five other stores dropped color bars at their lunch counters last Fall.

The picketing and boycott followed the arrest of 34 Virginia Union University students last February, for staging sitdown demonstrations. The 11-month protest was led by the Richmond Citizens Advisory Committee, an adult group which intervened in behalf of the students.

The protest was called off after the stores announced their new policy of service to all.

* * *

**IN ATLANTA, GA.**, a small group of students, who brought lunches and college textbooks with them, staged a sitdown demonstration in a downtown drugstore. The counter was closed and they were not served.

One student told newsmen that semester final examinations are in progress at Atlanta University and the drugstore was a good place for them to study.

In Savannah, Ga., seven men were being released in $1,000 bond each for playing basketball in a segregated park. They were arrested after refusing to leave the basketball court at Savannah's municipal Daffin Park, which is reserved for whites only. The men were charged with "unlawful assembly."

Last summer the Savannah NAACP petitioned the city to desegregate its recreational facilities.

* * *

**IN HOUSTON, TEXAS,** ten students staged a sit-down demonstration at the all-white police station cafeteria.

The same group was turned away earlier at the Harris County courthouse cafeteria.

Wally Gee, 35, Chinese-American operator of the police cafeteria, refused to serve the students.

In Raleigh, N.C. a sitdown case lost in the State Supreme Court is to be appealed to the United States Supreme Court. The state court granted attorneys for seven convicted sitdowners a stay so they could make the appeal.

The state court had ruled that privately operated restaurants have the right to refuse service to colored persons. It made the ruling in upholding the trespass conviction of sitdown demonstrators sentenced during last year's lunch counter protest.

The court ruled on two separate cases: the conviction of five North Carolina College and two Duke University students; and that conviction in Union County of Robert Williams, president of the Union County NAACP Chapter. Williams was convicted of trespassing at a Monroe drugstore after he refused to leave the store at the request of the management.

In Durham, N.C., college students began picketing two downtown theaters in protest of segregation policies.

Five students carried signs in front of the Center Theater and 15 carried signs in front of the Carolina Theater. Two signs read: "Freedom and justice for all" and "Give everybody a chance."

* * *

**IN NASHVILLE,** charges were dismissed against 81 sitdowners in Circuit Court here. The sitdowners were arrested last February. The sitdowners were arrested at downtown lunch counters which have since been desegregated.

Judge Byrd Douglas, in overturning city court convictions, ordered the city to pay the $861.30 court costs. Cases are set this week for eight adult sitdowners in Oklahoma City who were arrested during a protest demonstration at a downtown cafeteria.

In an earlier hearing charges were dropped against the Rev. Robert McDole by a judge who called the priest's action a "frolic" and left action on the incident to his superiors.

Catholic Bishop Victor J. Reed supported the Rev. Fr. McDole's participation in the sitdown.

**IN LAWRENCE, KANS,** petitions calling for the boycott of business places which discriminate against colored patrons were circulated at the University of Kansas.

Over 1,000 students signed the petition urging the university's student council to adopt a strong anti-discrimination resolution.

# Woman Correspondent Honored For Role In Sit-In Struggle

The Call Kansas City, Mo. 12/22/61 p. 22

WASHINGTON. — (AP) — Alice A. Dunnigan, Washington correspondent for the Associated Negro Press, was cited last week for complete, accurate and unbiased reporting on the sit-in demonstrations in northern Virginia which resulted in the abolition of segregation at lunch counters in drug and department stores in Arlington and Alexandria.

**Presented Trophy**

A trophy was presented Mrs. Dunnigan by Laurence Henry, a leader in the Non-Violent Action Group (NAG) of the District of Columbia.

The presentation was made at a mass meeting sponsored by NAG, in behalf of the tenant farmers of Fayette county, Tenn.

In making the presentation, Henry called attention to the fact that Mrs. Dunnigan had questioned the President on what he planned to do about the Tennessee situation. She was the first Negro, and the first woman to ask the new President a question at his initial press conference.

Mrs. Dunnigan, who was sitting with the working group covering the affair, was greatly surprised at being called up and honored. Tears welled in her eyes as she explained that her trips to Virginia to cover the sit-in demonstration, and even her trip to Fayette County, Tennessee, to get a first hand view of that situation was all done "in the line of duty."

# Prison Sit-Down

21 Nov. 61

Negroes and others demonstrating in South Carolina against racial inequality have every right to pursue a "Jail—No Bail" policy of resistance to the present order of things.

However, there were reports over the weekend that eight of the eleven students sentenced in the demonstrations at Rock Hill had been put in solitary confinement for staging a strike in prison.

It would be improper and unjust for South Carolina prison officials or any other prison officials for that matter to mistreat any prisoners. At the same time, student demonstrators preferring to serve prison sentences to spotlight their cause have no right to refuse to obey legitimate prison orders.

Obviously they cannot be allowed to upset routine or create trouble in the already potentially explosive atmosphere of a prison camp, even at the price of further dramatizing their cause.

IN THE NATION'S CAPITAL

# Says sitdowns have served good purpose

The Afro-American Baltimore, Md. Bal. 1-25-61 p. 20

By LOUIS LAUTIER

The sit-down demonstrations served several useful purposes:

1. THEY DRAMATIZED the issue of the refusal of variety and other stores to serve colored customers at their lunch counters.

2. They raised cases to test the validity of the application of trespass, disorderly conduct, breach of the peace, and unlawful assembly laws.

3. In a large number of instances they resulted in 5 and 10 cent stores, drugstores, lunch rooms and restaurants dropping their color bars.

But once a test case has found its way into the courts in a given locality or a state, the wisdom of staging demonstrations for the purpose of getting arrested and going to jail is questionable.

* * *

**THE COURTS** here are the proper forum for a determination of questions which have arisen out of the sit-down demonstrations. A number of cases are now in the process of reaching final decision by the highest court of the land.

The NAACP is seeking a review by the Supreme Court of three cases in which the questions and facts are identical.

Baton Rouge, La., police arrested John Burrell, Jannette Hoston and Mary Briscoe, students at Southern University, for violating a state law making criminal "any other act" committed "in such a manner as to unreasonably disturb or alarm the public."

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* * *

**IN THESE** cases, the NAACP wants the Supreme Court to decide:

1. That mere refusal to move from a lunch counter seat when ordered to do so by an agent of the stores does not constitute a disturbance of the peace and the law under which the arrests were made is unconstitutional because it deprives defendants of their constitutional rights.

2. That there was no disturbance of the peace except for the activities in which the defendants engaged, to protest segregation, and the use of the criminal process in such a situation deprives defendants of their constitutional rights.

The American Civil Liberties Union is also seeking a Supreme Court review of two lunch-counter sit-down cases from Florida.

In those cases, a group of colored students were refused service at a Woolworth's lunch counter in Tallahassee Fla., Feb. 20, 1960, and four white students who sought service for colored students in the same store were arrested on March 1.

* * *

**POLICE ARRESTED** both groups on orders of the city's mayor. The colored and white students were convicted in Municipal Court of disorderly conduct, breaches of the peace, and unlawful assembly. The convictions were upheld by the Leon County Circuit Court.

The American Civil Liberties Union contends that the convictions violated the students' rights of free speech and liberty to seek contracts privately by persuading the store to serve them food.

"The legal, moral, and social issues raised by the cases at bar are of nationwide importance," the ACLU asserts in its petition for review.

* * *

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The brief filed with the court points out that over 100 individuals "are threatened with a criminal prosecution for asserting their right to dignified treatment by various commercial establishments."

In addition to these cases, the legality of convictions in sit-down demonstrations is being tested in numerous other state courts. Thurgood Marshall, director-counsel of the NAACP Legal Defense and Educational Fund, has reported that 75 lawyers throughout the country are now engaged in defending students who participated in sit-downs.

# White Coed Tells Of Sit-In Arrest

Chicago Defender
Chicago, Ill.

NEW YORK — A white New Orleans coed, who was arrested for participating in a Negro lunch-counter sit-in, said yesterday she took part in the October demonstration because she "just didn't like segregation and hoped to be able to help end it."

The coed, Margaret "Sissy" Leonard, a sophomore at fashionable Sophie Newcomb college, said she attended a meeting of the New Orleans chapter of CORE (Congress of Racial Equality) and offered to take part in any kind of demonstration protesting segregation.

Her account of her experiences during the sit-in and her subsequent questioning by the police appeared in an article in Look Magazine.

Miss Leonard, who was reared in Macon and Atlanta, Ga., said the New Orleans police were perplexed that a Southern girl would take part in the Negro demonstration.

"They asked me if I had received any money from CORE," she wrote, "and also if I thought CORE was trying to make money. I said no, of course not, to both questions, and said that I thought CORE needed money pretty badly.

"They wanted to know, again, why I as a Southern girl would do such a thing if I didn't get any money. That seemed sort of absurd to me, but again I said something about wanting to demonstrate how I felt about discrimination."

Miss Leonard said she was released by the police and told to go back to her minister "and think very seriously before I ever did this again."

# Brooklyn CORE Members Encourage Integration

The Louisville Defender
Louisville, Ky.
Thurs. 1-5-61

Brooklyn, N. Y. — Teams of Brooklyn CORE members are visiting Negro parents in their homes this weekend to encourage pupil tranfers to integrated schools.

Under the new Board of Education policy, which provides free transportation for all elementary school children who transfer for the purpose of integration, requests for transfer must be made between January 3 and January 18.

The CORE group is cooperating with a committee formed by the presidents of the PTA's of the nine sending schools in the Bedford Stuyvesant area of Brooklyn, with Assistant School Superintendent Sam Levenston and school coordiator Austin Sober as well as the New York Cty Commission on Intergroup Relations in this pilot project.

Dr. Robert Palmer, Brooklyn CORE shairman, announced that hte CORE teams would explain the open enrollment program and encourage transfers. They would also try to learn the reasons why some parents have not taken advantage of the program so that modifications may be made if needed.

PTA presidents have sent postcards to their members asking their cooperation with the CORE teams.

# Sit-Ins Refused by Miami 'Castles'

The Miami Herald
Miami, Fla.
Wed. 1-18-61

A dozen Negro members of the Congress of Racial Equality (CORE) staged "test" sit-ins at three Royal Castle hamburger stands in Miami Tuesday night and met no disturbances, Miami police said, but no service, either.

Dr. John O. Brown, project chairman, said the group "tested" Royal Castle to find out the policy of the chain. He said CORE moved on Royal Castle because Negroes can buy food and drinks to take out but are not permitted service at the counter.

**"We're following a social custom of long standing," said Lawrence E. Singer, president of the big hamburger chain. "Our policy is not to serve Negroes at the counter."**

It was the first sit-in effort by CORE members here since early December when they tried unsuccessfully to buy tickets at four Miami theaters.

Dr. Brown said the next CORE move will be to contact Royal Castle officers "to try to get the policy changed."

## Sit-Ins To Be Continued

# CORE Director Slates National Drive On Bias

Journal & Guide
Norfolk, Va.
Sat. 1-14-61

NEW YORK — (UPI) — James Farmer, newly - appointed national director of the Congress of Racial Equality, last week announced plans to attack racial segregation throughout the nation.

Mr. Farmer, a founding member of CORE who took part in the nation's first Negro sit - in demonstration in 1942, also said the organization would utilize "nationally coordinated boycotts" against companies that discriminate against Negroes.

**CORE'S FIRST** national chairman, he was appointed to the newly - established post of national director.

In the Deep South, he said, the organization will continue to aim for lunch counter integration.

In the upper South, where counter segregation has ended, he said CORE will sponsor sit-ins in buses and theaters.

**IN THE NORTH,** he said housing is the major problem and CORE will stage sit - ins in the renting offices of new apartments.

Mr. Farmer, a former NAACP program director was director of student work for the League for Industrial Democracy 1950-55.

He was born in Texas in 1920 and was graduated from Wiley College in 1938 and from Howard University in 1941. In his student days he was active in the Christian youth movement, serving as vice-chairman of the National Council of Methodist Youth and Christian Youth Council of North America.

DESEGREGATED
LUNCH COUNTERS

# South Progresses In Desegregation

The Washington Post
Washington, D.C.
Jun 2-19-61

United Press International

A brief news dispatch from Roanoke, Va., last week began: "The Miller and Rhodes department store tea room here has quietly desegregated, it was leraned today."

There have been many such stories in recent months attesting to the slow breakdown of segregation barriers at eating facilities in the South.

Frequently the announcements are purposely delayed by the source to soften their impact, or made with such little fanfare that they pass virtually unnoticed.

It is part of a pattern that dates back to a meeting last summer in Washington. At that time the then-Attorney General William P. Rogers announced that a group of chain stores had voluntarily agreed to desegregate lunch counters in 69 Southern communities.

Neither Rogers nor the chain stories would pinpoint the communities, contending that publicity would only hamper efforts to end lunch counter segregation.

A survey last week, however, showed that well over 150 lunch counters have been desegregated.

The first lunch counter demonstration was staged at a Woolworth store in Greensboro, N. C., slightly more than a year ago. Ironically, Negroes seldom eat at that counter now.

Mississippi and Alabama are the only two Deep South states where lunch counter desegregation has not taken place to some degree. Here is a breakdown on how the South stands on the issue.

**North Carolina**—Scores of lunch counters desegregated in Raleigh, Rocky Mount, Goldsboro, Durham, Greensboro, Winston-Salem and Fayetteville. Drug stores and five-and-ten-cent stores that are part of national chains have led the way. In some instances the integration has come about through the work of bi-racial civic committees, but in many cases action was taken by stores on an individual basis. No consistent pattern has emerged.

**Virginia**—About a half dozen cities have some lunch counter desegreation, including Lynchburg, which has been the scene of a number of demonstrations recently. One of the most significant developments has been the desegregation of eating facilities at Richmond's two largest department stores—Miller & Rhodes and Thalhimers. Both stores were the targets of sit-in demonstrations early last year and subsequently desegregation first-floor lunch counters, while preserving segregation at eating facilities above the first floor. But last month both quietly announced a Negro college professor had been served at other facilities in the store.

**Tennessee**—Widespread desegregation of eating facilities in Knoxville, Chattanooga and Nashville, with two bus terminal counters desegregated at Nashville recently. Sit-ins also have occurred at Memphis and Jackson but there has been no desegregation of facilities. The Chattanooga integration was worked out at a meeting between businessmen and Negro ministers.

**South Carolina** — A lunch counter at Columbia's airport was quietly desegregated several months ago, but otherwise racial barriers remain. South Carolina cities, particularly Rock Hill and Sumter, have been the target of demonstrations in recent weeks.

**Alabama**—Several sit-in demonstrations were staged in Birmingham last summer but the participants were arrested each time. There has been no desegregation of eating facilitties, although a Negro leader, the Rev. F. L. Shuttlesworth, has filed suit to desegregate a Dobbs House restaurant at the Birmingham airport.

**Georgia** — Token desegregation at two Atlanta lunch counters—one at City Hall and the other in the YWCA. Many downtown stores have closed their lunch counters rather than desegregate and department stores have made wide use of vending machines where shoppers can obtain a sandwich and beverage on a stand-up basis.

**Mississippi** — Total segregation. There have been no sit-ins or demonstrations of any kind.

**Florida**—Lunch counter desegregation has been carried out in Miami, Tampa, Orlando, Sarasota, St. Petersburg, Daytona Beach, Pompano Beach and Ft. Lauderdale. Demonstrations have been staged, without success, to force desegregation at lunch counters in Tallahassee and Jacksonville.

INS- OUTLINED

GENERAL

LUNCH COUNTERS

38a 1961

# Nothing is left 'out' when Rev. Cox lists all the 'ins'

The Afro-American P. 9

Baltimore, Md.

WINSTON - SALEM, N.C.— A man who speaks with the authority of experienced returned to North Carolina last week to tell students at Winston-Salem Teachers College that they should expand the "in" campaign.

He was the Rev. B. Elton Cox, national field secretary of the NAACP Youth Division, who spoke on a program commemorating the anniversary of the sitdown movement.

The Rev. Mr. Cox, a young dynamic Congregationalist minister from High Point, was the advisor for a group of high school students who started sitdowns there a week after they began in Greensboro.

"Where do we go from here?" the Rev. Mr. Cox asked. "Are we satisfied with eating a hot dog at a five - and - ten cent store counter? I would say no, especially if we cannot go to a rest room.

"I recommend that we fight on, fight on, fight on until every vestige of segregation is destroyed."

* * *

**HE OUTLINED** the ' 'ins that the students should pursue as:

SIT-IN — These should be continued wherever lunch - counter segregation persists.

STAND - INS — These pro tests should be carried out at movie theaters.

WADE - INS — Students should not hesitate to go to tax-supported beaches.

SWIM-INS —Public swimming pools should be used by all.

PRAY-INS — "Prove to man that God created man free. As long as we take segregation, they will dish it out. As a minister of God, I don't believe that we can live in segregated homes, go to segregated churches, be buried in segregated cemeteries, then live happily ever after in an integrated heaven — I am mad as hell at segregation."

VOTE-INS —Students over 21 should register and vote.

DRIVE-INS — "A colored man cannot get a decent meal on the road in this state," the Rev. Mr. Cox said as he urged the use of such facilities.

APPLY-INS — "Don't be satisfied with 'colored' jobs. Confront the man, let him know segregation is wrong."

RUN-INS — Colored persons should qualify for political office.

WALK - INS — Students should not hesitate to enter any tax-supported institution from a library to an art gallery.

RIDE - INS —Ride up front on city, intrastate or interstate buses.

BUY - INS —"Live wherever you want to live" and buy your home in the neighborhood you choose.

STUDY - INS — "Don't limit yourselves to a colored college" but apply to the college that teaches the subject you are interested in.

PLAY - INS — Children should be permitted to play in tax-supported playgrounds where they want to play.

BURY - INS — Public graveyards that are supported by tax money should be used by all.

Rev. Cox concluded: "Everything is waiting for you — if you ask, seek, knock and fight for it, the door will be opened. You must let the world know you want to be free.

"You have the ability to stand up and fight. All I want you to do is stand up and be counted in, or else you will be counted out."

REV. LARTIN LUTHER KING

LUNCH COUNTERS

38a 1961

GENERAL

# Writer Says That Dr King Revolution Is "Frightening" Some Influential Leaders

The Reverend Martin Luther King Jr, has reluctantly become the leader of a revolution which is frightening some of the most influential members of the Negro community, says James Baldwin, noted author.

This is because, unlike most Negro leaders who tell the white people to speed up integration but urge Negroes to be patient, the Reverend King speaks with the same voice to both races, writes Mr Baldwin in an article in the February issue of Harper's magazine.

"The fact that King really loves the people he represents and has — therefore no hidden, interior need to hate the white people who oppose him has had and will, I think, continue to have the most far-reaching and unpredictable repercussions on Mr Baldwin.

In the Harper's magazine piece titled "The Dangerous Road Before Martin Luther King," Mr Baldwin believes that the Reverend King "is not like any preacher I have ever met before. He is immediately and tremendously winning, there is really no other word for it."

Mr Baldwin spent many days with the Reverend King in the South, seeing him in social situations and attending services at his church.

It was at a church service that Baldwin witnessed the real effect of the Reverend King on Negroes.

He writes: "Until Montgomery, the Negro church, which has always been the place where protest and condemnation could be most vividly articulated, also operated as a kind of sanctuary. The minister who spoke could not hope to effect any objective change in the lives of his hearers, and the people did not expect him to. All they came to find, and all that he could give them, was the sustenance for another day's journey.

"Now, King could certainly give his congregation that, but he could also give them something more than that, and he had.

"It is true that it was they who had begun the struggle of which he was now the symbol and the leader; it is true that it had taken all of their insistence to overcome in him a grave reluctance to stand where he now stood. But it is also true, and it does not happen often, that once he had accepted the place they had prepared for him, their struggle became absolutely indistinguishable from his own, and took over and controlled his life. He suffered with them and, thus, he helped them to suffer.

"The joy which filled this church, therefore, was the joy achieved by people who have ceased to delude themselves about an intolerable situation, who have found their prayers for a leader miraculously answered, and who know that they can change their situation, if they will."

After reviewing in detail the Reverend King's life, Mr Bladwin concludes: "By the power of his personality and the force of his beliefs, he has injected a new dimension into our ferocious struggle. He has succeeded, in a way no Negro before him has managed to do, to carry the battle into the individual heart, and make its resolution the province of the individual will. He has made it a matter, on both sides of the racial fence, of self-examination; and has incurred, therefore, the grave responsibility of continuing to lead in the path he has encouraged so many people to follow."

# King urges JFK to kill segregation

NEW YORK — Dr. Martin Luther King Jr. has made a suggestion that President Kennedy should call a White House conference of colored and white leaders to "serve the great purpose of opening the channels of communications between the races."

Writing in "The Nation," a magazine published here, he characterized the Federal Government as the nation's "highest investor in segregation."

He called on the Kennedy Administration to conduct a thorough examination of "its own operations and development of a rigorous program to wipe out immediately every vestige of Federal support and sponsorship of discrimination."

Dr. King asserted that, even without further legislation, the President — through exercise of the Executive power — "could give segregation a death blow through a stroke of the pen."

# Says King Leadership Frightens Negro Elite

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**'NOT LIKE ANY PREACHER'**

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# Magazine reveals Dr. King became leader reluctantly

The Afro-American
Baltimore, Md.
2/17/62

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GENERAL

Apr 1961

# Sit-In Leader Named To SCLS As Staff Consultant

The Louisville Defender
Louisville Ky.

Atlanta, Ga. — SCLC's director, Wyatt Tee Walker announced today that the Rev. James M. Lawson, Jr., has been added to the integration organization as Staff Consultant.

Rev. Lawson was projected into national prominence last Spring at the height of the Sit-In Movement. He was a graduate student at that time in the Divinity School of Vanderbilt University at Nashville and was arrested by city police for his leadership role in the nonviolent attack on segregated lunch counters in that city.

He was summarily dismissed from the University which was closely followed by the resignation of more than half of the faculty of the Divinity School in protest of his dismissal. For several days, a national furor prevailed with demands for 'Christian and fair' treatment pouring in from all over the nation.

Rev. Lawson avowed that he was only following his Christian conviction as a participant in the Sit-Ins. He is looked upon as one of the nation's most articulate prophets of nonviolence.

He has served as Field Secretary for the Fellowship of Reconciliation, an organization dedicated to the pacifist position. He traveled and lived in India for two years as a missionary for the Methodist church.

The youthful minister's present responsibilities will be parttime, serving primarily as a lecturer and resource person in conference institutes geared to the spread of the philosophy of nonviolence as a means of social change.

# NAACP to defend sit-ins in South

NEW YORK, Jan. 6—(AP)—A uint of the National Association for the Advancement of Colored People, will concentrate this year on defending students arrested in sit-in protests and in speeding legal activities for school desegregation.

Thurgood Marshall, N A A C P coupsel, outlined the plans yesterday.

**He said the legal defense and educatioanl fund "gladly assumes full responsibility" for defending Negroes involved in sit-ins.**

"Most of them," he said, "have been charged and convicted for crimes such as disorderly conduct, trespass, interfering with business and parading without a license."

# 'Sit Down Chillun' makes big hit with NAACP delegation

NEW YORK — This poem, read by president Arthur Spingarn at the opening of the afternoon session of the NAACP annual meeting at the association's headquarters, was heartily applauded.

Sit Down Chillun

(By J. Farley Ragland, Lawrenceville, Va. pharmacist, from his new book of poems, "Stepping Stones To Freedom," Published 1960. Dedicated to Dr. Martin Luther King.)

Sit down chillun, sit down!
In every jim crow state and town,
Bury your cross and wear your crown.
Sit down chillun, sit down!
Walk right in and take your seat!
Pay the same for what you eat!
All the world applauds your feat,
Sit down chillun, sit down!
Though your face is black or brown,
Smile a smile, don't frown a frown!
Right is right the whole world 'round,
Sit down chillun, sit down!
A new day's coming, keep on singing!
Keep the bells of freedom ringing,
Keep the flags of freedom swinging,
Sit down chillun, sit down!
Old jim crow has got to go!
The "moving finger" tells us so!
Here, and there, and to and fro,
Sit down chillun, sit down!
Keep on smiling with quiet faith,
Keep on walking, hold your place,
Keep on striving, lift your race,
Sit down chillun, sit down!

# Two sitdown leaders join NAACP staff

NEW YORK— The NAACP added two sitdown protest leaders to its fulltime field staff this week, according to Roy Wilkins, executive secretary.

Miss Julie A. Wright, summa Cum laude graduate of Claflin College, Orangeburg, S.C., was one of the two leaders of the famed March 15, 1959, demonstration in Orangeburg.

Two columns of students, totaling 1,500, staged an orderly march into town where a protest ceremony was slated to be held in the local square.

Police attacked the students, armed with Bibles and signboards, using tear gas and high pressure fire hoses. A record 338 soaking students were arrested and forced to shiver in the cold spring air in an outdoor stockade.

Miss Wright will work with Herbert L. Wright, the Association's youth secretary and will be based in the Atlanta regional office of the NAACP.

* * *

PHILLIP H. SAVAGE, of Baltimore, Md., has been named field secretary at large and will conduct NAACP membership campaigns in major cities.

He was chairman of the Civic Interest Group that was responsible for breaking down segregated eating facilities in four major department stores and more than 100 restaurants in Baltimore.

A graduate of Morgan State College, Mr. Savage has worked as an organizer in the Association's register to vote drive in Baltimore. He also conducted an NAACP membership drive there that resulted in 11,254 members.

Mr. Savage also served as acting executive secretary of the Baltimore branch during 1960. He will work under supervision of Gloster B. Current, NAACP director of branches.

# NAACP Kicks-Off Campaign Monday, Discusses Sit-Ins

Interest as well as discussions may result Monday, February 13 at 8:05 PM in West Hunter Baptist Church during the "Kick-Off" meeting of the Atlanta Branch Membership Campaign, with a report on the Student Moveemnt and an address by Dr. William Holmes Borders, pastor of Wheat Street Baptist Church. Questions are being raised in regard to last week's "sit-in demonstrations as well as the advisability of the stuednts' remaining in jail by refusing bond.

Workers, members and prepective members will be concerned about this controversial phase of Civil Rights campaign as the NAACP assumes more importance as the leader of the movement, just as the membership drive begins. This is expected to be the final organization meeting of the current campaign, which will proceed until March 13 and the public is invited to attend.

Numbers announced for the program include: remarks, speeches and music from the following persons: Rev. Samuel W. Williams, branch president, Rev. Otis Moss, first vice president, Rev. A. S. Dickerson, second vice president, Rev. Wyatt Tee Walker, membership chairman, Rev. B. Joseph Johnson, church work chairman, Charles W. Greene, general campaign chairman, Attorney A. T. Walden, life membership co-chairman, Rev. Z. T. Berrien, northwest chairman, Rev. Borders, J. H. Calhoun, campaign director, Mrs. Essie M. Groves, the youth choir of West Hunter Baptist Church, Miss Pauline Shields, organist and a representative of the Student Movement.

The campaign organization will meet every Monday night at 7:00 PM in the Graham Jackson Room of Frazier's Cafe Society, 880 Hunter Street, SW and two announced public programs have so far been scheduled: a club affair at the Waluhaje Ballroom on Tuesday, February 28, and a public program on the final night, Monday, March 13

Desegregation campaign—

# Negroes picket Broadway shows set to play in South

BY STUART W. LITTLE
Herald Tribune News Service

NEW YORK, March 21—Picketing of Broadway's legitimate theaters "on a sporadic basis" was promised Monday by officials of the National Association for the Advancement of Colored People in support of a major new campaign to break theater segregation in the South.

The campaign was launched only last month along the lines of last year's lunch counter sit-ins. Many of the same university students who conducted the sit-ins are involved.

**Up to Monday, according to a count at NAACP offices here, the demonstrations had resulted in over 400 arrests. NAACP officials said they had accomplished the desegregation of 18 downtown movie theaters in Kansas City, Mo.**

The New York picketing, which began Saturday against four shows, will be directed against those shows which have or will have national touring companies playing the South. Discouraging patronage is intended rather than preventing the actors from performing or shutting the theaters, according to Herbert Hill, labor secretary of the NAACP.

HILL PERSONALLY launched a "Southwide" campaign against movie and legitimate theaters Feb. 5 at a rally in Durham, N. C. It has been extended to 13 states.

The NAACP describes the campaign as "stand-in" demonstrations. A Negro takes a place in the line leading to the white box office and remains there until turned away. Sometimes a white sympathizer will buy a ticket for a Negro, giving him access to the main part of the house. He sits in the unrestricted seat until he is ejected. In addition, picket lines are thrown around the theaters.

**The NAACP is asking for the support of Actors' Equity in its campaign.**

At the moment, Equity has informed the NAACP that it "is precluded from taking direct action" in the campaign by reason of its contract agreement.

AT THE SAME time, Equity is taking steps to explore with league officials the possibility of changing the contract. The change would extend a policy of not playing segregated theaters, now in effect only for Washington, D. C., to the whole country.

Theater producers and actors face the dilemma of putting themselves out of business in the South by such a stand.

An optimistic view is held by NAACP officials. They believe they are within sight of ending segregation in most Southern legitimate theaters.

# Desegregation Fight Shifts From Lunch Counter to Jobs

Negro demonstrators against segregation shifted their emphasis from lunch counters and theaters to jobs in two localities which made the news last week.

In Kansas City, Mo., 100 persons from two civic organizations picketed eight retail stores where it was claimed Negroes have been limited to menial jobs.

And in Elkhart, Ind., a group of more than 50 Negroes staaged a demonstration in front of the offices of Mayor Frank J. Parmater against job discrimination.

Lloyd Saville, a professor of economics at Duke University, Durham, N. C., spoke out against job discrimination at a conference on national goals. "If Negro employment opportunities could be increased, he said, there would also be an increase in consumption and create new employment."

Violence broke out in another paid of locations.

Chattanooga, Tenn., two-day protest demonstrations against theater discrimination turned into violence. Rocks were thrown, a Negro Episcopal minister was slugged and an elderly white woman was knocked down.

In Savannah, Ga., a series of fights between Negroes and whites erupted shortly after 150 Negroes marched two abreast to a St. Patrick's Day parade.

Peaceful recreation desegregation developments during the week included the announced desegregation of the Glen Echo Amusement Park in suburban Maryland, the opening of a Mobile, Ala., municipal golf course to Negro players ordered by a U. S. District Court and the pledging of a Negro member for the first time by a state university of Iowa social fraternity.

Elsewhere on the demonstration front, 175 persons were arrested in Louisville, Ky., after a handclapping, singing parade to call for continued demonstrations and boycotts in support of desegregation of theaters and restaurants; in Oklahoma City 13 demonstrators for integrated restaurants, including a Catholic Priest, pleaded innocent to charges of disorderly conduct; five Negro demonstrators were arrested outside a drug store in Rock Hill, S.C.; 22 Negroes were arrested in front of a theater in Houston, Tex.; Negro leaders in Lynchburg, Va., threatened court action if all public facilities were not desegregated.

The planned segregation in Charleston, S.C., of delegates to the meeting there April 11 and 12 of the Civil War Centennial Commission raised some more steam. By the weekend, ommission Chairman U. S. Grant III had said he and the Commission had no jurisdiction in racial matters. President Kennedy contradicted him, noted that the Commission was an agency of the Government responsible for insuring equality of treatment. The NAACP is protesting the "outpouring of pro-south propaganda" and the "meaningless pageantry" of the Civil War Centennial observances.

The Justice Department stepped into four Federal Court suits in Louisiana in an effort to head off school desegregation problems like those of New Orleans. The State's Education Superintendent, Shelby M. Jackson, facing contempt of court charges in the New Orleans hassle, appealed to the State's lawmakers to do something. The Legislators called on Gov. Jimmie H. Davis to call a Constitutional Convention. Its aim—the end of public education in the State.

LUNCH COUNTERS

NAACP- LEGAL DEFENSE AND EDUCATIONAL FUND

## Major Objective In 1961

# Legal Defense Fund Will Protect Sit-In Students

Journal And Guide

Norfolk, Va.

NEW YORK — Defending the students arrested in connection with sit - in protest demonstrations and speeding up the legal activities for school desegregation in several states are the major objectives of the NAACP Legal Defense and Educational Fund for 1961, Thurgood Marshall, the Fund's director - Counsel has announced.

Approximately 1,700 students were arrested and convicted during 1960 in whose behalf attorneys for the Legal Defense Fund have filed suits arising out of the sit - in demonstrations. He said the battery of some 75 Negro and white lawyers throughout the country are now engaged in defending the students.

**AS THE NEW YEAR** begins, cases are on record which were filed in behalf of Negro children, in almost every southern state, who were barred from schools supported by public funds, because of their race. This includes renewed legal action in two of the original five cases which resulted in the Supreme Court's 1954 decision outlawing segregation in public education.

Mr. Marshall declared that the Negroes who have been accused and convicted because of the sit - in demonstrations.

**"MOST OF THEM** (the Negro students) have been charged and convicted for crimes such as disorderly conduct, trespass, interfering with business and parading without a license," Mr. Marshall said.

"The only crime they have committed was to protest in an orderly and peaceful manner the denial of their right to sit at lunch counters," he pointed out. "To protest against injustices is the foundation of our American democracy."

**THE LEGAL** Defense Fund head is pleased and enthused with three full scale lawyers' conferences held in New York, Washington, D. C. and St. Paul during 1960 in connection with the sit - in demonstrations. Ideas and legal theories in these cases were exchanged at the conferences, as well as scores of drafts of pleadings and briefs on the law and other material pertinent to the sit - in demonstrations were prepared and distributed, Mr. Marshall disclosed. "These conferences brought about a marvelous spirit of cooperation among the lawyers which assures us of victory," he stated.

As a result, Mr. Marshall asserted, several of the sit-in cases have already been reversed by higher courts while others are still on appeal in state appellate courts.

**THE FIRST** sit - in case reached the U. S. Supreme Court on Dec. 31, 1960, when Legal Defense Fund attorneys filed three petitions in behalf of 15 colored students arrested last spring in Baton Rouge, La. The high court was urged to hear these cases on the ground that the arrests and convictions violated the students' constitutional rights to protest discrimination and seek equal treatment at public lunch counters.

The attorneys also urged the Supreme Court to lay down basic guidance for lower courts to follow in similar cases.

**WITH RESPECT** to public school desegregation, Mr. Marshall said the events revolving around the New Orleans school crisis again focused attention on America's public school segregation issues.

"The New Orleans episode may become either the dying gasp of massive resistance in interposition theories or another rallying point for defiant southern states to continue resistance to the Supreme Court's 1954 decision prohibiting school segregation," Mr. Marshall stated. He added:

"If the federal government takes a firm position and the 'uncommitted" public awakens to the great danger to America represented by massive resistance to the law in the name of segregation, 1961 could produce considerable civil rights advances.

## 'Sit-Ins' get backing

The Afro-American

Baltimore, Md.

By J. BENJAMIN HORTON

NEW YORK CITY — The 46th Anniversary Conclave of Phi Beta Sigma Fraternity, meeting at the Park - Sheraton Hotel, here, Dec. 27-20, heard Roswell O'Neil Sutton, of Atlanta, Ga., its national president, discuss "Reassessing Our Role of Leadership For Culture and Service," Wednesday.

President Sutton, declared that "the continued fight among the black peoples and the minorities of the world for freedom, first - class citizenship, for equal job opportunities, for the right and privilege to worship God as they see fit, is going to claim the attention of every human being on the face of the earth."

• • •

**SUTTON** emphasized that "as we push this fight within the fraternity and from without, each of us has a definite and dedicated responsibility —first to ourselves and secondly to our fellowman, to use all of the energy, influence, time and money that we can command to insure that Democracy wins; that the free world peoples can come together and resolve their differences to the end that we will have one world."

"I am no communist," Sutton asserted . . . and am not a communist sympathizer, nor am I tainted with red, but Krushchev was right in some of the things he said when he last attended the United Nations meeting in New York City. How can we as Americans come to the United Nations, sit down at the table in an effort to negotiate a lasting peace, talk about freedom versus slavery, democracy versus communism, the free world versus those who would enslave men?

"Mr. Krushchev wanted to know," the speaker continued, "how we could sit down and talk to these Africans about peace and democracy when we know of course, that while they can go any place in New York City and perhaps some other places above the Mason - Dixon line as equal men but can be denied the privilege of such any southern city."

* * *

**PRESIDENT SUTTON** praised the sit - in movement of young people of the nation, stating "the young people of our country are dedicated unequivocably to the proposition that they, in their life time, will enjoy, will live to see themselves as first - class citizens and as respectable people of the world."

# Sit-ins Legal Defense Seen Top 1961 Object

The Louisville Defender

Louisville Ky.

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*Every Dixie State*

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GENERAL

LUNCH COUNTERS

38a 1961

# RACIAL RIFT HURTS INDUSTRY IN SOUTH

## Some Cities Pay Heavy Toll but Impact Is Selective Rather Than Area-Wide

Special to The New York Times

ATLANTA — The racial desegregation controversy is expected to cause marked changes in the pattern of Southern economic development.

This is already apparent in the experiences of communities that have faced the problems of public school desegregation, lunch counter demonstrations and transportation boycotts by Negroes.

Cities in which racial disputes have been prolonged and marred by violence appear to have paid a heavy toll in terms of industrial expansion.

The effects generally have been selective, affecting the individual city or area rather than the South as a whole. This stems from the basic reason for the development of new manufacturing facilities in the region.

Philip M. Webster, in a report published in the Monthly Review of the Sixth Federal Reserve District, noted that service to the regional market was largely responsible for manufacturing's growth. His findings were based on a study of development from 1947 to 1958 in the district—Alabama, Florida, Georgia and parts of Tennessee, Mississippi and Louisiana.

**Job Changes Classified**

"Judging from an analysis of employment changes roughly classified according to the market orientation of the industries involved, it would seem that about nine out of every ten manufacturing jobs added were in industries serving the regional rather than the national market," Mr. Webster concluded.

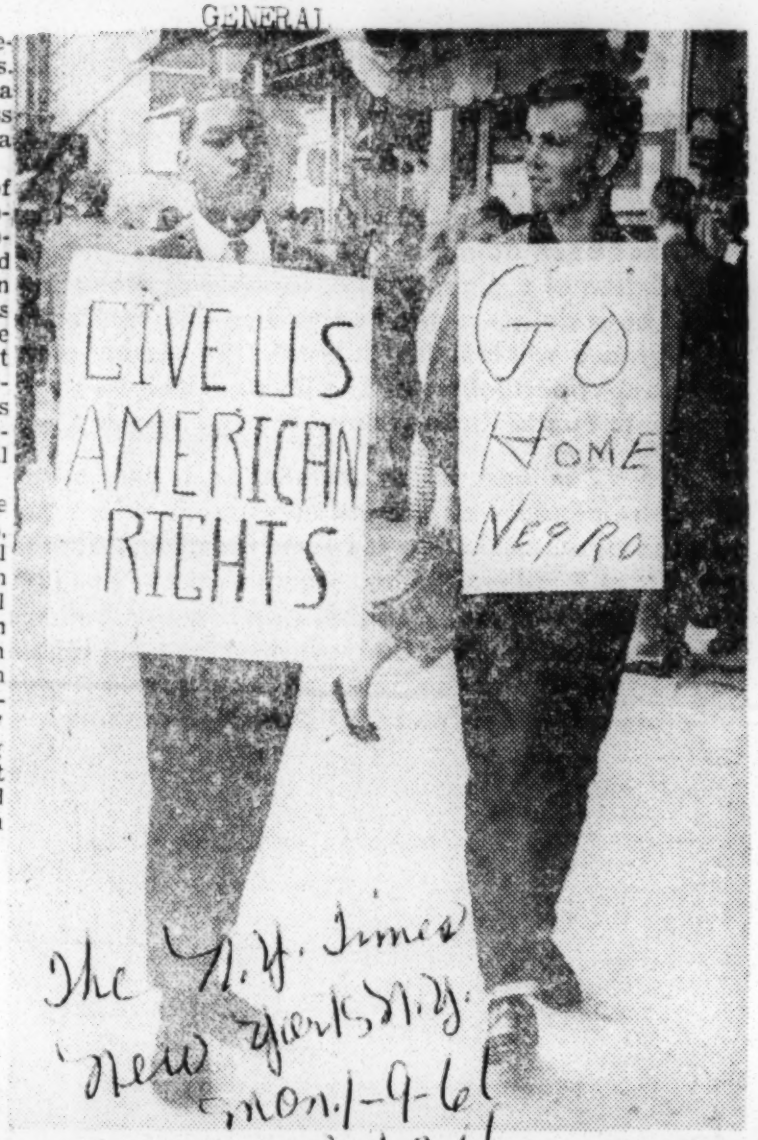
As a result, a manufacturer who found one Southern area unattractive as a new plant site would probably shift to another within the region. This would favor communities in which racial disputes already have been resolved with a minimum of trouble and possibly would give them a greater than normal economic growth rate.

Because of the complex and interlocking nature of the economic factors involved, it is virtually impossible to set a dollar value on the losses resulting from racial disputes. But H. McKinley Conway, a specialist in Southern business development, recently offered a partial answer.

Mr. Conway is president of Conway Publications, Inc., publishers of Industrial Development, Manufacturers, Record and the annual Site Selection Handbook and other business guides. His estimate of the economic implications that might result if suburban DeKalb County closed its schools to block desegregation was published by the Southern Regional Council.

"It has been found that the first effect of school closings, or even the threat of school closings, is a sharp reduction in the number of new industrial plants which will be located in an area," Mr. Conway said. "In fact, new industrial locations in Little Rock [Ark.] were reduced to zero for three years."

He then asserted that closing DeKalb schools would cost at least some thirty medium-sized plants over a thirty-six-month period.




Associated Press

COUNTER IRRITANTS: A white youth matches a picketing Negro's stride in Greensboro, N. C., during sit-in demonstration. Race disputes have hurt Southern economy.

LUNCH COUNTER
SIT-INS
ETC.

# Dixie Negroes Open New Rights Battle

## Students Seek Admission To Nashville Theaters

By United Press International

Negro students in the South opened a new phase of their integration fight Wednesday on the first anniversary of the lunch counter sit-in movement.

Theaters were the new target. Negroes at Nashville, Tenn., and Greensboro, N. C., where the first sit-ins occurred, lined up outside segregated theaters and demanded admission. They were turned away, or in some instances, box offices closed.

In Atlanta, an estimated 1,500 Negroes marched on the downtown area but limited their activities to picketing outside department stores with segregated eating facilities. They carried signs demanding an end to Jim Crowism.

At Orangeburg, S. C., at least 10 Negroes were jailed in connection with sit-in demonstrations. Police said the protests were continuing and more arrests were expected.

Edward B. King Jr., administrative secretary of the student non-violent co-ordinating committee, said students had been asked to "rededicate themselves" to desegreation effort.

An estimated 300 Negro students took part in the theater demonstrations in Nashville. Initially there were about 20 Negroes at each of at least five downtown theaters, but later the lines swelled. The Negroes were wearing cards reading: "Remember Freedom Day — February First." This referred to the anniversary of the sit-ins. There were no incidents or arrests.

All but one of the box offices closed quickly and the Negroes stood silently outside the theater. The other movie theater kept its box office open, turning away the Negroes individually.

The Negroes were predominantly college students from Fisk University, Tennessee State A&I University, and American Baptist Theological Seminary in Nashville.

# Negroes Mark Anniversary Of Sit-Ins By Demonstrations

BY THE ASSOCIATED PRESS

The first anniversary of the lunch counter sit-in movement was marked by anti-segregation demonstrations by Negroes in five Southern states.

Twenty-four Negroes were arrested and six others were taken into custody but released after a lecture by police.

The largest demonstration occurred in downtown Atlanta where several hundred Negro college students paraded in groups Wednesday. Spokesmen said the march was part of a Southwide demonstration that included initial efforts to end segregation at theaters.

Picketing began at Greensboro, N. C., where the sit-in movement started on Feb. 1, 1960, after six Negro students were denied tickets at an all-white theater. The Negroes left and began picketing the theater and others in the downtown area.

Fifteen Negro students from Hampton Institute were arrested on trespassing charges when they sat in a theater section usually reserved for white persons at Hampton, Va.

At Orangeburg, S. C., nine Negroes were arrested on charges of trespassing at the lunch counter of an S. H. Kress variety store when they ignored a warning from the store manager.

In Nashville, Tenn., several hundred Negroes unsuccessfully sought admission to a number of downtown theaters. No disturbances were reported, and police said the groups were orderly.

Some 130 students marched in the downtown area of High Point, N. C., near Greensboro, and later picketed a theater which closed its Negro balcony in what was termed an economy move last week.

A group of apparently unorganized Negroes, believed to have been high school students, were refused service at three lunch counters in Spartanburg, S. C.

Atlanta police said the four Negro men and two Negro women taken into custody included a brother of integration leader Martin Luther King Jr., the Rev. A. D. W. King. They were released after a lecture on blocking pedestrian traffic.

About six white youths joined some 50 or 60 Negroes in the demonstration at Rich's department store in Atlanta, where earlier sit-ins had forced the closing of a grill and a tea room.

On racial developments elsewhere—

A Florida State University student on probation following his participation in lunch counter demonstrations said he had been suspended from the school at Tallahassee. Jefferson Poland, 18, of Fort Lauderdale, Fla., said he had been accused of breaking the terms of his probation by continuing to work against segregation.

Ten Negro college students filed notice of appeal after being sentenced to fines of $100 each or 30 days in jail on their convictions of trespassing at a variety store's white lunch counter in Rock Hill, S.

The Georgia Senate voted, 30-0, to limit the use of the capitol to government functions, except that refreshment stands may be operated for the use of legislators and their guests. The move apparently was aimed at preventing any recurrence of Negro sit-ins at the capitol in Atlanta.

# *Picketing in Atlanta Observes First Year of Sit-In Movement*

## *Negro College Students March Without Disorder at Downtown Stores— 15 Seized in Virginia Theatre*

ATLANTA, Feb. 1 (UPI)—Negro students marched on downtown Atlanta today and placed a picket line in front of stores in a demonstration marking the first anniversary of sit-ins at segregated Southern lunch counters.

A student leader, Lonnie King Jr., estimated the number of demonstrators at 1,500. The police gave no estimate.

The group marched from the Morris Brown College campus a mile away.

Picket lines were placed at stores covering a six-block area. Signs bearing "Jim Crow Must Go," and similar messages were carried by more than one-hundred demonstrators.

The police said there had been no disorders and none of the students was arrested.

The group, after picketing less than an hour, returned to the college to attend a rally in the school chapel.

The sit-in movement began at an F. W. Woolworth Company store in Greensboro, N. C., last Feb. 1.

### Fifteen Seized in Theatre

HAMPTON, Va., Feb. 1 (AP)—Fifteen Negro students from Hampton Institute were arrested and charged with trespassing today when they sat in a theatre usually reserved for white persons.

The students, part of a group of about twenty boys and girls, were arrested for sitting in the segregated orchestra section of the Lee Theatre.

### Trespassing Is Charged

ORANGEBURG, S. C., Feb. 1 (AP) — Nine young Negroes were charged with trespassing here today after taking eats at an all-white lunch counter.

The police said J. B. Todd, manager of the S. H. Kress store, twice warned the nine not to take seats. When they did, policemen, who had been called, made the arrests.

### Students Sentenced

ROCK HILL, S. C., Feb. 1 (AP)—Ten Negro college students were convicted Thursday of trespassing at the white lunch counter of a Rock Hill variety store.

Rock Hill Recorder's Court Judge Billy D. Hayes passed sentences of $100 or thirty days on the ten Friendship College students arrested in McCrory's variety store Tuesday. They filed notice of appeal and Judge Hayes set bond at $200 each.

### Savannah Inquiry On

SAVANNAH, Ga., Feb. 1 (AP)—The Justice Department has ordered a civil rights investigation in the arrest of seven Negroes for playing basketball on a white playground last week.

Charles Brown, agent here for the Federal Bureau of Investigation, said his office had begun the investigation.

# Sit-In Movement One-Year-Old This Month

The Louisiana Weekly

The United States, indeed the world, hasn't been the same since four students sat down at a Woolworth lunch counter in Greensboro, North Carolina a year ago this month and asked for coffee.

New Orleans, La.

It was like dropping a match in the confetti at a New Year's party. Before the South knew what had happened, Negro and white students all over were demanding they be served a cup of coffee together.

Dat. 2-11-61

Some states found they had no laws prohibiting this simple manifestation of the equality of man. They hurriedly called together their lawmakers and corrected the oversight. They even went a step further and ruled that Negroes change their status from customers to trespassers the second they ask for service at "white only" lunch counters.

p. 17

Meanwhile the sit-in technique at the lunch counters became kneel-ins; at churches; wade-ins at swimming pools; stand-ins at theatres and play-ins at golf courses.

Northern students adopted the same techniques to demonstrate sympathy for those "on the firing line" in the South.

And before the end of the year, Capetown, South Africa was witnessing sit-ins.

What they accomplished is hard to measure, but the gains were phenomenal. Racial barriers began to fall like ten pins in a bowling alley.

But accompanying the collapse of old customs and laws were violent outbreaks by whites resentful of the quiet militancy of the Negro students. In many instances the effect, ironically, was to emphasize the dignity and discipline of the Negro demonstrators and to win sympathy and support for their objectives.

Another, perhaps more important by-product was the psychological affect the demonstrations had upon the Negro and on the conscience of the white man.

The dramatic demonstrations by the students infused the Negro with a new sense of pride that fostered a unity among the race unknown before. Many, who had lost hope because of the slow pace of school desegregation, were encouraged when they saw lunch counters opened to all, swimming pools desegregated and churches practicing Christianity by opening their pews to worshippers of all races.

The sit-ins caused many whites who had lived in segregated communities to realize for the first time that the Negro was unhappy with his position in society. And the irrefutable logic of a man seeking service at a lunch counter of a store where he was welcomed at all other counters made a dent on all but the fanatical.

New Orleans, La.

Finally the magnitude of the sporadic movement can be partly realized by the report of the Legal Defense and Educational Fund of the NAACP which disclosed that 40 percent of its $405,000 budget was used in defending 1,700 cases growing out of the demonstrations. These cases have been the basis of estimates at least 1,700,000 Negroes participated in the sit-in movement in one way or another.

Historians, after reading about the four A and T college students last February, recalled that Frederick Douglas might have been the father of sit-ins when he refused a request that he refrain from eating at the table in the boarding house where he was the only Negro.

Others suggested that the labor unions might have given birth to the idea when they ordered their striking workers to remain in the factories during the thirties.

Further research disclosed that the late Edgar G. Brown, of Chicago staged a one-man sit-in at a lunch counter in Washington airport in the forties and that a group of Negro and white students conducted sit-ins in Chicago in 1942.

None of these, though, had the electrifying effect of what happened just a year ago this month in Greensboro -- and America, indeed the world, hasn't been the same since. Nor will it ever be.

## Now: Theatre Stand-In

Louisville Courier-Journal

# Sit-Ins 1 Year Old; New Targets, More Arrests

Norfolk Va. p. 10

Dat. 2-11-61

By United Press International

Southern Negro students finished a year of successful sit - in campaigning against segregation at the lunch counter Wednesday and began a drive on a new target — the segregated movie theater.

The sit - in movement began Feb. 1, 1960, at the F. W. Woolworth store at Greensboro, N. C. Students over the South turned out in force to commemorate the start of their campaign and try to buy tickets at theaters.

**THERE WERE** a few arrests, but most of the theaters closed their box offices.

In Atlanta an orderly march of 400 to 1,500 college students thronged the downtown section. Police estimated the demonstrators at 400 but their own leaders said 1,500.

Edward C. King Jr., head of the Student Non-violent Coordinating committee, said students had been asked to "rededicate" themselves to the desegregation effort.

**"WE HAVE** called for stand-ins at theaters throughout the South as our first move in the second phase of the student protest movement," King said.

He said Negroes planned to set up "revolving lines" at theater box offices. Each one refused a ticket will go to the rear of the line and wait to make another request. King said this would keep whites from being able to buy movie tickets.

**MOST MOTION** picture theaters in the larger southern cities cater to whites only. In smaller town balconies are reserved for Negroes although this practice is disappearing.

About 300 demonstrators tried to buy tickets at five downtown theaters in Nashville, Tenn., Wednesday. Nashville stores desegregated their lunch counters last year.

**STUDENTS** at Greensboro, N. C., succeeded in getting one of their number into a downtown theater. A light - skinned Negro girl was admitted, but the attendant apparently thought she was white.

38a 1961 GEORGIA ATLANTA LUNCH COUNTER

# Lonnie King Challenges Seating, Jailed

By KEELER McCARTNEY

Negro integration leader Lonnie King, Jr., 24, Thursday challenged seating arrangements in Municipal Court and was arrested for contempt during hearings for 39 other students picked up during the third day in a row of sit-in demonstrations.

Judge James Webb sentenced King, chairman of the Committee on Appeal for Human Rights, to serve five hours in jail, saying, "That is the maximum penalty I can give under the law."

Webb sentenced King after the 39 others, including Nezetta O'Neal, 21, the current "Miss Clark College" were ordered held under $100 bonds each for Fulton Criminal Court on charges of violating the Georgia Anti-Trespass Law.

**BAILIFF INSTRUCTED**

King and two companions, a boy and a girl, entered the courtroom as spectators and took seats in a section usually occupied by whites. Webb instructed Court Bailiff M. L. Barnes to tell the three to move.

Barnes said he conveyed the judge's request and King countered with "What law are we violating?" Barnes said the three refused to move until he told them they were under arrest and escorted them to a section of the courtroom reserved for prisoners.

After other court matters had been disposed of, Webb instructed Barnes to bring King and the two others before him. He told King he understood King had refused to obey an order from an officer of the court and asked what he had to say.

**ASKED ABOUT LAW**

King, arrested Tuesday with 17 others, said he had seen Barnes in court before but did not know him as a bailiff.

"I asked him (Barnes) what law I was breaking," King said. "He didn't identify himself as a bailiff and he didn't answer. I still don't know what law we were breaking. He came up here (to the bench) and conferred with you and then he came back and told us we were under arrest."

**JUDGE DOUBTS STORY**

Webb said he . . . "found it difficult to believe as many times as you have been in court that you did not recognize an officer of the court."

"As I understand it," Webb said, "you are coming into court seeking something and yet you have no respect for the court itself."

Webb told King's companions, identified by Barnes as Essie Jett and John Popwell, "You can go because I'm convinced you were just following the leader."

**MADE BOND TUESDAY**

King was one of two persons released on bond out of the 33 who had been bound over prior to Thursday's hearings. He posted bond Tuesday night because he said his presence was needed on the outside to direct activities. He said the others "felt a moral responsibility" to remain in jail.

The demonstrators have posed an acute housing problem at the Fulton County jail, and during the arrests Thursday an officer said one student remarked: "Reckon they have space for the 30,000 others whe are coming?"

**JAILER HAS SPACE**

Fulton Chief Jailer Carl Smithwick said before the 39 ordered held Thursday reached the jail he had only three beds left, but he had plenty of space.

County Manager A. E. Fuller said the county would take emergency measures to see that all prisoners are cared for even though the mattress stockpile "is at a low ebb."

Four of the demonstrations Thursday were directed at a grill at 66 Forsyth St., SW, across the street from the new post office, where Negro pickets set up a refreshment stand during picketing of downtown stores.

**OTHERS PICKED UP**

Thirty-two students were arrested at 66 Forsyth St., officers said, and seven others were picked up at the Coffee Shop, 1 Forsyth St.

Of those arrested 15 gave addresses other than Atlanta.

The first two arraigned, Marvin R. Anderson, 20, of St. Paul, Minn., and Willie J. Stewart, 20, of Tarpon Springs, Fla., were not represented by an attorney. They pleaded guilty.

Anderson said he and Stewart went to 66 Forsyth St., were told it was against the policy to serve Negroes.

**LEFT WITH POLICE**

"We asked him to explain his policy and he called police and we left with the police," Anderson said.

The remaining 37, represented by Attorney H. T. Ward, waived hearing.

They were listed as James Jefferson Joyner, 21, and Jacqueline Brown, 19, both of Clark College; Rebecca Brown, 240 Chestnut St.; Patricia Simon, 21, of Spelman; Wilbert Dixon, 19, of 810 Huff Rd.; Frank Smith Jr., 18, of 147 Ashby St., SW; John Alton Bryant, 18, of 361 Lee St., SW; Charles Williams Jr., 19, of 633 Parsons St., SW.

**ONE FROM LOUISIANA**

Patricia Ann Tate, 18, of Baton Rouge, La.; Edith Christine Simmons, 19, of Brunswick; Marshall Ann Barrett, 20, of 145 Chestnut St.; Florence Miller, 18, of Tuskegee, Ala.; Barbara Diane Middlebrooks, 18, of 110 Ozone St., SW; Lillie Mae Sherman, 19, of 326-B Archer Way, NW; Mary Lee Gholston, 19, of 1323 LaFrance St., NE; Bazalene Smith, 19, of 1350 Meridian St., SE.

Norma June Wilson, 20, of 350 Leonard St., SW; Shirley Ann Smith, 20, of 195 West Lake; Lydia Marie Tucker, 21, of 974 Ashby Grove; William Franklin Cummings, 22, of 796 Play Lane, NW; Alton Henry Stephens Jr., 1629 Detroit Ave., NW; Virginia Caroline Brown, 21, of Columbia, S.C.; Adolphus Lee Campbell, 18, of 1331 English St., NW; Louis Hudson Nevett, 18, of Bessemer, Alabama.

Shirley Dalton, 20, of 85 Hutchison Ave., NW; Joe Edward Johnson, 19, of Augusta; William Nelson Dallas, 19, of Detroit, Mich.; Benjamin Arnold Hardeman, 18, of Covington; Samuel Eddie Watts III, 22, of 140 John Hope Drive; Harry James Spencer, 18, of St. Petersburg, Fla.; Prince Martin Jr., 19, of 941 Ira St., SW; Edwin Baldin, 19, of Tampa, Fla.; Bradley Faulkner Watkins, 18, of Lexington, Ky.; Vivian Calhoun, 19, of 1991 Verbena St., SW; Delores Aldridge, Tampa, and Vivian Patrice Hansford, 18, of Bainbridge.

## Ten Negroes Refuse Bond After Arrest

ATLANTA (AP) — Negro demonstrators tried unsuccessfully again Friday to break the traditional Southern policy of segregated eating facilities.

Police arrested 10 at a coffee shop and a grill in downtown Atlanta.

The arrests brought to 86 the number of Negroes taken into custody. Before Friday, 70 Negroes were held in jail awaiting Criminal Court action on charges of violating the state's anti-trespass law—a measure to curb desegregation demonstrations.

**BOND REFUSED**

The Negroes, mostly students at the Atlanta University Center, have elected to remain in jail rather than go free on bond.

One of them, Leon Greene of Morris Brown College, said he hated to miss school but, like the others, he said he felt the cause is worth the trouble. "It is worth anything to do this," he said.

Don Calbos, owner-manager of Denny's Grill, had a different view. His restaurant has been the scene of several days of Negro sit-ins.

"For the life of me I can't see what they're driving at," he said. "I'm sympathetic with some of their objectives, but there's a stopping point to everything."

Calbos, who is of Greek descent, said he has "no personal grudge against the Negro students."

**'WIDE OPEN MIND'**

"But they're not going to establish a new way of life down here by coming in with a club," Calbos said.

Calbos, a pleasant-faced, middle-aged man, was born in Mississippi and worked as a theater manager in the East 20 years before coming to Atlanta 10 years ago.

"I've got a wide open mind, and I don't care if it's black or white or Chinese or Greek. If somebody comes in here and starts interfering with my normal operations, I feel it's my duty—and my right—to stop them," he said. "There is still a possibility that even I have some civil rights too," he added.

Calbos posted a sign in his coffee shop Friday advising:

"We reserve the legal right to refuse service or admittance. We also reserve the right to designate seating and to reserve any seat or standing room."

## 18 Students Are Arrested Here After Sit-Ins

Eighteen College students and two non-students were arrested Wednesday afternoon in sit-in demonstrations to bring the total to 37 for the past two days.

Seven demonstrators were arrested at Denny's Grill, Forsyth and Hunter Streets and thirteen were arrested at Sprayberry's Cafeteria, 888 Peachtree Rd. Sprayberry's was the scene of 17 arrests Tuesday when Negro students attempted to gain service.

The students were arrested Wednesday when the proprietor and manager of the two eating facilities stated to students in the presence of police a request for the demonstrators to leave.

In a 4:30 hearing a Municipal Court yesterday Judge James E. Webb set bond at $100 and bound the demonstrators over to Fulton County Criminal Court.

The sit-inners refused to make bond because "we feel that our stay in jail will be significant in solidifying the Negro race in the area of economic withdrawal and for support for the entire student movement program," one of the jailed students stated.

Students arrested at Sprayberry's Cafeteria inclued: Lenora Taitt, 22, Spelman College; Johnnie Price, 20, Spelman College; E. Christine Sparks, 20, Clark College; Marsha Goodwin, 18, Spelman College; Yvonne Tucker, 18, Spelman College; Laurine Weaver, 22, Spelman College; Suzon Grimes, 20.; Rev. Harold Middlebrook, Morehouse College; Richard Hope, 21, Morehouse College; Robert Young Whatley, 21, Clark College; Gene Edward Flowers, 21; Charles Smith, 22, Morehouse College; William Beasley, 22.

Atlanta police records gave the following as sit-inners being taken into custody at Denny's Grill: Roy Carver Crittenden; Ralph Lorenza Stephens, 22, Morehouse College; Wilbur Michael Byrd, 17, Morehouse College; Julian Ward Blackshear, Morehouse College; Roland L. Turpin, Morehouse College; Eric V. A. Winston, Morehouse College; Johnny Bullock, Jr., 20, Morehouse College.

# Lonnie King, 12 Others Held Under $100 Bond in Sit-In

The Atlanta Constitution
Atlanta, Ga.

By KEELER McCARTNEY

Thirteen Negro college students, including integration leader Lonnie King Jr., were ordered held Tuesday under $100 bonds each on charges of violating the Georgia anti-trespass law in connection with a sit-in demonstration.

CW 2-8-61

Seventeen were arrested at the noontime demonstration at Sprayberry's cafeteria in the Peachtree-Seventh Building. Municipal Judge James Webb dismissed charges against four after they testified they had not been asked to leave the restaurant. p. 3

Those whose cases were dismissed were Harold Albert Middlebrooks, 18, of Memphis, Tenn.; India Cooper, 16, of 2766 Oldknow Dr., NW; Eric V. A. Winston, 18, of Savannah, and Carol Ann Clark, 18, of Winter Park, Fla.

Winston said he heard a man identified to him later as H. J. Sprayberry, restaurant owner, ask someone to leave, but he did not know whom. Miss Cooper said she was in a phone booth. Middlebrooks and Miss Clark said they were not requested to leave.

Capt. J. L. Moseley, who made the arrests after he said Sprayberry in his presence asked the troup to leave, testified it "was possible" some members of the group were not asked directly to leave.

Defense attorney D. L. Hollowell moved for a dismissal on the four and Webb agreed that evidence was not clear that they had been asked to leave.

Hollowell then asked for dismissal of the remaining 13 cases on the grounds police action was based upon "discriminating practices" and, he contended, in violation of the First and 14th amendments. Webb overruled the motion.

A dramatic moment in the trial came when Dorothy Brown, a Negro employe at the cafeteria, wept as she described events.

She said she thought they "were about to leave" when taken into custody and sobbed:

"This may cost me my job, but it's all I know."

Sprayberry said the group entered the serving-line shortly after 11 a.m. and he ordered the line and the cashier's position closed. He said some picked up salads and desserts and sat down.

Sprayberry said he asked the group to leave and, when they refused, called police. He said he repeated the request in the presence of Moseley.

King and several other students told the court they were preparing to leave when taken into custody.

Questioned by Hollowell and attorney A. T. Walden, Sprayberry said he was sole owner of the restaurant and paid rent through a local real estate company. The building houses federal governmental agencies.

In addition to King, those ordered held were Charles Persons, 18, 21 Bradley St., SE; Frank Holloway, 21, 897 Michigan Ave., NW; Leroy Washington, 22, Jacksonville, Fla.; Wilford Hepburn, 20, of Miami; Ralph M. Moore, 20, Washington, D.C.

Mitchell Daniel, 19, Waterboro, S.C.; William Robinson, 20, Gadsden, Ala.; Ernest E. Moore, 19, Cedartown; Solomon Taylor, 21, 1598 Ezra Church Dr., NW; Leon Greene, 18, 1900 Calloway Dr., NW; Harold Andrews, 22, 47 Holly Rd., NW, and Herschelle Sullivan, 22, of Pittsburgh, Pa.

# 37 Students Are Bound Over Here After Sit-Ins

Atlanta Daily World
Atlanta, Ga.
Mar 2-10-61

Thirty-seven Negro sit-iners were bound over to criminal court late Thursday and their leader was sent to jail for contempt of court.

Lonnie King was sentenced to spend five hours in the city jail after he created an incident in the courtroom where Negro students were brought for arraignment under Georgia's anti-tresspass law.

Seventeen boys and 20 girls waived commitment in Municipal Judge James Webb's court and he bound them over to Fulton criminal court under bonds of $100 each.

King and two companions entered the courtroom and, after taking seats on the side reserved for Negroes, moved over to the side reserved for whites.

The three were ordered by a bailiff to move and King "asked the officer "what law have we broken?"

Webb instructed the bailiff to bring the three to seats in the front of the courtroom and they sat there until all other cases had been handled.

Webb then called the three to the bench and asked King if he had anything to say.

The young man, who has led most of the sit-in demonstrations here, said that the bailiff did not identify himself and that he therefore did not know who the man was.

"If he had asked us to move we would have done so," King said.

**The judge said it was hard for him to believe that King, who has been in and out of courts for months during the sit-in arrests, did not recognize the court officer.**

**"You claim to be seeking something through the courts of this country but if you don't respect the courts I don't see how you expect** to get what you want," Webb said.

He then sentenced King to five hours in jail, commenting that this was the maximum he could impose in his court. He released King's two companions saying he felt sure they were simply following his direction.

The 37 bound over Thursday were among the 64 Negro students who have been arrested here since Tuesday for staging sit-in demonstrations at three Atlanta restaurants. The other 27 will appear before Webb later

A total of 29 students were arrested Thursday, 22 at Denny's grill across from the Post Office annex here and seven more at another grill. Nine more tried to stage a sit-in Sprayberry's Restaurant in a building housing federal offices but the owner never let them through the door.

On Wednesday, 13 were arreested at Sprayberry's and seven at Denny's and on the previous day 17 were arrested at Sprayberry's. Four of those arrested the first day were released but most of these were later rearrested during other demonstrations.

Of the 64 students now under $100 bond, King is the only one who has paid his bond and gone free.

A spokesman for the student nonviolent movement said King took this step because he was needed to carry on his integration work.

The remainder have chosen to stay in jail in passive resistance to segregation

# Atlanta Negro Students Balk At Agreement To End Sit-Ins

Jackson Advocate
Jackson, Miss
Sat. 3-18-61

## Adult Leaders Defend Agreement As Providing Best Available Solution

p. 1

Atlanta, Ga., Mar. 13 — While wire services and out-of-town newspaper headlines proclaimed a major victory for Atlanta sit-in demonstrators, Student Leaders, Lonnie C. King, Jr., Chairman of the Committee on Appeal for Human Rights, and Spellman College senior, Herschell Sullivan, Co-Chairman, resigned Wednesday night during a stormy session in which the two student leaders expressed dissatisfaction with their roles and the part they played in signing the **March 6th agreement between Negro leaders and White Merchants ending the sit-in demonstrations.**

**A "policy-making" group of some 150 students gathered at Rush Memorial Congregational Church refused to accept the resignations and re-instated King and Miss Sullivan in their former posts. At the same time the group authorized a subcommittee to draw up a "statement of position" which reportedly will not be available for publication until "further conferences and consultations" have been held.**

Jackson Miss

Meanwhile, many members of Atlanta's adult community raised sharp questions concerning the agreement, while some of the adult negotiations and their supporters defended it as providing the best available solution to the "stalemate" existing between merchants who had closed down most of their dining facilities and Negroes who have carried on an intensive boycott during the past five months.

Announced through the Chamber of Commerce by C. C. head Ivan Allen, Jr., and by Atty. A. T. Walden, who has served as chief negotiator for the Negro group during the past few weeks, the statement of agreement indicated that the 14 major stores and chains would carry out in lunchrooms and other facilities "the same patterns as have been recognized and evidenced" by the admission of two qualified students to the University of Georgia, the erasing of its segregation laws by the Georgia Assembly and the decision of the Atlanta Board of Education to comply with the orders of the federal court.

The text of the state follows: "We feel that the fine relationship which has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible. In order to re-establish good relaionships, the leading merchants have stated that it is their decision to carry out in lunchooms and other facilities the same patterns as have been recognized and evidenced (1) by actions of the 1961 General Assembly of Georgia; (2) the administration of qualified students to the University of Georgia, and (3) the decision of the Atlanta Board of Education to comply with the order of the federal court —all relating to the public school issues in Atlanta and as are finally decided upon in the public school issues in Atlanta. The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sitins and to bring back a condition of complete normalcy as soon as possible. Each party is fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

Retail stores which signed the agreement were: Rich's Davison's, Woolworth's Kresge's McCrory's, Grant's S. H. Kress & Co., Sears, Walgreen Co., Jacobs Pharmacy, H. L. Green Co., Newberry's and Lanes.

Negro leaders who signed, in additio nto King, Walden and Miss Sullivan, were Rev. M. L. King, Sr., Leroy R. Johnson, Q. V. Williamson, Jesse Hill, Jr., Mrs. P. Q. Yancey, Rev. Otis Moss, and Dr. Rufus Clement.

Walden, Borders, and Clement were among the signers who pointed particularly to the fact that some 17 major merchants and business leaders in the downtown area of this Deep South city placed themselves on record for the first time as prepared to give up a one hundred year old custom.

Walden indicated that it was only by "major concessions" on both sides that a workable agreement could be reached.

3-a 1961 GEORGIA ATLANTA- LUNCH COUNTER

# Whitman Hits Bombing, Calls For Grand Jury Sit-In Probe

Atlanta Daily World

Atlanta Ga.

A Fulton County Superior Court judge Tuesday condemned the bombing of a Negro school here last month, and declared that prejudice, racial or otherwise, "has no proper place or part in our American way of life."

In still another area, the same judge called for an investigation into the legality of the sit-in movements in Atlanta, asserting his opinion that "Courts, not the streets, are our tribunals of justice."

Both remarks were made Tuesday morning by Presiding Superior Court Judge George P. Whitman, Sr., in his charge to the incoming January - February Term Fulton County Grand Jury.

Judge Whitman diverted from what is considered to be an ordinary charge to the grand jury in order to give expression to his condemnation, "in no uncertain terms," to the recent bombing of the English Avenue public school building in Atlanta.

Judge Whitman absorbed a local Telecast Editorial concerning the bombing and represented it as his feeling. The editorial comment was "It will be wasted if the reaction is simply a wave of indignation and voicing of concern that such useless, tragic action has marred our city."

On his own accord, the judge said "It is profoundly to be hoped that the guilty party or parties of the 'despicable act' will be found and tried and 'duly punished'."

Recalling a similar bombing of The Jewish Temple two years ago, Judge Whitman noted that the perpetrators guilty of that blast still remain at large, unapprehended and unpunished by law.

Whitman said flatly that "Prejudice, be it racial, religious or sectional, has no proper place or part in our American way of life."

In other areas, Judge Whitman told the grand jurors that "There are two local problems involving law violations which we now desire to bring to your particular attention; first, the illegal sale of mixed drinks in the city of Atlanta; and second, the so-called 'sit-in' operations which have plagued our community in recent months."

Regarding the sit-ins, Judge Whitman quickly declared that he was not concerned with the problems arising out of segregation and integration in racial relationships generally, nor was he "going to enter into any dissertations in respect of the controversial issues in that field."

Whitman said he "merely would undertake to charge you as to the law relating to our local situation and to make a few observations in connection therewith."

Whitman, in that part of his charge, pointed to the freedom of association laws and the laws governing the rights of private property. He further pointed to the 1960 Georgia anti-trespass law that was enacted during the midst of lunch counter desegregation movements elsewhere in the South.

The judge told the panel that they, as a Grand Jury, had no authority to initiate civil action on behalf of private property owners for injunction of damages on account of "illegal 'sit-ins'" and "unlawful interference with their businesses."

"However," the judge noted, "even though civil relief is not sought by private property owners, violators of the criminal laws should be prosecuted and punished."

Atlanta Ga.

"It is your duty," the judge told the grand jurors, "to make such investigation as may be necessary to determine whether you have reasonable grounds to believe that the law has been violated either by direct act or acts by an individual or individuals or pursuant to conspiracy with another or others, and also whether you have reasonable grounds to believe that an attempt or attempts at violations have been committed. If you so find, you will make presentment or presentments accordingly."

Going further the judge had this to say:

"It should be said that no longer is the sole issue between the misguided demonstrators and blind leaders on the one hand and the owners of private property engaged in lawful business in private enterprise on the other;

"The paramount issue is between the law and those who place themselves above the law and flaunt its mandates. Among other things, the strange doctrine is promulgat- ed that one may be the sole judge according to his own conscience whether a law is just and, therefore legal, and also determine for himself whether he will respect and obey the law and the rights of others. It would be a sad day indeed for such a doctrine to prevail."

As a final swipe, Judge Whitman said bruquely, "Courts, not the streets, are our tribunals of justice. What shall we say then?"

In other areas of the judge's charge, Whitman called for a probe of the sales of mixed drinks in Atlanta. He said that violators of laws regarding mixed drinks are subject to indictment by the grand jury.

# Segregation Taking Toll, Mayor Asserts

The Atlanta Constitution

Atlanta, Ga.

Segregation in hotels, restaurants and other facilities is hurting Atlanta's development as a convention city and international center, Mayor Hartsfield declared Friday.

Sat. 1-7-61

"We are losing one convention after another," the mayor told the Northside Kiwanis Club, "simply because we cannot take a few Negroes in our hotels."

He said that in reply to those who want to make the new airport an "international airport," he has been saying "you've got to be international people before you have an international airport.

"We've got to make up our minds what we want to do about it," the mayor asserted.

Segregation questions, he continued "are going to loom heavily in the year to come, and it's come to the point where it hits the cash register and the city and national policy."

In every instance of desegregation, Hartsfield said, some people have predicted "riots, bloodshed and intermarriage"—when Negroes were added to the police force, when golf courses were desegregated and when segregation ended at the libraries and the airport restaurant.

"About nine-tenths of these things they predict never happen," he told the Kiwanians.

In other matters, Hartsfield predicted that the new Kennedy administration would take special interest in the problems of urban transit.

Expressways have proved an inadequate solution, he said, because "as fast as you build them, they get clogged up."

He predicted the time will come when government limits the number of single-passenger cars allowed to drive downtown.

The mayor made an appeal for support of proposed legislation to allow city employes to come under social security.

He said obtaining and keeping trained personnel is becoming increasingly difficult. Comparable county employes have far better retirement benefits, he declared.

# Sit-In Truce Aids Atlanta's 'International City' Bid

ATLANTA (ANP) -- Atlanta may have moved a step closer in its announced bid to become an international city with the announcement last week that a group of leading merchants have agreed to end lunch counter segregation within a few months.

Mayor William B. Hartsfield, in a recent statement to Atlantans, said if the city wanted to fulfill its hopes of becoming a major convention city and have an international airport, Atlanta citizens would have to act like international people.

He said, in effect, that segregation is a costly system and that the practice stands in the way of Atlanta's aspirations for becoming an international metropolis.

SIGN SIT-IN TRUCE

Atlanta merchants and Negro leaders reached an agreement to end sit-in demonstrations in exchange for the promise by store operators to introduce lunch counter integration as soon as the Atlanta public school system is integrated, an event now scheduled for this fall by school authorities.

The lunch counter agreement was announced by Ivan Allen, Jr., president of the Atlanta Chamber of Commerce, who said representatives of two major department stores and eleven chains of drug and variety stores had joined in the settlement.

Allen said the agreement calls for cessation of sit-ins and picketing at 75 stores, many of which have been closed because of the demonstrations, and operation of lunch counters in these places on a segregated basis for the time being.

VICTORY IN MOVEMENT

The action appeared to be a victory for the Atlanta segment of the widespread sit-in movement.

Also signing were Martin Luther King, Sr., father of the well-known integration leader, and Lonnie C. King, Negro student leader. He is not related to the M. L. Kings.

The statement came one day after the Georgia legislature adjourned for the year.

CITES UNIVERSITY INTEGRATION

The statement said "leading merchants have stated that it is their decision to carry out in lunch rooms and other facilities the same pattern as has been recognized and evidenced" by admission of two Negro students to the University of Georgia.

It cited also the decision of the Atlanta school board to comply with federal integration orders this fall and actions of the late Georgia General Assembly in repealing the state's massive resistance anti-segregation laws.

A. T. Walden, a Negro lawyer who served as special negotiator, said the agreement also that 500 or 600 Negroes who had lost jobs in stores affected by sit-ins would get them back where practicable.

Walden said setting of a "time certain" for desegregation was a factor in the acceptance of the agreement.

The agreement has the effect of putting additional emphasis on the school issue. On the other hand, chamber spokesmen said, it assured a calmer mood for school integration.

"The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible," the statement said.

VOID KING'S SENTENCE

The statement was subscribed to by Rich's and Davison's department stores, by the Walgreen's, Jacobs, and Lane's drug chains, and by the Woolworth, McCrory, Grant, S. H. Kress, Kresge, H. L. Green and Newberry variety chains. Sears-Roebuck also signed.

In another development tending to ease racial tensions, the Georgia Court of Appeals voided a 12 month jail sentence given Martin Luther King, Jr., Negro integration leader, in a traffic case and ordered the case returned to the DeKalb county court for a lesser sentence. The voiding of the sentence against Martin Luther King, Jr. was based on a ruling that the DeKalb county court had exceeded statutory authority in imposing a 12 month sentence on King's plea of guilty to operating a car with an improper driver's lecense. The Court of Appeals said the maximum penalty is six months in jail plus a fine.

## ATLANTA PACT ADOPTED TO END SIT-INS

### Effective as Schools Are Integrated

Atlanta, March 7 [Special]—An agreement between Atlanta merchants and Negro leaders for an immediate end to lunch counter sit-in demonstrations in return for a promise of lunch counter integration within a few months was announced today.

In another development tending to ease racial tensions, the Georgia Court of Appeals voided a 12 month jail sentence given Martin Luther King Jr., Negro integration leader, in a traffic case and ordered the case returned to the De Kalb county court for a lesser sentence.

Join in Settlement

The lunch counter agreement was announced by Ivan Allen Jr., president of the Atlanta Chamber of Commerce, who said representatives of two department stores and several chains of drug and variety stores had joined in the settlement.

On behalf of Negroes, the agreement bore the signatures of several Negro leaders, including Martin Luther King, Sr., and Lonnie C. King, a spokesman for Negro college students active in the sit-ins.

Allen said the agreement calls for cessation of sit-ins and picketing at 75 stores, many of which have been closed because of the demonstrations, and operation of lunch counters in these places on a segregated basis for the time being.

Linked to Schools

Store operators promised however to introduce lunch counter integration as soon as the Atlanta public school system is integrated, an event now scheduled for this fall by school authorities.

The voiding of the sentence against Martin Luther King Jr. was based on a ruling that the De Kalb county court had exceeded statutory authority in imposing a 12 month sentence on King's plea of guilty to operating a car with an improper driver's license. The Court of Appeals said the maximum penalty is six months in jail plus a fine.

## Atlanta Truce OKd by Stores And Negroes

ATLANTA, Ga., Mar. 8 (AP).—An agreement designed to tie desegregation of lunch counters at major downtown stores to integration of Atlanta public schools has bee nreached by downtown merchants and Negro leaders.

The agreement, announced yesterday, was hailed by white and Negro leaders as signaling the end of a year of sit-in demonstrations and picketing which have resulted in the arrest of a number of Negroes.

There was no immediate word as to whether the agreement will affect State charges facing sit-in demonstrators arrested for violating the State's antitrespass law.

Announcing accord on the issue were Ivan Allen, jr., president of the Atlanta Chamber of Commerce, and A. T. Walden, veteran Negro attorney who interrupted his recent retirement to participate in the negotiations.

Under the agreement, lunch counters, closed as a result of the sit-in demonstrations, will be reopened immediately on a segregated basis. Dining and other facilities will be desegregated within a reasonable time after desegregation of the Atlanta public schools.

The Atlanta School Board is under Federal Court order to integrate the 11th and 12th grades next fall.

The Negro leaders pladged to make every effort to end immediately lunch counter sit-in demonstrations, picketing and boycotts of downtown stores. Mr. Walden said the merchants also agreed to rehire where practicable the 500 to 600 Negroes laid off as a result of closing lunch counters and the boycott.

Mayor William B. Hartsfield said the agreement represented large concessions on both sides and said it "puts us all on our mettle in seeing that the school integration next September is brought about without any disorder and without outside interference."

He added a warning that outside rabble-rousers will not be tolerated.

"We have heard," Mayor Hartsfield said, "that the professional rabble-rousers around the South are planning to converge on Atlanta in September and we want to warn them now that we will tolerate no rabble-rousing, no disorder and will proceed to handle it with a firm hand and sternness. The time has come for these professional rabble-rousers to be put in their place and if it is necessary, Atlanta will do it in September."

# Capitol Sit-In Curb Passes Senate, 30-0

The Georgia Senate Wednesday approved a bill which could prevent the recurrence of Negro sit-in demonstrations at the Capitol.

The Senate passed by a 30-0 vote a bill which limits the use of the Capitol Building, outside of its usual functions, to "refreshment stands" for state legislators and their guests.

Sen. Gordon Knox Jr., administration floor leader, said the amendment was being offered "for reasons known to all."

The cafeteria in the Capitol basement was closed follwing the sit-in demonstrations there.

In other actions the Senate passed five other bills and indefinitely postponed a resolution which opposed the proposed merger of the Atlantic Coastline and Seaboard Air Line railroads.

One bill passed by the Senate is aimed at prosecution of persons who organize juvenile theft rings.

The bill approved by a 38-0 vote allows the prosecution of stolen goods receivers to proceed where the thief is under 17 years of age or is insane.

The Senate approved by a 30-3 vote a bill to allow the Georgia Real Estate Investment Board to make more loans. The bill allows the board to refund loan application fees where loans are denied.

Other bills the Senate approved would put employes of the State Board of Corrections under the Employes Retirement System and permit retired employes to continue making payments into the system.

Meanwhile, the Senate Rules Committee cleared for action a bill which would provide for the purging of voter registration rolls every three years for failing to vote. The state law now provides for purging every two years.

Introduced in the Senate were bills to crack down on fraudulent advertising and one to permit corporations to negotiate loans above $2,500 without any restriction on interest rates.

The advertising measure provides fines of $200 to $1,000 or 20 days' imprisonment for using "untrue, deceptive or fraudulent" facts in advertising.

The bill would not apply to radio or television stations or newspaper and magazine publishers who use the advertisements "in good faith without knowledge" of their false content.

Sen. Howard Overby of Gainesville, author of the bill on corporation loans, said large corporations are sometimes willing to pay higher interest rates than are allowed by statutes when they need large sums of money.

# 1,500 Stage Ga. 'Sit-In' March

ATLANTA — (UPI) — Negro students marched on downtown Atlanta Wednesday and threw up picket lines in front of stores in a demonstration marking the first anniversary of sit-ins at segregated southern lunch counters.

A student leader, Lonnie King Jr., estimated the number of demonstrators at 1,500. Police gave no estimate of the number.

The group marched into the downtown area from the Morris Brown college campus a mile away.

Picket lines were strewn in front of stores covering a six-block area. Signs bearing "Jim Crow Must Go," and similar messages were carried by more than 100 demonstrators

Police said there were no disorders and none of the students were arrested.

**ATTEND RALLY**

The group, after picketing less than an hour, returned to the college to attend a rally in the school chapel.

King, recognized leader of the group, gave a short speech in which he called for renewed demonstrations.

King said boycotting and picketing of Atlanta stores was "effective" during the Xmas shopping period. But he said boycott activity "has slackened off" during the past few weeks.

"With Easter coming up," King said, "now is the time to revive our efforts. We can hold out longer than they can."

The sit-in movement began at an F. W. Woolworth store in Greensboro, N. C., Feb. 1, 1960.

Atlanta Mayor William B. Hartsfield indicated he considered Wednesday's activity merely a continuation of routine demonstrations which had been conducted on a day-to-day basis for the past month.

However, store owners said there was an unusual amount of parading and obviously a great deal more demonstrators than in the past.

By shortly after noon, long lines of hundreds of Negroes each began forming in informal parade fashion down sidewalks as the Negroes mustered their ranks for a return march to the campuses of a Negro university center here.

# Rev. A. D. King Out On Bond In Traffic Case

ATLANTA, Ga. — (SNS)

The Rev. A. D. King, of Atlanta and pastor of a Newnan, Ga. church was lodged in Fayette County jail Saturday on a charge of driving under the influence of alcohol, the State Patrol said Tuesday.

Arresting Patrol Officers C. N. Hendrix and B. G. Williams stated that Rev. King admitted that he had been "drinking beer".

Trooper C. M. Stallings stated that Rev. King was arrested April 26 in Coweta County on charges of failing to report an accident and losing ocntrol of a vehicle.

Rev. King was later released from his latest charge when his father posted a $600 property bond.

# Negro Integrationists Plan Largest Atlanta Meeting In History On Sunday At Jail

BY THE ASSOCIATED PRESS

Negro leaders of sit-in attacks on segregated lunch counters have called for the largest meeting of Negroes in Atlanta history Sunday to bolster the morale of students and ministers arrested for sit ins.

The mass meeting is to be held at the Fulton County jail where 77 students and eight ministers are being held. They have refused to make bond of $100 each after being arrested on charges of violating the state's anti-trespass law.

Plans for the Sunday rally at the jail were announced Wednesday night by the Rev. William Holmes Borders at a meeting called to demonstrate adult support of the sit-in demonstrations. An estimated 1600 were present at the Warren Memorial Methodist church.

Terming the anti-trespass law unjust the Rev. Martin Luther King Jr., chairman of the Southern Christian Leadership Conference told the meeting the students and ministers were justified in violating any law they believe to be unjust.

He said that by going to jail the Negroes also are dramatizing the injustices which Negroes undergo in the United States and avoiding a costly legal battle to repeal the anti-trespass law.

King also warned that Georgia Negroes will not accept token integration of public schools on a permanent basis, declaring. "You can n more have token integration than you han have token democracy."

The eight ministers, seven Negro and one white, were arrested Wednesday when they took seats in the restaurant of the Terminal railroad station and refused to leave.

The Rev. Otis Moss Jr., 25, pastor of the Providence Southeast Baptist Church, who served as spokesman for the group, said they would remain in jail with the students already held for trial in Fulton County Criminal Court.

Moss said the group felt "compelled to join a protest against a sick, vicious and undemocratic society that condones segregation and discrimination."

The Rev. Ross W. Anderson who gave his address as Washington, D. C., and said he was a missionary - at - large from the biracial Koinonio Farms near Americus, Ga., told booking officers who asked his race:

"Just put me down as a human being."

Mrs. Clarence Jordan of Koinonia said Anderson is white and no longer is a member of the farm.

Five more Negro students were arrested Wednesday at Sumter, S. C., after a scuffle with police who broke up a march of 300 Negro students on Sumter's Main Street.

The students formed at Morris College, a Baptist supported institution about six blocks from the downtown area, and had marched only two blocks when Police Chief E. E. McIntosh advised them to disband.

When the leaders failed to halt police moved in and a reporter said five of the marchers were wrestled into police cars. The parade broke up after the arrests

# Demonstration At Jail Called Off

Atlanta Daily World
Atlanta Ga.
Jan 22 1961

A scheduled rally to support jailed sit-ins here has been called off after a "re-evaluation" of the situation, The Rev. William Holmes Borders, chairman of the Student-Adult Liaison Committee disclosed Saturday afternoon.

Rev. Borders said the meeting will be held instead today at Wheat Street Baptist Church at 3 p.m. with the Rev. B. Joseph as speaker.

The meeting was called off because the sheriff of Fulton County had indicated a mass rally could not be lawfully held on prison grounds, the minister said.

And official statement from the organization said:

"We have reconsidered the proposal to hold a mass prayer meeting at the Fulton County Jail on Sunday, February 19 after consultation with members of our committee whose concurrence was secured and due hereby cancel the said mass prayer meeting at the Fulton County Jail.

"We reaffirm our rights to hold such a meeting and we believe it is in keeping with our fundamental aims to pray always for guidance and deliverance from injustice and denial of human dignity.

"However, because of the urgent appeal to us by county and city officials, charged with the responsibility of maintaining law and order, and because we have never had the slightest desire to cause undue racial tension, we therefore, have decided not to hold the mass prayer meeting at Fulton County Jail as planned, but it will be held at Wheat Street Baptist Church at 3 p.m."

The Rev. William Holmes Borders, chairman of the committee had said earlier Friday afternoon the group would "reevaluate" its plans at a meeting during the evening. He said there has been "some mention" of the jailed students making bond following the Sunday rally.

Out at the Fulton County jail, Chief Jailer Carl Smithwick, Sheriff Ralph Grimes, Atlanta Police Chief Herbert T. Jenkins and Warden Carl Mills all advised against the demonstration.

Smithwick said "There is some tension already in the jail, and I feel that it's unwise for the demonstration to take place because we're overcrowded."

The reports of a possible Klan counter - demonstration came from Hartsfield. He said his main concern was for the security of the jail, which is a part of our system of law enforcement and as such is entitled to the same respect as the verdicts of the courts."

Deputy Appointments Frowned Upon

Atlanta Daily World p. 1
Atlanta Jour. Sat. 3-4-61

# Grand Jury Hits Sit-Ins; Court Draws 39 More State Accusations

By STANLEY S. SCOTT

Thirty-nine additional criminal court accusations were processed Friday, March 3, against college sit-in demonstrators, accused of violating Act 497 of the General Assembly of Georgia, approved February 18, 1960.

Asst. Solicitor James L. Webb announced Thursday the filing of 26 accusations to swell the total to 65 students being charged with breaking the anti-trespass law.

The Thursday accusations were signed by H. J. Sprayberry, owner of Sprayberry's cafeteria on Peachtree St., scene of the first sit-ins last month. Affadavits were signed yesterday by Don Carlos operator of Denny's Grill, 66 Forsyth St., S. W., where students attempted to integrate eating facilities February 8 and 9.

John L. Kelley, Criminal Court solicitor meets weekly with the criminal court judges to draw up a calendar of cases set for trial the following week. It is expected that the sit-in cases will be heard within the next two weeks.

The approaching sit-in trials will mark the first time that the newly enacted Georgia anti-trespass law has been tested.

Affidavits were drawn up Friday against the following students in connection with demonstrations at Denny's Grill: Frank Smith, Jr., Charles Williams, John Alton Bryant, Julian W. Blackshear, Ralph L. Stephens, Eric A. Winston, Roland L. Turpin, Roy C. Crittendon, Wilbur M. Byrd, Johnny Bullock, Jr., Alton H. Stephens, Patricia Ann Tate, Bradley F. Watkins, L. Mae Sherman, Edith Simmons, Bozalene Smith, Harry J. Spencer, Barbara L. Middlebrooks, Florence Miller, Prince Martin, Jr., Louis H. Nevett, Nazetta O'Neal, Benjamin A. Hardeman, Joe E. Johnson, Vivian P. Handsford.

Others named were: Mary Lee Gholston, Adolphus Lee Campbell, William F. Cummings, Vivian Calhoun, Delores Aldridge, Marshall A. Barrett, Edward Baldwin, Marvin R. Anderson, Wilbert Dixon, Jacqueline Brown, Rebecca Brown, Patricia Simon, James J. Joyner, Willie J. Stewart.

**GRAND JURY HITS SIT-INS AND DEPUTY SHERIFF SELECTIONS**

The January-February Fulton County Superior Court Grand Jury released presentments Friday voiced against sit-in demonstrators and the manner in which Fulton County Deputy Sheriff's are selected.

Atlanta Jour.

The jurors stated, "This Grand Jury deplores the continuation of actions calculated to result in a violation of the law by an element of our community. We are not concerned here with the issues of segregation or integration, but rather with the serious consequences inherent in any flagrant and continued violation of law, or acts intended to bring about a violation of law. We recognized that any citizen has the right to disagree and demonstrate his opposition to any law or social custom through peaceful means. Efforts to gain equal rights within the law, however, are not consistent with the breaking of laws; nor is the violation of private property to gain these ends justifiable. To do so is to reason that only those laws with which we agree are to be supported, and that all others may be broken with impunity."

The Fulton Grand Jury further stated, "We are constantly impressed with the need throughout our community for a greater respect for law and order and the due process of law. It would appear to us that local dissident groups do a disservice to their cause and reflect upon the maturity and responsibility of their leadership by their encouragement of a disregard for law."

In disagreeing with the present method of appointing deputies, the jurors stated, "While more restraint appears to have been used in the appointment of deputies by the sheriff since January 1, 1961, this jury feels that some individuals are still being appointed who merely profess a need to carry a pistol. As pointed out by the September-October grand jury, gun carrying licenses may be obtained from the Ordinary.

The title of deputy sheriff implies a certain degree of authority. We feel that the general public assumes that so-called "special" deputies are vested with authority, and we are concerned that unjustifiable appointments tend to lessen respect for our professional law enforcement officers."

GEORGIA

LUNCH COUNTER
SAVANNAH, GEORGIA

# To Rule On Savannah Sit-Ins Within A Month

ATLANTA, Ga. — (SNS) — The Georgia Court of Appeals is expected to make a ruling within a month or two regarding the appeals of five Negro sit-in demonstrators arrested in Savannah under the Georgia's 1960 trespass law.

The arguments in the case were heard by the Court of Appeal Judges here Thursday. They were faced with the basic question of whether a store owner may discriminate on the basis of race.

The state attorneys conceded that Savannah merchants had discriminated in refusing to serve Negroes, but they further argued that the merchants had that right.

The attorneys for the demonstrators however, contended that the 1960 trespass law is invalid because it is being, they said, used solely against Negroes.

The five demonstrators who are the subjects of the appeal were arrested in Savannah after they declined store managers requests to leave the premises. They were fined $100 each after conviction in Savannah. They were represented in the appeals court by Attorney E. H. Gadsden.

**STATE ACTION**

The state attorneys, led by Deputy Asst. Atty. Gen. Sylvan A. Garfunkel, argued that discrimination was made before the state stepped in. "What the state was doing," he said, "was arresting someone who was trespassing."

Garfunkel cited several federal court rulings upholding the right of a store owner to exclude Negroes.

But Attorney Gadsden said the Savannah demonstrators did not enter a store or restaurant which excluded Negroes, but were customers at stores which "only have discriminatory practice a t lunch counters.

Gadsden said the demonstrators' appeal was "not an attempt to make any person do business with anyone but to prohibit the state from punishing an act which is not in itself illegal."

He further argued that the 1960 trespass law "does not mention race, but that is only due to the ingenuity of the Legislature."

A decision on the case may be a month or two away, according to reports.

The court also heard appeals of two Savannah demonstrators who were arrested under an unlawful-assembly law.

Attoneys for the demonstrators argued that there was not evidence the two had assembled to commit an unlawful act. The state's attorney argued that the demonstrators knew their presence would cause the shut- down of the lunch counter and therefore had gathered for the purpose of disturbing the peace.

# Court Confirms Convictions In Georgia Sit-Ins

Atlanta — The conviction of Negro sit-down demonstrators at Savannah were affirmed recently by the Georgia Court of Appeals.

Twenty-two were fined $100 each under a 1960 George act aimed specifically at such demonstrations. It makes it a misdemeanor to disobey an order of the owner to leave a place of business.

Counsel for the Negroes attacked the law as racially biased.

The appeals court said the only point at issue in this prosecution was whether the evidence justified the lower court verdict. It hald that the evidence was ample.

Ten were convicted under an unlawful assembly law. Their counsel had argued before the Court of Appeals that there was no evidence that they had assembled to commit an unlawful act.

The court, however, leaned toward the argument of the states' attorney that the Negroes knew their presence would cause a lunch counter shutdown and therefore had gathered for the purpose of disturbing the peace.

# Walkout Wave In Savannah Slows

SAVANNAH, Ga. (UPI)—Threats of possible fines or imprisonment for parents appeared Thursday to have stemmed the wave of protests which threatened to empty the classrooms of every Negro high school in Chatham County.

Student and NAACP leaders had predicted that the number of Negro pupils not in school would number at least 3,500 by Thursday.

But nearly all of those who had walked out of Beach Senior and Beach Junior high schools returned to class and the protest never got off the ground at another.

All of the students were still out at Sol C. Johnson High School, where the boycott started when word got out that the Chatham County board of education was not renewing the contract of the school's popular principal, Harvard educated Al Cheatham.

But there were only about 10 per cent out at the two Beach schools and a scattered handful elsewhere for a total of about 1,400 — barely 40 per cent of the predicted number.

**HEEDING WARNING**

Benjamin Clark, the 17-year-old Johnson High junior who has spearheaded the protest with N. A. A. C. P. guidance, insisted that it would pick up momentum Friday. But Thursday's return to classes indicated Negro parents were heeding a warning by Sol. Gen. Andrew J. Ryan, Jr., that they would be liable for $100 fines or 30-day jail terms on truancy charges if the children stayed out of school.

The Johnson High parents were scheduled to meet Thursday night to talk the matter over. They were called together by Jose Williams, prominent Negro chemist. Williams also invited top city, county and school officials but none of them was expected to attend.

Williams charged that the situation worsened when the board of education allegedly "demanded that teachers of Sol Johnson call every parent and tell them to return their children to school." He said the parents responded by calling each other to pay no attention to the teachers' calls.

State Board of Education member Paul Stone of Waynesboro said in Atlanta that Chatham County was losing money because of the boycott and said he favored invoking the compulsory school attendance law calling for the fines and possible jail sentences.

**NO JURISDICTION**

Stone said that although state authorities have no jurisdiction in the matter, he favored local level action to prevent a huge loss of state funds for the Chatham County school system as a result of the boycott. Stone explaied that state school allocations are based on average daily attedance and the boycott could cause a sizable reduction n the county's allocation for next year.

Ryan held a conference with a special grand jury committee late Wednesday and then issued his warning. County School Supt. Leon McCormac added a warning of his own when he indicated in a statement that some Johnson High seniors might not graduate.

The battle between the all-Negro student body and the all - white board of educaton erupted Monday with the picketing of the board's headquarters by 60 Negro students. Twenty-three students and an adult minister were arrested and 21 of the students bound over to city court on charges of unlawful assembly and interfering with police duties.

Basis of the picketing was a protest against the board's dismissal of the 33-year-old Cheatham.

Cheatham resigned his $8,300-a-year job immediately instead of waiting until the end of the school year and his former students walked out of school.

**REASONS NOT ANNOUNCED**

Neither school officials nor Cheatham have commented on reasons behind the dismissal. But W. W. Law, state president of the N. A. A. C. P., said it was because the board considered Cheatham "too progressive" and because the Negro principal had been active in an organization which encouraged and guided Negro voting.

The Savannah Morning News on Thursday in an editorial accused the NAACP of "antagonizing the situation." The editorial charged " . . . the NAACP action . . . is shameful. Even more shameful is the NAACP effort to extend the student boycott beyond the boundaries of the school involved."

Some of the Johnson High students took advantage of their self-imposed school holiday Thursday to swing into action on another racial front. They started staging sit-in demonstrations at Savannah 10 cent stores about noon. Observers said groups of six sought service at segregated lunch counter

miles to the south, it also would serve an entire region in west Georgia, State School Supt. Claude Purcell said.

Previous plans had called for placing the transmitter in the immediate Columbus area. Purcell said under that plan the station would serve little but the Columbus and Muscogee County schools.

The board named a delegation to seek the needed $200,000 from Gov. Vandiver. The board must certify in its application to the FCC that it has necessary funds to go through with the project.

No End Seen in Savannah

# Boycott Enters 57th Week

By Trezzvant W. Anderson
(Courier Roving Reporter)

SAVANNAH, Ga. — With no apparent end in sight for the battle between the Savannah NAACP and boycotted white downtown merchants, the boycott has headed into its 57th week.

Easter mass meeting was featured by a speech by John F. Davis, president of the New Jersey State Youth Conference of the NAACP and a Lincoln University student leader. He was introduced by Jesse Blackshear, a local youth leader, as a great freedom fighter.

**Mr. Davis assured the audience that the Northern Negro is behind the Southern Negro's movement. He deplored the fact that President Kennedy's priority bills did not include a civil rights bill and that the President could find but one Negro in America who was qualified for a cabinet post.**

Mr. Davis urged Negroes to go to the polls and make his presence felt that way.

■

**PRESIDENT** Westley W. Law told of some "sit-in" incidents, one of which led to the first integrated use of the lunch counter at the H. L. Green store. At that store, three days before Easter, Roscoe White, a sit-inner, was sitting at the counter, when one of a group of white airmen bought him a coke and Roscoe sat at the counter and drank it.

At W. T. Grant's store, Mr. Law said, a young sit-inner, Gwendolyn Colbert, was struck, and white persons testified that the white woman accused of striking her did not hit her. Judge Stella Aiken refused to issue a warrant.

Mr. Law deplored the fact that some Negroes are still buying downtown in spite of the appeals of the NAACP to stop buying segregation.

Meanwhile, Supreme Court Chief Justice Earl Warren was burned in effigy here, allegedly by White Citizens Council members, who also angrily charge Mayor Malcolm Maclean with holding secret meetings with Negro leaders.

# Atlanta Sit-In Victory Predicted By January

Chicago Defender Chicago, Ill.
1-(7-13)-61
P. 9

Lunch counters in Atlanta department and variety stores will be opened to all citizens in January, a leader of the Committee On Appeal for Human Rights in the Georgia capital, told the Defender while on a visit to Chicago.

The youth leader, Kenneth Crooks, jr., Fort Walley, Ga., who is president of the graduate student body at A.U. said that efforts by liberal Mayor Hartsfield of Atlanta are directed toward a January break through. Crooks and Miss Yvonne Tucker, 18, a pretty coed who spent four days in jail after a sit-in, are here to raise funds to mimeograph and mail several thousands of letters in answer to queries about the student movement from all over the U. S.

Joseph H. Kline, jr., Chairman, Chicago Youth Committee on Civil Rights, interviewed with the southern students, said while his group also needs funds, it would help the Atlantans raise money. Contact has also been made with the American Friends Service Committee which has expressed interest.

The students praised the work in Atlanta of the Student-Adult Liaison Committee composed of student leaders, A.U. president Rufus Clement, and prominent insurance and real estate executives. The Rev. William Holmes Borders is chairman. Crooks said the Committee performed an invaluable function of bringing together leadership from the nearly 7,000 A.U. students and over 100,000 Negroes in the city.

After their expected success in helping to open the lunch counters, the student movement expects to work on opening up recreational facilities such as skating rinks, bowling alleys, etc.; and also to seek wider job opportunities for Negroes in Atlanta.

During the sit-ins the students were divided into four groups: those who would picket only ("There were thousands of those," Crooks added); those who would picket and sit-in but move when asked; those who would sit-in and if need be, go to jail, and those who would sit in, go to jail and refuse bail bond.

Miss Tucker, one of the toughminded fourth group, said the jail matrons were "nice, but the food was bad." Her parents were proud of the stand she took, she said. The Spelman junior is a psychology major.

Crooks, a senior at A.U.'s Graduate School of Business, said the Atlanta police have been, on the whole, fairminded and have afforded the demonstrators protection from violence by whites.

Crooks is staying with his sister, Mrs. Cynthia Carpenter of Maywood, and Miss Tucker with Miss Gladiola Hardy, 9375 Stewart st.

Contributions may be sent to "The Committee On Appeal for Human Rights or "Sit-Ins," Atlanta University Center, Atlanta, Ga.

# Prolonged Sit-in Held In Drugstore

The Atlanta Journal Constitution
Jan 19, 1961

A small group of Negro students—who brought lunches and college textbooks with them—staged a prolonged sit-in demonstration Saturday in a downtown Atlanta drugstore which had quietly reopened its lunch counter.

The Negroes—student leader Lonnie C. King among them—arrived at the Lane-Rexall store at Peachtree and Ellis Streets shortly before 9 a.m. Saturday. The counter was closed and they were not served. They were still there five hours later and showed no signs of leaving.

One of the students said semester final examinations are currently in progress at the Atlanta University System and the drugstore provided a good place to study for them.

The students announced a week ago that they are currently limiting picketing activities to Friday afternoons and Saturday. However, a check Saturday afternoon of stores under the boycott seige turned up no signs of picket activity.

But a small group of robed Ku Klux Klansmen turned up downtown Saturday. They were distributing handbills announcing a segregation meeting scheduled for Jan. 28 at 8 p.m. at the Tower Theater.

# Drug Counter Closes When Students Appear

Atlanta Daily World
Atlanta, Ga.
Jan 19, 1961

A drugstore lunch counter that had quietly reopened for white customers only was closed again when four Negro college students staged a sit-in demonstration at the downtown drug counter Monday, it was revealed Wednesday.

The youths entered the Lane-Rexall drugstore at Peachtree and Ellis streets just before 2:30 p. m. and took seats at the counter, where waitresses were busy serving seated white customers.

Signs proclaiming "fountain closed" were immediately posted by store managers who ceased service at the eatery and allowed no more food customers—Negro or white—to take seats.

The Lane-Rexall store was one of several downtown stores which were hit by demonstrators last October and November in efforts to end lunch counter segregation in Atlanta.

For a while, the Rexall store tried to keep its counters open for business by stopping operations whenever Negroes asked for service. But, it began giving take-out service only in mid-December and kept it up until recently when they quietly resumed lunch counter service on an all-white basis.

# Legality Of Trespass Laws Used Against Sit-Ins Hit

The Louisiana Weekly
New Orleans, La.
Jan 21-61
P. 34

ATLANTA---(ANP)---A basic question raised by sit-ins—whether a store owner may discriminate on the basis of race was placed squarely before the Georgia Court of Appeals here last week.

The same legal question is pending before the Virginia Supreme Court and the United States Supreme Court.

The state conceded that Savannah merchants had practiced discrimination in refusing service to Negroes but argued that the merchants had that right.

Attorneys for the demonstrators argued, however, that Georgia's 1960 trespass law was being used solely against Negroes and that the arrests were therefore invalid.

Being argued were the cases of five sit-in demonstrators arrested in Savannah under the trespass law, convicted and fined $100 each.

The five were arrested after they declined store managers requests to leave the premises.

Negro attorneys contend the arrest was use of state power to enforce segregation.

But Deputy Assistant Atty. Gen. Sylvan A. Garfunkel cited several federal court rulings upholding the right of a store owner to exclude Negroes.

But Negro Attorney E. H. Gadsden contended that there is no clear precedent for these cases.

The Savannah Negroes did not enter a store or restaurant which excluded Negroes, he stated, but were customers at stores which "only have discriminatory practice at the lunch counters."

Gadsden said the Negroes' appeal was "not an attempt to make any person do business with anyone but to prohibit the state from punishing an act which is not in itself illegal."

Gadsden argued that the 1960 trespass law "does not mention race, but that is only due to the ingenuity of the Legislature.

A decision may be a month or two away.

# Orders Ga. Probe Of Sit-Ins

Chicago Defender
Chicago, Ill.
1-(21-27)-61
P. 9

ATLANTA — (ANP) — Fulton Superior Court Judge George P. Whitman, sr., charged the January term grand jury last week to direct particular attention to the sit-in demonstrations in Atlanta.

About the sit-in operation, the judge cited law cases which held that property owners had the right to exclude persons from their property, that those who refused to leave were guilty of a misdemeanor, that their conspirators in such action should be treated as "principals."

Judge Whitman said the grand jury has no right to initiate civil actions on behalf of property owners, but should see that violators of criminal laws are prosecuted.

The judge sharply rebuked any attitude through which a person decides by his own conscience whether a law is just and should be respected and obeyed.

The judge condemned the bombing of the English Avenue school.

# Negroes at Rally Cheer Call for More Support

The Atlanta Constitution
Atlanta, Ga.
Mon. 2-26-61

By BRUCE GALPHIN

Several hundred adult Negroes rallying at the Wheat Street Baptist Church Sunday in support of the student sit-in movement cheered a demand for a speed-up in ending discrimination.

"Today is no time for hanging heads and dragging feet," declared the Rev. B. Joseph Johnson, one of eight ministers who spent a day in jail in sympathy with the students.

"Time alone does not solve problems," Johnson asserted. "Men work out difficult problems.

"The time is right when people get right . . . I do not share the view of those who say 'wait.' I am not a student of gradualism. The time is now."

**CONTRIBUTE DOLLARS**

Negroes in the audience, almost all adults, lined up to contribute several hundred dollars to support the student movement.

Originally, the Negroes had planned a march on the county jail to demonstrate their support of the students.

They were persuaded by pleas from Sheriff Ralph Grimes and other county officials that such a demonstration might upset other prisoners at the jail.

Fulton County Commissioner Jim Aldredge issued a statement Sunday afternoon praising the move as an act "for the best interests of all our citizens."

**STUDENTS REPRESENTED**

The students did not attend the movement but were represented by Miss Herschelle Sullivan, co-chairman of the Student-Adult Liaison Committee, who brought greetings from 87 jailed students.

"They say they will stay 'until'," Miss Sullivan declared.

She added that students would have preferred marching on the jail but "yielded to wiser judgment."

In his speech, Johnson called for "racial solidarity" to support the students.

"In the words of Georgia's most notorious race-baiter, Roy Harris, these students have guts," he asserted.

"They are in jail," he continued, "because they want to enjoy freedom.

**SHOW THE WAY**

"The new Negro," Johnson continued, "will not rest until all the indignities on the American scene are eradicated. Our young folks today are saying: 'Don't tell me so much. Just show me the way.'

"This is not a Borders movement. This is not a Lonnie King movement. This is not a Miss Sullivan movement. This is not a B. Joseph Johnson movement. This is a movement for Negroes throughout the Southland to hasten the day when we will enjoy our constitutional rights as Americans," Johnson said.

**REFERRED TO LEADERS**

(He referred to the Rev. William Holmes Borders of the What Street Church and to student leader Lonnie King as well as himself and Miss Sullivan.)

Borders told the group that "we feel the use to which this (trespass) law has been put is unconstitutional, undemocratic and un-Christian.

"This trespasse law and the use to which is being put needs federal testing. We are not going to tear this town up. We are going to build it up," Borders declared.

Besides Johnson, two other ministers who had been jailed, Walter McCall and Roosevelt Moore, spoke to the group.

# Motion Filed For Continuance Of Sit-In Cases

Atlanta Daily World
Atlanta, Ga.
Fri. 3-10-61

A motion for continuance in the sit-in cases scheduled to be heard Tuesday, March 14, in Fulton County Criminal Court was filed Friday by Atty. D. L. Hollowell, counsel for the defendants.

The 26 sit-in demonstrators were due to be tried in Judge Charles Bruce's court next week to test Georgia's anti - trespass law. They have been accused by H. J. Sprayberry, owner of Sprayberry's cafeteria on Peachtree St., of violating Act 497 of the General Assembly of Georgia.

Atty. Hollowell asked the court for a continuance of the cases on the following grounds: (1) There are 26 defendants listed on the calendar of Tuesday, March 14, 1961 for trial before the Honorable Judge Charles G. Bruce; that the accusations in said cases have only reecntly been prepared and only came into the possession of counsel on or about March 6, 1961. (2) That counsel is scheduled to be on trial in another judicial circuit on Tuesday, March 14, 1961; that said case has been pending for several months.

Hollowell further stated in his petition that, "Because of the volume of cases (26 in all), counsel has not had sufficient time in which to prepare objections to the accusations, nor will there be sufficient time to prepare said objections or to make adequate preparation for trial of said cases prior to March 14, 1961.

John I. Kelley, Criminal Court Solicitor, stated that he met recently with a group of Negro leaders to discuss the trials in view of the Chamber of Commerce statement of agreement ending Atlanta sit-ins over lunch counters. Kelley stated that the men were at his office in an informal gathering Thursday.

# 26 Sit-Ins To Face Trials Here Tuesday

Atlanta Daily World
Atlanta, Ga.
Fri. 3-10-61

Twenty-six Fulton County Criminal Court accusations processed against Atlanta college sit-in demonstrators last week have been filed on the Criminal Court calendar, with the cases set to be tried March 14, in Judge Charles Bruce's court.

The students are accused of violating Act 497 of the General Assembly of Georgia, approved February 18, 1960.

Accusations accusing students of breaking the anti-trespass law were signed by H. J. Sprayberry, owner of Sprayberry's cafeteria on Peachtree St., scene of sit-ins this year.

Thirty-nine additional cases were signed by Don Carlos, operator of Denny's Grill, 66 Forsyth St., S. W., where students attempted to integrate eating facilities February 8-9.

The approaching sit-in trials will mark the first time that the Georgia anti-trespass law has been tested.

More than 70 sitin demonstrators were arrested this year in downtown eating facilities, protesting the practice of segregation.

Several ministers and doctors were also arrested on charges that they violated the Georgia anti-trespass law.

Asst. Solicitor James L. Webb announced that it is doubtful that complaints will be filed against the ministers and doctors.

The students arrested refused $100 bail and stayed in jail for more than two weeks. A petition was allegedly passed through portions of the Negro community with adults signing, declaring their support of the student movement. Students then accepted bail and were released from jail.

**SIT-IN CASES TO BE TRIED**

Sit-in cases to be tried Tuesday include the following students: Harold Andrews, William Beasley, Gene Edward Flowers, Marsha Goodwin, Leon Greene, Suzon Grimes, Wilford Hepburn, Frank Holloway, Richard Hope, Lonnie Cecil King, Jr., Harold Middlebrook, Ralph M. Moore, Daniel Mitchell, Ernest Moore, Charles Person, Johnnie Price, William Robinson, Charles Smith, E. Christine Sparks, Herschelle Sullivan, Lenora Taitt, Solomon Taylor, Yvonne Tucker, Leroy Washington, Robert Y. Watley, Laurine Weaver.

# Sit-Ins Cited As Awakening Force In U. S.

Journal and Guide
Norfolk, Va.
Sat. 3-11-61

ATLANTA, Ga. —The student sit - in movement has accomplished more than people think, more than have 10 years of legislation, in that it has reawakened older Negroes and stirred the consciences of people, M. Carl Holman told an Atlanta University center Town Meeting last week.

The other members of the panel, which was assessing the successes, failures, and prospects of the movement, agreed with the editor of the Atlanta Inquirer. Lonnie King, chairman of the Committee on the Appeal for Human Rights, said that the stuents had disturbed the complacence of the "black bourgeoisie" and aroused the consciences of the Negro middle - class Margaret Long, columnist for the Atlanta Journal,, said that not many white people have avenues to say what they mean, but that the movement was causing them to think and, by taking thought, to add cubits, to their stature.

If segregation does not crumble, there will be many more years of the movement, Mr. King said, noting that the white man can stand years of litigation, but not direct action.

38a 1961

GEORGIA

JULY 1961
SAVANNAH- LUNCH COUNTER
SAVANNAH RESUMES DOWNTOWN SHOPPING

# Savannah Resumes Downtown Shopping

The Louisiana Weekly

SAVANNAH, Ga. - This city's 60,000 Negro citizens began shopping in 18 downtown stores this week after an absence of 15 months, marking a high point in NAACP history here.

The "no buying" drive, sponsored by the NAACP, was launched in March of last year after several Negro students had been arrested for staging sit-ins against segregated lunch counters. These counters have now been integrated.

A citizens committee, appointed by Mayor Malcolm Maclean, negotiated with NAACP officials under leadership of W. W. Law, president of the local and state NAACP units. Mr. Law also served on the Association's National Board of Directors. A settlement opening the lunch counters to all customers was agreed upon.

Mrs. Mercedes Wright, co-chairman of the "Committee for Withholding Retail Patronage" reported that the Negro community is "extremely happy" and that 3,000 attended the victory mass meeting at St. Phillip's AME Church last week.

The 15-month NAACP drive in this 228 year old seaport city, the population of which is one-third Negro, has had many by-products:

-Negro voter registration is climbing and now stands at 12,500.

-Two Negro bus drivers have been hired for the first time.

-Jim Crow signs have been removed from buses.

-NAACP members have seated themselves in the front of buses without incident, thereby encouraging the rest of the Negro community to follow suit.

-City park facilities have been opened on a non-segregated basis following arrest of seven Negroes for playing basketball in previously all-white Macon Park. This action followed an NAACP petition of protest.

-Rev. Oliver W. Holmes, NAACP official (uncle of Hamilton E. Holmes, first Negro to enroll at the University of Georgia) was named by the city council to a five man park commission.

-One downtown variety store has been closed and two men's shops have moved out of the main shopping district, although both said their actions had nothing to do with the NAACP withholding drive.

-The Cloverdale, Ghana and Springfield Park segregated housing developments for Negroes are begging for tenants.

38a 1961

# Five Arrested At Albany Terminal

Albany's Bus Depot became th center of attraction Wednesda afternoon when five persons we arrested while attempting to use a of the bus facilities in accordanc with the recent Interstate Com merce Commission ruling that a bus depots must integrate it facilities.

Three youths, members of th Albany Youth Council, NAACP Evelyn Toney, Eddie Wilson an Julian Carswell were arrested by Chief of Police Pritchett after they attempted to secure food in the bus terminal restaurant. Thirty minutes later they were bonded out by Mr. Thomas C. Chatmon and Dr. E. D. Hamilton.

The youths were charged with disorderly conduct, tending to create a disturbance. The youths had entered the section of the bus station that prior to November 1st had been reserved for white patron, but today there is no sign at the bus station indicating where whites or colored may enter giving indication that a person may use all of the facilities.

The youth entered the station, bought tickets to Tallahassee, Fla., and took seats. They were not disturbed until they went into the restaurant section. Wilson said he had ordered something to eat and the operator had started preparing it when the Chief of Police told the youths to come outside of the bus station. When they got outside the Chief told them if they re-enter the lunch room he would arrest them. They turned away with out a word and re-entered the place where upon they were arrested.

The three youths who are mem bers of the Albany Youth Council reported that at the time they entered the bus terminal things were relativly quiet with only a few persons present. Th bus station is located near the Negro section and a few Negroes gatherd to see what the Chief of Police had come to the bus station for since he is rarely seen at the bus station, it was reported. The youths deny that they were creating any disturbance and certainly their presence would not disrupt the peace and quiet of the city as was claimed by the Chief.

These three youths are not attending school during this quarter and cannot be expelled as it was stated that any student participating in any move of this kind might be expelled from any state institution.

Dean of Students, Minor of Albany State College was present later in the afternoon when hundreds of Albany State College students came to the bus terminal to leave for their Thanksgiving Holiday to be spent at their respective homes.

Two of Albany State College students, Bertha Gobel of Atlanta and Blanton Hall of Athens were arrested when they entered the section where the white people were seated.

Th bus terminal was a beehive of activity as a result of the earlier arrests. Hundreds of Negroes gathered outside the station while the students prepared to go home for the holidays.

Miss Gobel and Mr. Hall made personal decisions to remain in jail rather than accept bail of $100.

Charles Jones, director of the Albany Student Non-violent Coordinating Committee, along with his staff of Messrs. Sherod and Reddick issued a statement following Wednesday's arrest: "Miss Gobel, in making her decision to stay in jail rather than posting bond, said 'I hope my stay in jail dramatically presents to the community of Albany and the nation the evil and inconvenience of segregation. We have a legal and moral right to use the facilities at the Bus Station as Interstate passengers. Those who should be arrested are those who would violently attack us and actually disturb the peace of the city."

The statement continues "— in a dingy cell on Thanksgiving day, sits a young girl and an innocent boy, in the squalor and filth of the city jail. In a dirty hole, with one unsanitary commode over which hangs a faucet - the only source of drinking water - she and he remain, head unbowed with an unfaltering trust that we who are on the outside are not idle but working and sacrificing for the community we want to build."

Trial has been set for these cases for Monday. Wilson and Carswell said they were searched, finger printed, photographed and treated like the hard criminals are treated But they did not mind if the treatment will help these cause of freedom.

GEORGIA

NOVEMBER

ALBANY- LUNCH COUNTER PROTEST COLLEGE EXPULSIONS

# Negroes Picket Albany City Hall

Constitution State News Service

ALBANY — Several hundred Negro students and adults picketed City Hall here Monday in protest over the arrest and conviction of five Negroes who attempted to desegregate the lunch counter at the Trailways bus terminal here last week.

Some 300 students in the group later marched twice on the Albany State College administrative office with a petition protesting expulsion of two students who took part in the Trailways sit-in.

In recorders court, Judge Abner Israel tried each of the five separately, found each guilty of disorderly conduct and meted out $100 fines, an 15-day suspended sentences to each.

**ALL PAID FINES**

Court records showed all five paid their fines and were released.

The two students expelled from Albany State, Blanton Hall of Gainesville and Bertha Gobel of Atlanta, had remained in jail since last Wednesday, rather than post bond, to protest segregation of the terminal.

At the trial, Albany Police Chief Laurie Pritchett testified that he had ordered the arrest of the Negroes because he believed their presence in the bus station lunchroom would create a disturbance which could have developed into a serious situation.

**NAACP ATTORNEY**

The defendants were represented by NAACP attorney D. L. Hollowell of Atlanta and C. B. King of Albany.

Hollowell argued that under an ICC regulation banning segregated terminal facilities, the defendants had a legal right to use the terminal lunchroom.

He further argued that the arrests were made in violation of the 14th Amendment of the U.S Constitution.

The demonstrators — estimated at 300-400—assembled at 9 a.m shortly before the trial began They sang "We Shall Overcome' and other hymns.

Assistant Police Chief J. J. Lairsey then read the group a city ordinance prohibiting obstruction of sidewalk traffic.

After a brief consultation among themselves, the students then formed a long column and marched around City Hall for about half an hour chanting "Freedom, freedom."

# Negro Role Plays Up Albany Vote

## Record Turnout Indicated Today

By WILLIAM HANNAH
Constitution State News Service

ALBANY—Reports that Albany Negroes plan to stage a mass write-in campaign in Monday's city election have led political observers here to predict a record voter turnout.

The city election, which is normally a routine function, to elect winners of the Nov. 13 Democratic primary, has drawn unusual interest in the wake of last week's Negro demonstration at city hall in protest of the arrest and conviction of five Negro students who attempted to desegregate the Albany Trailways Bus Terminal restaurant facility.

The five Negroes—all students at Albany State College—were convicted in Recorder's Court on charges of disturbing the peace and drew $100 fines and 15-day suspended sentences. Two of the students were subsequently expelled by college authorities for their part in the bus station sit-in.

**MAYOR ON BALLOT**

Listed on Monday's general election ballot will be Albany Mayor Asa D. Kelley, Mayor pro tem Buford Collins, First Ward commission candidate T. H. McCollum and Fourth Ward candidate W. C. Holman Jr.

Saturday white registered voters received an unsigned postcard warning them that the Negroes would write in candidates in Monday's election.

The card said: "Warning . . . Unless you vote Monday, Dec. 4, you may have a Negro mayor and mayor pro tem. Negro groups are going to write in a Negro candidate for these offices. Do not fail to vote."

**PLEA FOR VOTING**

City Democratic Executive Committee Chairman Charles Foster said Monday's vote may be the largest in the city's history.

"I sincerely hope the people do turn out in full force Monday to ratify their selections in the primary," he said.

Dr. W. G. Anderson, a Negro osteopath who is the leader of the "Albany Movement," a coalition of local Negro groups, denied Friday that there will be a write-in vote for Negro candidates in the city election.

**FEAR GOP WRITE-IN?**

"It is my personal opinion," he declared, "that the Democrats fear a Republican write-in vote. It is a scheme to arouse the citizenry of Albany.

A petition from the "Albany Movement" calling for the desegregation of all public institutions in the city was rejected by the city commission last week.

Albany Republican Chairman Russell Kaliher said his organization has no plans to sponsor a write-in candidate in Monday's election.

GEORGIA

SEPTEMBER
ATLANTA- LUNCH COUNTERS
INTEGRATED

# Restaurants at Stores Here Are Integrated Peacefully

The Atlanta Constitution p.1
Rec. 9-29-61

A seven-month-old agreement to desegregate eating facilities in dozens of department and chain variety and drug stores here was placed peacefully into effect Thursday afternoon.

Atlanta Ga.

No disturbances were reported. In most downtown stores observed by reporters, white patrons paid scant attention to the Negro customers.

At a few counters, some white customers reportedly left when Negroes sat down and were served.

By prior arrangement, Negroes on the first day waited until after the peak of the lunch-hour traffic to seek service.

Many of the Negroes who put the agreement to test Thursday were college students whose sit-ins, boycotts and jail-ins had precipitated the desegregation compromise last March. A few adults also were served.

At Rich's four well-dressed young Negro women entered the Magnolia Room at approximately 2:07 p.m.

They were promptly seated and served soon afterward.

There were fewer than 50 white customers in the dining room at that time. Most did not appear to notice the entrance of the Negroes.

About the same time, Negroes began eating at facilities in other stores which had signed the March agreement.

Besides Rich's, signers included Davison's, Sears-Roebuck, Woolworth, McCrory, Grant, Walgreen, Jacobs, Kress, Kresge, H. L. Green, Newberry and Lane.

**75 STORES**

One Negro student said there were approximately 177 counters in some 75 stores (including branches) covered by agreement, and that students planned to test the agreement in almost all of them.

Negroes desegregated Rich's dining facilities at Lenox Square Thursday afternoon and returned to the dining room in the downtown store Thursday night.

The Southern Regional Council reported Thursday that Atlanta was the 104th city to desegregate lunch counters as a direct result of sit-ins since the movement began in February, 1960.

Last March, negotiators had agreed upon Oct. 15 as the final deadline for lunch counter desegregation here—provided public schools were desegregated peacefully—but it was understood that the agreement might be carried out earlier.

**NOT TOLD TIME**

The decision to put it into effect Thursday was announced to those involved only Thursday morning.

Even the planning committee of more than 30 business executives and Negro leaders who met Wednesday afternoon were not told the exact date. That decision was left in the hands of a three-man committee.

Reliable sources reported the reason for withholding the date from the planning committee was that previous decisions consistently had been "leaked."

**STUDENTS MEET**

Informed about 10 a.m. Thursday, Negro student leaders called a meeting about 1 p.m. at a church to work out last-minute details for putting the agreement into effect.

The March agreement ended nearly a year of anti-segregation demonstrations by Negroes.

In March, 1960, barely more than a month after the first "sit-in" in North Carolina, Negro students applied the technique here. Many were arrested but never were brought to trial.

**FACILITIES WERE CLOSED**

The sit-ins were dropped for several months but started again last fall. Mayor William B. Hartsfield then intervened and arranged a 30-day truce while trying to work out a settlement. He failed, and the sit-ins were renewed.

Most stores late in the fall closed their dining facilities, thereby halting the sit-ins, but Negroes organized boycotts and continued picketing.

The matter came to a head early this year when students began sitting in at other restaurants and, when arrested, staying in jail rather than posting bond.

**MADE AGREEMENT**

Finally, veteran Negro attorney A. T. Walden was called into negotiations. Together with attorney Robert Troutman Sr. and Atlanta Chamber of Commerce president Ivan Allen Jr. (now mayor-nominate), he worked out an agreement whereby the demonstrations were ended with a promise to desegregate this fall.

Late Thursday, Opie L. Shelton, executive vice president of the Atlanta Chamber, issued this statement from the planning committee, which had agreed that news would be released through the chamber office:

"Today marked the peaceful desegregation of the lunch counters of most of Atlanta's department stores, variety stores and drug stores. Negotiations between the merchants and their Negro customers have been in progress since February, and agreement had been reached some weeks earlier by the negotiators, but the actual implementation was delayed in order to prevent the issue from becoming involved in school desegregation and the political campaigns."

# Atlanta Restaurants, Lunch Stands Integrate Peacefully

The Montgomery Advertiser p.1
Rec. 9-29-61

ATLANTA (AP) — Several lunch counters and restaurants in Atlanta stores were desegregated Thursday, six months after a truce was reached between merchants and Negro student sit-in leaders.

Montgomery Ala.

No incidents were reported.

Negroes were served in the dining facilities of at least six stores shortly after the noon rush hour.

Four young Negro women, one of them the sister of the first Negro student admitted to Georgia Tech, were seated for lunch in the tea room of Rich's, the city's largest department store.

Simultaneously, Negroes were served at Davison's, another department store, and at the lunch counters of four variety stores.

A total of 182 Negro and white demonstrators were arrested last spring when they sought to break the color bars at store eating facilities. They were charged with violating an anti-tresspass law which the legislature had enacted after the sit-ins began in other states.

Negro leaders threatened to boycott stores which maintained segregated eating facilities, but a truce was arranged whereby the lunch counters and restaurants would remain segregated until after the city's schools were integrated and the Negroes would drop their bycott threat.

Nine Negro students entered previously white high schools Aug. 30.

# Atlanta Integrates Restaurants Calmly

The New York Times p.1
Rec. 9-29-61

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Sept. 28 — Negroes were admitted without incident today to restaurants, lunch counters and other facilities in many of this city's drug, variety and department stores.

This major step toward ending racial discrimination was carried out without advance public notice under a carefully prepared plan. It grew out of an agreement reached last March by merchants and Negro representatives.

Rec. 9-29-61

Charles Black, chairman of the Committee on Appeal for Human Rights, said racial barriers had been dropped at 177 eating places in seventy-seven establishments. He estimated that some 300 Negroes had been served.

New York, N.Y.

The committee represents the college students who began anti-segregation protest demonstrations here in March, 1960. It said in a statement that it was pleased with the development.

"Reports we received of today's action indicate that Atlanta is a city too busy growing to hate," the group said. "We are sure that this same attitude will prevail as Atlanta continues to progress."

New York Times

A committee spokesman noted that rest rooms, beauty parlors in some cases, and other facilitise were desegregated with lunch counters and restaurants.

**Action Without Fanfare**

Rec 9-29-61

One large department store, Franklin Simon, opened its lunch counters to Negroes without notice two weeks ago.

The action by the larger group of merchants followed by four weeks the peaceful admission of nine Negroes to white schools here. This marked the first desegregation below the college level in Georgia.

At least 104 cities in Southern and border states have opened eating facilities to all as the result of student demonstrations, according to a spokesman for the Southern Regional Council. The council, a biracial group seeking to promote equality for all, has just completed a survey of progress in this field.

Atlanta is the largest city in the southeast to make the change since the recent wave of sit-in demonstrations began Feb. 1, 1960, in Greensboro, N. C.

Some whites voiced complaints, others walked away from lunch counters after noticing seated Negroes, but there were no reports of trouble. A drugstore waitress probably summed up the attitude of most whites.

"I don't like it, but I guess it's best that it went off as it did," she said.

A white man was quoted by a reporter as having said, "I'm 89 years old and I've got nothing against them, but I'll do without before I spend a nickel where I have to sit by them." However, he finished his soda before walking out.

## Atlanta in 'Most Sweeping Action'

# Eating Places Integrate Peacefully

ATLANTA—This city has joined 103 other Southern cities in integrating its lunch counters and rest rooms.

**Seventy-seven stores (including branches) with almost 200 different facilities (lunch counters and dining rooms, rest rooms and beauty parlors) opened their facilities to Negroes in what was described as "the most sweeping action in the history of the sit-in movement."**

The action came as the result of an agreement signed six months ago by student leaders, leading Negroes, and downtown merchants.

■

**THE AGREEMENT** was signed after an intensive campaign was waged against the downtown area. Led by the Committee on Appeal for Human Rights (COAHR), the Atlanta University Center student group that has initiated anti-segregation protests here since March, 1960, college students and some adults began an all-out attack on Atlanta's segregated downtown stores.

**● A boycott was called by the student group, and at one time over 1,500 people manned a massive picket line enclosing the entire downtown area.**

During the fall and winter, students adopted the "jail without bail" technique, and filled the city's jails. Atlanta received international attention when Dr. Martin Luther King Jr., president of the Southern Christian Leadership Conference, was arrested with a group of students and joined them in jail.

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**NEGROES ATE** at Rich's, the South's largest department store; at Davisons, a division of Macy's; at three F. W. Woolworth stores; two W. T. Grant Stores; two Lane-Rexall stores, two H. L. Green stores; two Walgreen stores, at Kresge's, Jacob's, Newberry's, and at a Sears and Roebuck store.

**● The agreement also covered integration of rest rooms and beauty parlors, as well as all dining facilities.**

The Committee On Appeal For Human Rights issued this statement after the first day of peaceful integration:

**● "We are pleased to receive reports of today's peaceful desegregation of public facilities in many of Atlanta's stores.**

Reports we received of today's action indicates that Atlanta is a city too busy to hate. We are sure that this same attitude will prevail as Atlanta continues to progress."

# Negroes, Whites Dine in Atlanta

By Joseph
*Special to The Christi*

Atlanta

For the first time in the memory of the eldest Atlantans, Negroes dined quietly along with white customers Thursday in a number of downtown restaurants and lunch counters operated by department and chain stores.

No one was arrested. There were no disturbances, although detectives had been assigned to some of the stores as a precaution. It was reported that in one place a few white customers walked out when Negroes were seated. Otherwise both races accepted the situation matter-of-factly.

The integration of restaurants or lunch counters in 13 stores was carried out with no advance publicity. Negro diners, mostly students from the colleges of the Atlanta University Center who had led the "sit-ins" last spring, began arriving at the eating places around 2 p.m. after the noon rush was over. There were also a few adults.

### Seated Quietly

In the Magnolia Room of Rich's Department Store four well-dressed Negro women inaugurated the store's desegregation policy. They were seated quietly at a table, and white diners gave them only casual glances.

Atlanta now has desegregated some of its restaurants, its schools, golf courses, parks, public library, and buses. Despite warnings by the Ku Klux Klan element that any of these events would cause violence in the streets, Atlantans find that life goes on pretty much as it did before.

Plans for Thursday's desegregation of restaurants were worked out the previous day at a conference of Negro leaders and white businessmen. However, the time when desegregation would be put into effect was not announced. It was around noon Thursday when the Negro students received word that they might appear at the eating places which were party to the agreement.

### Pact Culminated

Thus there was brought to culmination a pact made last March between Negro student and adult leaders on one side and white merchants on the other.

The agreement at that time was that eating facilities at the 13 stores—all of which had experienced several "sit-ins" last winter—would be desegregated following the integration of Atlanta's public schools, and not later than Oct. 15.

Leaders in making the agreement, under which Negro student leaders pledged to stop their "sit-ins" were veteran Negro attorney A. T. Walden and Ivan Allen Jr., then president of the Atlanta Chamber of Commerce.

### 13 Stores Involved

Just a week ago Mr. Allen was elected Mayor of Atlanta in a run-off primary against Lester Maddox, one of the leaders of Georgians Unwilling to Surrender (GUS), a militant segregationist group, receiving nearly two-thirds of the 100,000 votes cast. The impending city elections as well as integration of the schools Aug. 30 was a reason for the delay last March in abandoning color lines in the restaurants.

The 13 businesses affected are either department, chain drug, or chain 5-and-10-cent stores which sell many things besides food. They are Rich's, Davison's, Sears - Roebuck, Woolworth, McCrory, Grant, Walgreen, Jacobs, Kress, Kresge, H. L. Green, Newberry, and Lane.

Thus far no institutions selling only food have been desegregated in Atlanta, although the restaurants at Atlanta Municipal Airport, operated by a private contractor, were desegregated by a federal court nearly two years ago on the grounds that they were a public facility and were on city-owned property.

### Result of 'Sit-Ins'

It was understood that the 13 firms which agreed to desegregation operate a total of 75 stores with 177 lunch counters or dinning rooms throughout Atlanta. Negroes appeared Thursday only at those in the midtown area. Students said they would test integration at others later.

Dropping of the color barriers in restaurants of the 13 firms resulted from a "sit-in" movement started more than a year ago by Negro students who were members of the Committee on Appeal for Human Rights, organized at the Atlanta University Center.

Lonnie King, then a student there and now attending Howard University in Washington, D.C., led the student movement.

The students also organized a boycott against the stores which was joined in by many adults between October, 1960, and March of this year when the "sit-in" movement was at its height. A total of 186 students and adults were arrested and jailed for violating Georgia's antitrespass law.

Many refused to make bail as a matter of principle. As a result of intervention by Mr. Allen and some of the white merchants, all were released before formal trial.

According to the Southern Regional Council, Atlanta is the 104th city to desegregate some of its lunch counters since the wave of "sit-in" demonstrations started early in 1960.

# Savannah Lunch Counter Accord Held 'Giant Step'

The Atlanta Journal and Constitution, Sun., 7-9-61 p6

## Return of Economic Vitality Seen as Desegregation Result

Atlanta, Ga.

Combined From Wire Reports

SAVANNAH, Ga., July 8—Leaders of the white and Negro races today announced an end to segregation at downtown lunch counters here. The move was hailed as a giant step toward return of economic tranquility to this troubled port city.

Fifteen months ago, Negroes announced a boycott of downtown businesses. They said they would not resume normal buying until the lunch counters were desegregated.

In an agreement announced by a group of prominent Savannahans, downtown lunch counters will be opened to Negroes and the Negroes in turn will lift their boycott.

* * *

**THE AGREEMENT** is supposed to be binding on all eating places in downtown stores and in the bus and rail terminals but does not affect cafes and restaurants.

Similar moves have already been made in Jacksonville, Fla.; Winston-Salem, N. C.; Richmond, Va.; Nashville, Tenn., and Galveston and San Antonio, Texas, in the wake of Negro sit-ins.

Just how large a part the boycott has played in Savannah's financial woes cannot be measured in exact terms. The city was hurt badly by the transfer of 2,000 Air Force personnel. And economy in general has been slack throughout the nation.

Five smaller stores in the area have recently gone into bankruptcy.

While the boycott's effect on employment has been purely speculative, observers noted Savannah recently was designated an area of severe unemployment, with joblessness above the 6 per cent mark.

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**ONE POSSIBLE** indicator is that for the first four months of 1961, nine Georgia cities indicated spending ahead of the corresponding months of 1960.

During this same period, seven Georgia cities reported that their sales declined over the corresponding period of 1960. Savannah's decline was 6 per cent, the highest among the group except for LaGrange, which was down 11 per cent.

There is little question that the Negro refusal to buy goods hurt in Savannah.

"There wouldn't have been an agreement to desegregate the lunch counters if it hadn't," said one store manager.

The Chamber of Commerce declined to comment on the boycott and its effect on the city's economy.

"We had no part in the settlement and would not care to discuss it," a chamber spokesman said. "The boycott began a year ago Easter and it would be difficult to pin down its effectiveness since we had a recessionary tendency at the time."

Henry Goldberg, president of Levy's of Savannah, leading department store, was more direct.

* * *

**"IT IS IMPOSSIBLE** to say how much business was lost percentagewise by the boycott, but it had a substantial effect on the whole economy of Savannah," he said.

He added:

"The effectiveness, by store, was dependent on the Negro traffic in a particular store . . .

"Forty per cent of Savannah's population is Negro and whenever such a segment of the population is trying to hurt a community's economy it is bound to have some effect. Of course, the Negroes don't have 40 per cent of the buying power.

"Savannah business last year was off generally, but there was also the contributing factor of the loss of Air Force personnel so no one can tell really how much business was lost due to the boycott.

* * *

**"THERE HAS BEEN** a gloomy, depressed financial air about the city and it is now hoped that this outlook will change."

James Grimsley, manager of an H. L. Green store, said that the boycott had been "depressive." Another Green spokesman said that "it had a definite effect, especially on the stores with luncheonettes."

Only one store manager, who declined to identify himself, said that the boycott had no effect on his business. He said that sales had been normal at his Kress 5&10.

Mayor Malcolm MacLean congratulated those who had worked out the agreement. He called it a fair and reasonable approach to the problem.

"The agreement puts us all to a test in seeing that this solution is brought about without any disorder or outside interference," he said.

* * *

**THE BOYCOTT** was to have ended today. No date was announced for desegregating the lunch counters.

Negroes have also gained access to previously all-white municipal golf courses and public libraries and integrated seating rights on city buses.

Negroes also have succeeded in getting members of their race hired as full fledged policemen.

The agreement announced Saturday didn't touch on other demands by the Negro Leadership, such as employment practices by local merchants.

"The committee worked on only one thing—the local eating facilities," said a committee spokesman, the Rt. Rev. Albert R. Stuart, bishop of the Episcopal Diocese of Georgia.

"We believe in the community, Negro and White," Stuart said. "We feel confident people will say: 'Yes, it's a good thing this was done'."

* * *

**BISHOP STUART** said word of the agreement would be spread from pulpits of all Negro churches in Savannah.

Business was conducted in the usual way Saturday. There were no reports of immediate attempts by Negroes to put the desegregation aggreement into effect.

The Negroes began their drive to integrate the lunch counters with sit-in demonstrations that led to rioting on St. Patrick's Day of 1960, and again on St. Patrick's Day of 1961.

During this period police made more than 100 arrests. Most of those arrested were Negroes charged with violating a 1960 Georgia anti-tresspass law.

This law makes it a misdemeanor to refuse to leave an establishment when asked to so by its owner or manager.

Negotiations to end the boycott were begun several weeks ago by the citizens committee, composed of business and industrial leaders, housewives and church men of most denominations, but no government officials.

# Counter Segregation Ends For Negroes In Savannah

The Montgomery Advertiser p. 1

SAVANNAH, Ga. (AP)—Leaders of the white and Negro races Saturday announced an end to segregation at downtown lunch counters. The move was hailed as a giant step toward return of economic tranquility to this troubled port city.

Fifteen months ago, Negroes launched a boycott of downtown businesses. They said they would not resume normal buying until the lunch counters were desegregated. Sun. 7-9-61

**COUNTERS OPENED**

In an agreement announced by a group of prominent Savannah citizens, lunch counters will be opened to Negroes and the Negroes in turn will lift their boycott. Montgomery

Just how large a part the boycott has played in Savannah's financial woes cannot be measured in exact terms. The city suffered a blow in the transfer of 2,000 Air Force personnel. But there is little question that the Negro refusal to buy goods hurt.

"There wouldn't have been an agreement to desegregate the lunch counters if it hadn't," said one store manager.

**NO COMMENT**

The Chamber of Commerce declined to comment on the boycott and its effect on the city's economy.

Mayor Malcolm MacLean congratulated those who had worked out the agreement. He called it a fair and reasonable approach to the problem.

No agreement was reached on other demands by the Negro leadership, such as employment practices by local merchants.

# Whites Threaten Boycott In Savannah Integration

SAVANNAH (AP) — The report of an agreement to permit integration of downtown lunch counters brought a threatened boycott from two white groups.

Negroes have been boycotting downtown stores for more than a year in an effort to force lunch counter integration. A citizens committee began negotiations several weeks ago to end the Negro boycott.

The Rt. Rev. Albert R. Stuart, bishop of the Episcopal Diocese of Georgia, announced Saturday that downtown lunch counters would be opened to Negroes and the latter would lift their boycott.

Under the agreement the Negro boycott would end immediately. No definite time was set for desegregating eating places.

Two white groups met Saturday night and formed committees to investigate the reported agreement to open lunch counters to Negroes. A spokesman said 7€ persons representing the Chatham Citizens Council and the Association of Southern Patriots passed resolutions. The white groups will do selective buying, if lunch counters are integrated, the spokesman said.

In addition the white groups threatened to stop all tipping to Negroes in stores.

38a 1961 GEORGIA LUNCH COUNTER * SAVANNAH

**15-Month Battle for Dignity**

# Savannah Boycott Smashes Lunchroom Bias in Stores

The Pittsburgh Courier B 3 Sat 1-22-61

SAVANNAH, Ga.—Negro boycotters and their leaders, as the price for desegregation of lunchrooms, drinking fountains and washrooms in stores, voted to end the 15-month "Broughton Street Boycott" at their 71st mass meeting since the boycott began.

**● W. W. Law, state and local president of the NAACP, told them "in a spirit of goodwill and cooperation" the Negroes who negotiated with the citizens' committee to end the boycott "endorse and recommend you lift the 15-month-old boycott and that all Negro citizens be urged to shop wherever they can do so with dignity and self respect."**

Wild applause greeted this statement, followed by Curtis Cooper, chairman of the boycott committee, moving the recommendation be accepted.

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**THE VOICE** vote was taken with those in favor signifying so by saying "Thank God." There was no dissent.

**● Following the vote, Law stated, "There will be no shouting and dancing in Moscow tonight. Democracy can work. This is our home and we want Savannah to be the finest city to be found anywhere in the world."**

It has been announced by the Rt. Rev. Albert R. Stuart, Bishop of the Episcopal Diocese of Georgia and spokesman for a citizens' group working for the end of the boycott, that it would end when the agreement was made public.

He also said the Negroes would be told from church pulpits that they were free to shop where they pleased.

Almost 1,000 Negroes attended the meeting at 4 P.M. in the St. Philip AME Church on W. Broad St.

**● "We had planned to stage sit-ins this summer at every lunch counter using returning students, in relays if necessary, when the white committee (to end the boycott) asked this not be done and we promised to hold off," Mr. Law said.**

"Already stores on Broughton Street have begun removing signs from water fountains, rest rooms, powder rooms and lounges. Many stores are now beginning to use courtesy titles (Mr., Mrs. and Miss) in their correspondence with us."

**● "But there wouldn't have been an agreement to desegregate if the boycott hadn't hurt," he said.**

Mr. Law than castigated the inaction of the Chamber of Commerce and stated the boycott would have been over long ago if the Chamber had actively worked towafd this end.

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**HE RIDICULED** statements in the press minimizing the financial impact of the boycott. He also ridiculed those Negroes who spoke against the boycott and predicted:

**● "Our next battle site isn't too far from here but I promised the (boycott) committee a few weeks rest."**

The train and bus depots are just down the street a few blocks from the church where the meeting was held. Several times during the two-hour meeting Law referred to possible future action to enforce rights and seemed to be hinting at these places as targets. He also mentioned by name several merchants who still were not using courtesy titles in their correspondence with Negroes and stated this would be taken care of.

Law told those present to wait for word before integrating.

At a time when it will attract little attention, a disciplined group will begin the process, he said. "Later from the pulpits and at mass meetings a general announcement will be made."

Mayor Malcolm MacLean congratulated "all sides" on their "fair and reasonable approach."

"Savannah has joined other Southern cities such as Jacksonville, Atlanta, Winston-Salem, Richmond, Nashville, Galveston and San Antonio. The agreement puts us all to a test to seeing that this solution is brought about without any disorder or outside interference."

## 4 Lunch Counters Serve Negroes Without Incident at Savannah

The Atlanta Constitution B1 Sat 1-22-61

Constitution State News Service

SAVANNAH — Managers of four department store lunch counters confirmed that groups of Negroes had been served food Friday afternoon at previously white-only facilities without incident. The stores involved were Levy's, Walgreen, Kress and Woolworth.

Atlanta Jrn

Observers said the Negroes came in and were served about 4 p.m. A group of "three or four" appeared at each counter about the same time and stayed about 20 minutes. White patrons were present in each case and continued to eat after the Negroes appeared.

The desegregation of department store lunch counters Friday was apparently the result of an understanding reached two weeks ago between Savannah merchants and the National Association for the Advancement of Colored People. At that time, Negroes agreed to end a 15-month boycott of merchants provided they would be served at white lunch counters at an unannounced date.

# Paine Students Push Sit-Ins, Two Injured

Chicago Defender
Chicago, Ill.
Dec. 31-Wed-Jan-6-61
P. 1

AUGUSTA, Ga. — Virtually all the 384 students at Paine college here are involved in a campaign of public demonstrations to end lunch counter segregation.

Sit-ins at dime stores are continuing, although two of the Negro students have been injured in attacks by hoodlums, and city policemen have refused to provide protection.

The students are asking that citizens of good will everywhere join them in urging the City Police Department to provide equal protection for all people.

Stores where sit-ins have taken place include Woolworth, H. L. Green, and McClellan. The latter has closed its lunch counter.

The first sit-in occurred Dec. 9, and William Didley, a Paine student from Cordele, Ga., was injured when white hoodlums roaming the store pushed him into a what-not counter.

Didley was hurt again during a sit-in at Woolworth on Dec. 13, when he reached out to try to deflect a knife aimed at another student, James Stevens, Brunswick, Ga.

Stevens was walking along on aisle near the lunch counter when about nine young white men closed in on him and began beating him. Stabbed in the head with the knife, Didley's hand was cut also, and both he and Stevens had to have stitches. Neither retaliated in any way.

Silas Norman, chairman of the student steering committee which is coordinating the demonstrations, and Miss Sylvia Ryce, another committee spokesman, said the students saw the hoodlums with knives before the attack and reported it to police but that no police protection was forthcoming either before or during the attack. In fact, they said, policemen who had been in the area disappeared when the attack began.

On Dec. 14, a student committee met with Augusta Mayor Millard Beckum. They said he claimed he was unaware of what had been happening downtown but said his policy was to provide equal protection. However, he told the students they would have to go through "channels" — taking their protest first to the police chief and, if unsuccessful there, to the Civil Service Commission.

Meantime, some of the same students had picketed President Eisenhower as he played golf in Augusta, Saturday, Dec. 10. Miss Ryce said they first sent the President a telegram asking to see him without publicity since it was Human Rights Day. However, they were told by presidential aides that they could not see the President.

"We then conducted an orderly demonstration from 3:15 until 5 p.m. near the golf course," Miss Ryce said. "We were protesting the fact that Eisenhower chose to play golf instead of considering the question of civil rights on Human Rights Day." One of the picket signs carried by the students said "Golf vs. Civil Rights."

The recent demonstrations are the first lunch counter sit-ins in Augusta. However, last May Paine college students rode the city buses integrated and 11 were arrested. These cases are still pending in the courts.

The students ask that protests against the lack of police protection be sent to Police Chief Green, Police Headquarters, Augusta, Ga., and to Mayor Millard Beckum, Augusta.

# 52 Sit-Ins Post Bail In Switch of Tactics

The Atlanta Constitution
Atlanta, Ga.
Dec. 22-Thurs-60

The Negro student sit-in movement apparently shifted emphasis Thursday from demonstration to negotiation as the last 52 students in jail came out on bond.

A. T. Walden, veteran Negro attorney who recently agreed to negotiate between the students and downtown merchants, issued a statement saying the students left jail because they believed they had achieved their purposes of expressing opposition to segregation and rallying older Negroes to their side.

**DUPLICATE STATEMENT**

A similar statement was issued by the Committee on Appeal for Human Rights, student sit-in organization.

Walden said the students "shall henceforth walk arm and arm with their elders in a supplemental strategy which has been developed by the composite counsel and judgment of youth and age."

Walden reported "progress" in negotiations with merchants but would make no prediction about their outcome.

Meanwhile, Fulton Criminal Court Sol. John I. Kelley said trials for the demonstrators probably will begin within the next two weeks.

**PREFERS KING TRIAL**

Kelley said he would prefer to try sit-in leader Lonnie King first but that the final decision would depend on a conference of court officials.

The soliciter said he expected that if any student is convicted, there will be a constitutional test of Georgia's anti-trespass law.

**IN ALL FORMS**

Walden in his statement said the students here and throughout the country are "unalterably opposed to segregation and discrimination in any and all forms based solely upon race or color. . . .

"They feel that they are rendering the highest service to their beloved America as well as to the world when they merely insist that their country shall make a living reality of the Christian concepts upon which our democratic republic was founded . . ." Walden added.

The attorney explained that the students' "jail-not-bail" movement was designed to overcome the "seeming complacent, somnolent acquiescence in the status quo" by some of their elders and "demonstrating to the rest of the world that they are righteously dissatisfied with things as they affect their future destiny . . .

"These young people harbor malice and ill will towards no one of any race. They desire that nothing be taken away from any person or people, save the self-righteous superiority complex possessed by too many and the pride which goeth before destruction and the haughty spirit which precedes a fall," Walden said.

# Call Off Rally, Officials Ask

Atlanta Daily World
Atlanta, Ga.
Dec. 21-Wed-60
P. 1

Negro leaders have been asked to call off a big rally scheduled for Sunday outside the Fulton County jail it was revealed here Friday. Mayor Hartsfield called the plan a "grave mistake," and stated he shared Fulton Commissioner James Aldredge's apprehension about what might happen inside the jail if there was a demonstration outside.

The Student - Adult Liaison Committee was reported debating whether or not to change its plans. The possible change in plans, reported pushed by pleas from city and county sources was revealed after threats of intervention or at least counter demonstraions were talked by the Ku Klux Klan.

The Rev. William Holmes Borders, chairman of the committee had said earlier Friday afternoon the group would "reevaluate" its plans at a meeting during the evening. He said there has been "some mention" of the jailed students making bond following the Sunday rally.

The minister would decide after the meeting whether to go ahead with the rally, cancel it or shift the site. The idea of the demonstration is to boost the morale of 30 Negroes who have chosen to stay in jail rather than make bail, he said.

Out at the Fulton County jail, Chief Jailer Carl Smithwick, Sheriff Ralph Grimes, Atlanta Police Chief Herbert T. Jenkins and Warden Carl Mills all advised against the demonstration.

Smithwick said "There is some tension already in the jail, and I feel that it's unwise for the demonstration to take place because we're overcrowded."

The reports of a possible Klan counter - demonstration came from Hartsfield. He said his main concern was for the security of the jail, which is a part of our system of law enforcement and as such is entitled to the same respect as the verdicts of the courts."

The mayor said he was asking the police department to "act fairly, but most firmly," in handling the situation.

# Nine Sit-Ins Post Bonds In Atlanta Cases

Atlanta Daily World
Atlanta, Ga.
Dec. 22-Thurs-61
P. 1

Nine students Tuesday afternoon were reported to have posted bonds of $100 each and secured release from the Fulton County jail, it was reported. The students, part of a group who had participated in local sit-ins, had earlier refused to post bond. The students were not immediately identified. Three others posted bonds last week and were released from jail pending trial on charges lodged aganst them under the state's anti-trespassing law.

Atlanta's Terminal Station was the scene of a sit-in arrest Tuesday when Rev. Fred C. Bennette, Jr., 32, attempted to receive service in the restaurant.

Rev. Bennette, identified as a college student at Morris Brown. Police Capt. J. L. Mosley stated that he had been informed that Rev. Bennette had arrived by train from Jacksonville.

Capt. Mosley said that the minister had been asked to leave the restaurant twice by the manager and refused. He was then arrested under the Georgia anti-trespass law.

Eight Atlanta ministers were arrested last week at the Terminal Station for sit-in activity, and joined 77 student sit-in demonstrators in jail after refusing to post bond.

The preachers posted bond the following day with the student's choosing to remain in County Jail rather than pay bond.

# Sit-In Prisoners Pack Atlanta Jails As Sheriff Orders Cots, Double Beds

Atlanta, Ga., Feb. 18.—Negro sit-in demonstrators Wednesday filled the Fulton County jail to capacity and Sheriff Ralph T. Grimes ordered in cots, double-deck beds, mattresses and blankets to take care of the expected overflow.

The number of Negro inmates rose to 410 by mid-afternoon, Grimes said. This included 357 men, slightly below the capacity of 364, and 62 Negro wemen compared to the official capacity of 52.

Grimes said the temporary bedding for overflow inmates could take care of "quite a few" but he said another wave of mass arrests may force him to transfer overflows to other jails.

By mid-afternoon jail records showed there were 78 inmates charged with participating in Negro sit-in demonstrations.

The sit-iners could get out on $100 bond each but most have refused to post bond in protest against segregation. Only four of the 82 sit-iners jailed had posted bond through late Wednesday.

Grimes said farming out prisoners because of an overflow had never, to his knowledge, been done before in Georgia.

# King Hails Negro Students And Ministers Jail For Sit-Ins

## Hit Call For Black Supremacy Of Negro Muslims

Atlanta, Ga., Feb. 18.—Dr. Martin Luther King, Jr., internationally famed non-violence leader, stirred an overflow audience of over 2,000 Atlantans, who spilled out of Warren Memorial Methodist Church onto the landings and street outside with a brilliant and impassioned exposition of the cause for which eight ministers a few hours before had joined 77 sit-in students in Fulton County Jail.

Twenty minutes before the scheduled starting time student leaders were forced to limit admission to women as Benjamin Brown of the Committee on the Appeal for Human Rights led the audience in some of the songs associated with the student movement.

"Jail-going is a creative way of dramatizing the Negro's indignities and injustices," Rev. King said. "It is not just publicity for publicity's sake." Calling the roll of history's great periods, Dr. King asserted that he could think of no time more in which he would rather have lived than the present and no community of fellowship he would prefer to that of the students and ministers now imprisoned in the Fulton County Jail because they "went to jail willingly rather than submit to an unjust law."

Stating that just laws should be obeyed by all; unjust laws by none, the SCLC leader cited New Orleans and the doctrines of nullification and interposition as examples of anarchy. He disavowed the aims of Muslims and other "Black Supremacists," saying that "Black Supremacy is not God's design." The aim of the non-violent movement, he declared, is "not to defeat the white man, but to win his friendship and understanding."

He defined an unjust law as one which (1) degrades human personality, (2) stands in the way of God, and (3) is enforced as a code upon the minority by the majority, which does not enforce it upon itself.

Rev. Samuel Williams, president of the Atlanta Branch NAACP, told of visiting the students in jail and told of those who were so determined that not even illness and discomfort could turn them from their purpose. "They are willing to stay not for days, or weeks, or months, but for as long as it will take to erase the evil of segregation," he said. He described the ministers' attitude as being "we will lie where they lie, sit where they sit, stand where they stand, die with them if necessary."

Rev. M. L. King, Sr., student leader Lonnie King and Rev. William Holmes Borders, Chairman of the Student-Adult Liaison Committee, also spoke in support of Atlanta's desegregation movement and asked their hearers to continue the downtown boycott until solutions to the problems of segregation in eating facilities and jobs had been arrived at.

# Will Try Sit-Ins, Sol. Kelley Says

John I. Kelley, solicitor of the Fulton County Criminal Court, stated in an interview yesterday that, "Everything in the long run yields to right and justice," and that the recently arrested sit-inners will receive court hearings as soon as the cases can be drawn up.

When asked about the court's position in relation to the sit-in arrests last year, Kelley said, "It's been my position that the demonstrators are all out on bond and that's something in the past."

Kelley further stated that he had been informed that students have stated an interest in getting a test case before the courts to determine the legality of sit-ins at private facilities.

"Ordinarily it takes about three weeks depending on the length of the disposition to get the cases before the courts. The recent arrests are under process now and the cases are being drawn up and will come before the courts in due time," Kelley stated.

Solicitor Kelley said that the courts have held that private individuals have a right to choose their customers.

He said that he felt due consideration of the rights of all citizens when their civil rights have been infringed upon will help to resolve the racial issue.

Kelley stated that the statute of limitations on cases that are left pending not filed for hearing before they are considered dead is two years. He said that, "A prosecutor and I are charged with the responsibility of drawing up affidavits to present the cases before the courts."

# 8 Negroes Make Bond; Another Seized in Cafe

Eight Negro students arrested during the past three weeks of sit-ins here abandoned their "jail-not-bail" campaign Tuesday, posted $100 bonds each and were released.

And another student, arrested Tuesday of violating the trespass law in refusing to leave the Terminal Station restaurant, likewise posted bond rather than remain in jail.

The eight were visited by student leader Lonnie King before they left the jail. Some 70 still remain in jail, however.

The student who was arrested Tuesday and released on bond was identified by police as Fred C. Bennette Jr., 32, a ministerial major.

Lt. O. W. Jordan said Bennette arrived early Tuesday by train from Jacksonville, Fla.

The Negro's attorney, H. T. Ward, asked restaurant manager C. C. Harrison at a police court hearing whether he knew that Bennette was an interstate traveler. Harrison said he did not.

38a 1961 GEORGIA ATLANTA- LUNCH COUNTER

## After Three Days On Bread And Water

# 'Jail-In' Strikers Eat Heartily

ROCK HILL, S.C. (AP) — Eight Negro demonstrators in a disciplinary cell at the York County Prison Camp accepted and ate second helpings Monday of the full meal given every third day to prisoners on bread and water.

Prison Superintendent Charles C. Maloney disclosed that it was the second tour of disciplinary confinement for the eight, the first for a "sing-in" refusal to work and the second for a sit-down protest.

It was learned that some of the Negroes previously identified as students after their arrests for sit-in demonstrations hardly qualified as students. At least two are employes of organizations seeking racial goals.

All told, 11 young Negro men chose confinement, "Jail - No Bail," at the prison camp rather than post appeals bonds of $100 on their convictions of trespassing at white lunch counters in downtown Rock Hill. Of the 11, one has been transferred to the York County Jail, two were on the camp sick list and eight are in the disciplinary cell.

In addition, two Negro coeds, also convicted of trespassing, are confined in the York County Jail.

Prison authorities said that the eight showed no indication Monday of giving up their sit-down protest against what they termed overwork and the transfer of one of their companions, John Alexander Gaines, to the jail.

They will be released, Maloney has said, "when they show us they are ready to go to work and obey orders."

York County Supervisor J. Ed Allen said the eight consumed second helpings of the meal offered them Monday: cabbage, peas, beans, bread and meat. Bread-and-water prisoners get a full meal every third day and this was the third day of their disciplinary confinement. The eight are in one cell, rather than in solitary cells.

Meanwhile, three men arrested on breach of the peace charges after a scuffle Saturday following a "sympathy" demonstration for the jailed students withdrew the charges they had brought against each other. In Rock Hill Recorder's Court, Paul David Dietrich, 29, white, of Washington and Franklyn Hunt, 21, Negro reporter for the Baltimore Afro-American, of Washington, dropped their charges against George Morgan, 22, of Rock Hill. Morgan, a white spectator at the demonstration, in turn, dropped the charges he had filed against Dietrich and Hunt.

The Congress on Racial Equality (CORE), in New York, telegraphed President Kennedy protesting the disciplinary action against the Negroes in the prison camp and identifying one of them as a full-time field secretary for CORE. The telegram said:

"Since Feb. 17 eight members of CORE, including Field Secretary Thomas Gaither, have been in solitary confinement . . . for refusing to stop singing hymns during their morning devotions.

"This interference in the personal and religious freedom of these young Americans piles one illegality upon another. South Carolina officials, acting under the guise of police power, have done violence to the constitutional concepts of equality before the law and freedom of religious observance."

To judge from official statements from prison authorities, however, the CORE telegram signed by national director James Farmer confused the two periods of disciplinary confinement and the reasons for it.

Maloney said they were given a half-day in the disciplinary cell early last week for refusing a guard's order to stop singing and leave their cells for the regularly scheduled work period.

On Friday, Feb. 17, Allen said the eight "struck on the job. They just sat down and refused to work." After returning to the camp, Allen continued, "they began a hunger strike."

The eight were identified as Gaither and these Friendship College students from the Rock Hill area: Robert Lewis McCullough, James Frank Wells, Clarence H. Graham, Willie Edward McCleod, David Williamson, Mack Cartier Workman and Willie Thomas Massey.

The two other confined demonstrators, Joseph Charles Jones of Charlotte, N.C., and Charles Melvin Sherrod of Virginia Union University, Richmond, were on the sick list, Jones with a pulled ligament in his arm and Sherrod with an ulcerated stomach.

Jones, previously reported to be a student at Johnson C. Smith University in Charlotte, was identified by school officials Monday as an employe of the Fellowship of Reconciliation, an organization in Nyack, N.Y., proclaiming "the unity of the worldwide human family."

The school officials said that Jones, a former student, had not enrolled during the current school year until Jan. 30, a week before his arrest in Rock Hill.

In Atlanta, officials at Spelman College said that Ruby Doris Smith, one of the two young women in jail, was not enrolled, although she had been a student previously. The second young woman, Diane Judith Nash, is a student at Fisk University in Nashville, Tenn.

In reply to questions about singing by the Negroes in the prison camp, Supt. Maloney said:

"They sang every time they were in the stockade, night, morning, other times. Sometimes for hours at a time. They called it a 'sing-in.' "

# 'Jail-Ins' A Problem For Atlanta; Cost City $1,000 Monthly

ATLANTA. — (ANP) — While Rock Hill, N. C., may have been chosen as the focal point for the "sit-in" movement, attention last week centered on this city where 33 Negro students and ministers have been arrested and taken into custody as result of anti-segregation demonstrations.

In the wake of the increased efforts on the part of demonstrators, the Rev. Martin Luther King Jr., called on southern Negroes to violate segregation laws and accept jail sentences as the way to dramatize the indignities and injustices Negroes are subjected to in the south.

"We plan to stand up for justice until we turn America upside down," King told a three hour mass meeting in Atlanta. "Segregation is slavery covered with niceties," he declared.

### Supports Movement

King, speaking in behalf of those arrested in Atlanta, said the demonstrations will go on "until every Negro can walk the streets of Atlanta and the South in dignity and honor."

The Atlanta sit-ins, arrested in recent weeks, have announced their intention to remain in jail to dramatize their fight for integration and have made no attempt to raise the $100 bonds under which each is held.

With the jailing of eight Negro ministers last week, the jail was filled to capacity.

Atlanta authorities have reported that it costs $1,000 per month to feed the jailed demonstrators. In addition to this, they claim that providing study arrangements for the students is a problem. Visitors bring books and assignments to the students and carry completed lesson assignments back to classrooms.

In other events last week, four Negro sit-in demonstrators forced the closing of a downtown drug store lunch counter. There were no arrests.

### Three Post Bond

The Lane-Rexall lunch counter was closed when two Negroes, a boy and a girl, entered and sat separately at the counter. They were joined shortly by another couple.

Some white patrons left immediately, but four white women remained to finish their orders.

Meanwhile, three of the 86 demonstrators jailed during the lunchroom sit-ins the previous week posted bond after staying in jail over the weekend.

The entire group originally refused bond in an effort to dramatize their protests against segregated lunchroom practices.

The Negroes who posted bond and left jail were identified by Chief Jailer Carl W. Smithwick as Willie J. Stewart of Tarpon Springs, Fla.; Ralph L. Stephens of North Carolina and Roy Carver Crettenden of Columbus, Ga.

# 54 JAILED STUDENTS RELEASED ON BONDS

At approximately 10:45 Thursday morning, 54 college sit-in demonstrators posted $100 bonds and began leaving Fulton County jail after having been arrested February 7, & 9, in a wave of downtown sit-ins attacking segregation in privately owned eating facilities.

In a press conference at Frazier's Cafe Thursday morning Lonnie King, Jr., president of the Student Committee, issued a statement giving the following reasons for the students accepting bail after two weeks in jail: (1) "Direct petitions and thousands of requests from Negro leaders and other adults both in and out of our community pledging unwavering support of the students and their campaign to break down lunch counter segregation and job discrimination. (2. The assurance felt by the students that they have now succeeded in dramatizing the need for unified action against injustice through their willingness to go to jail. The firm belief that genuine, meaningful negotiations are now underway with Atty. A. T. Walden, Rev. William Holmes Borders, and student leaders playing vital roles."

The student press release was signed by: Lonnie King, Jr.; Herschell Sullivan, 22, vice president of the student group and senior at Spelman College; Leonora Taitt 22, Spelman senior; Daniel Mitchell 19 Clark College junior; E. Christine Sparks, 20, Clark College junior.

Atty. Walden, appearing at the press conference on behalf of Adult Liaison Committee, stated that, "Many adults in the community signed a petition urging the students to accept bail. "Literally hundreds signed the petition. I would say that about half the ministers signed the petition," Walden stated.

The number of arrested sit-in demonstrators reached a total of 90 students and eight ministers. The local ministers stayed in jail overnight, refusing to post bail and some of the students accepted bail for various personal reasons, dwindling the total to the 54 that were released Thursday.

When questioned about the type of meals and treatment in jail, Mitchell said, "The treatment in jail was fine, I have no complaints." Miss Taitt said, "The treatment in jail was fine, the meals were fine." Another jailed student told newsmen that she might have gained a pound.

**THE STATEMENT**

Atty. Walden issued a statement on behalf of Rev. Borders and himself, representing the Adult Committee, which said in part: "The seventy - odd students of the Atlanta University System, all members of the Committee on Appeal for Human Rights recently arrested and incarcerated in Fulton County jail charged with violation of Georgia's anti - trespass law, having decided to give bond and be released, have requested the undersigned, negotiator for said committee, to impart to the community and to the world their objectives underlying the motivations for having engaged in sit-ins, stand-ins, kneel-ins and jail-ins, the reasons for their decisions to give bail."

"These students, along with their fellow conferees throughout the nation, are unalterably opposed to segregation and discrimination in any and all forms based solely upon race or color, realizing that racial segregation is the idol God of those who deny and disrespect the essential human dignity of some of God's children regardless to the inherent worth of the individual."

"They do not believe that the moral, spiritual and intellectual fiber of the youth of the white South are so fragile and brittle that they would disintegrate by the ordinary human contact with the youth of any other race. They believe that if the elders of the youth of the white south would cease indoctrinating and contaminating them with the views and philosophy of race dominant in the mid 19th century, that the youth of both races would amicably resolve all racial problems before the babes at the breasts of to-day's mothers shall have attained their majorities."

"Feeling that both of their double purposes have been accomplished, these students have accepted bail and shall henceforth walk arm and arm with their elders in new strategy which has been developed by the composite counsel and judgement of youth and age," the statement said.

The adult statement indicating that the students have pledged to work with their elders in resolving the sit-in issue, caused one newsman to pose the following question, "Do you have any plans for future demonstrations?" Miss Sullivan replied that, "We have not as yet made future plans."

Meanwhile, Solicitor John Kelley, of Fulton Criminal Court, stated to the Atlanta Daily World, said that these sit-in cases would be brought to trial as speedily as possible.

# Say Sit-Ins Beat 100 Years Of Law

ATLANTA, Ga. — The student sit-in movement has accomplished more than people think, more than have 100 years of legislation, in that it has reawakened older Negroes and stirred the consciences of people, M. Carl Holman told an Atlanta university Center Town Meeting last week.

The other members of the panel, which was assessing the successes, failures, and prospects of the movement, agreed with the editor of the Atlanta Inquirer.

Lonnie King, chairman of the Committee on the Appeal for Human Rights, said that the students had disturbed the complacence of the "black bourgeoisie" and aroused the consciences of the Negro middle-class.

**WHITES 'THINK'**

Margaret Long, columnist for the Atlanta Journal, said that not many white people have avenues to say what they mean, but that the movement was causing them to think and, by taking thought, to add cubits to their stature.

If segregation does not crumble, there will be many more years of the movement, King said, noting that the white man can stand years of litigation, but not direct action.

Although King scored the coldness of some older Negro leaders to ward the movement, Holman said that 100 percent support is not important. "It is debasing to think that Negroes act 100 percent and it is good to be questioned both within and without the race.

Both he and Miss Long observed that young Negroes have discovered the power to shape events and have also brought white students into the movement.

Progress will be shown in some places, Holman said, but the important thing is to decide what is the highest good, "peace, love, Cadillacs, split-level houses, or freedom. To the students, freedom is the highest goal."

# Ga. Sit-Ins Investigated

The Courier Pittsburgh, Pa.

(Courier Press Service)

ATLANTA, Ga.—Presiding Superior Court Judge George P. Whitman Sr. has told the Fulton County Grand Jury to investigate the Negro student sit-ins, with an eye on violations of city or state laws and possible indictments, if any have been violated.

Citing the 1960 anti-trespass law, Judge Whitman told jurors it is up to them to determine if the law is being violated. If so, there should be indictments, he said.

Obviously hitting at Dr. M. L. King Jr., Judge Whitman flayed those who would urge violations of laws because they are immoral. "The paramount issue is between the law and those who place themselves above the law and flaunt its mandates," he said.

# 400 Picketing Negroes Mark First Sit-In Here

The Atlanta Constitution Atlanta, Ga.

Several hundred Negro university students celebrated the first anniversary of the sit-in movement Wednesday with a two-hour-long picketing of the downtown area here.

The demonstration, executed with military-like precision, was described by police as orderly.

Six of the students who police said were obstructing a sidewalk were taken to police headquarters, lectured briefly and then released.

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Otherwise there were no incidents reported.

Negro student leader Lonnie King said the demonstration had a three-fold purpose:

To commemorate the first anniversary of the nation's first sit-in (in Greensboro, N.C.), to call renewed attention to segregation practices in Atlanta and to restore vigor to the Negroes' months-long boycott of downtown stores which have had segregated eating facilities.

**BEGAN ON CAMPUSES**

Wednesday's demonstration began on the campuses of the Atlanta University System, where singing students gathered and then at 11 a.m. marched approximately two miles to town.

Capt. J. L. Moseley said the procession was "very orderly." The Negroes — estimated by police at 400—observed traffic lights and did not block through-traffic.

As they reached Rich's, about 30 students pulled off from the main body and, spacing themselves at regular intervals, marched around the building.

**CARRY SIGNS**

Most carried signs decrying segregation with such slogans as "Don't Buy Segregation."

Morris Brown senior Leroy Washington, carrying a clip-board with a map of the downtown area, ordered various groups to their respective picket areas as the procession continued.

The Rev. A. D. W. King, brother of integration leader Martin Luther King Jr., circled downtown in an automobile equipped with a two-way radio.

Six students at the corner of Broad and Alabama streets were taken into custody briefly after warnings from Det. Capt. R. E. Little not to block the sidewalk.

Shortly before 1 a.m., the students began retracing their course back to the campuses.

Before they left for downtown, University President Dr. Rufus Clement had warned Lonnie King against any "disturbance." He counseled negotiation but did not attempt to stop the demonstration.

# College Students March Downtown

Atlanta Daily World Atlanta, Ga.

Approximately 300 college students from the Atlanta University System and several white students, converged on downtown Atlanta yesterday, celebrating the first anniversary of the student sit - in movement that began in Greensboro, N. C., one year ago yesterday.

Thurs 2-2-61

The student demonstrators marched in an orderly manner from Atlanta's westside college campuses, with a group of pickets dropping out at one department store.

Only hitch in the mass picketing came when Captain R. E. Little, Jr., head of Atlanta's Police Security Squad, detained six demonstrators at police headquarters.

When questioned by this reporter as to arrests during the demonstration, Captain Little stated that "four men and two women questioned the law concerning my demands for them to move on and not block traffic. I had no time to cite the law with all of the people congregated in that one area." Capt. Little stated further, "I felt it wise to take them to the station and explain the law rather than have a crowd assemble downtown."

Lonnie King, student leader of the movement, stated that, "The overall purpose of the demonstration was to point to the Negro adult community the fact that the students have not given up their fight for freedom."

King stated that the demonstration was not geared towards any one particular business, but the the entire area downtown. He said that the student leaders are willing to negotiate if the business firms show a sincere desire.

**STUDENTS DETAINED**

Demonstrators detained by police included: Rev. A. D. Williams King, Benjamin Brown, Clark College senior; Ruby Smith, Spelman College junior; Amos Brown, Morehouse College sophomore, and two other students from Clark College.

Negroes at Nashville, Tenn., and Greensboro, N. C., where the first sit-ins occurred, lined up outside segregated theatres and demanded admission. They were turned away, or in some instances box offices were closed.

At Orangeburg, S. C., at least 10 Negroes were jailed in connection with sit-in demonstrations. Police said the protests were continuing and more arrests were expected.

Edward B. King, Jr., administrative secretary of the Student Non-Violent Coordinating Committee, said students had been asked to "rededicate themselves" to the desegregation effort.

# Police jail suspect in 'cashing in' on sit-ins

The Afro-American Baltimore, Md.

ATLANTA — A night club bouncer, who decided to cash in on the Atlanta student movement by collecting large sums of money under false pretenses, faced cheating and swindling charges following his arrest here last week.

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Rogers Martin, 21, was identified by detectives as the man who represented himself as an agent of the student movement and had collected more than $251.95 from various sources, including some 75 business establishments.

Detectives Howard Baugh and C. J. Perry said Martin admitted under questioning that he was not connected with the Atlanta student movement, and that he had used the funds he collected "entirely for his own use".

* * *

BAUGH AND PERRY said that Martin had been arrested for similar actions in 1960, and that he was put under 18 months probation as a result of trials revolving around earlier cases.

In the latest incident, Detective Baugh reported that he was able to uncover the work of Martin through the aid and efforts of bona fide members of the student movement groups in Atlanta.

"In searching the subject," the detectives said, "we found a small gold badge marked Special Deputy Sheriff, and also a .38 calibre revolver. The badge is being held as evidence."

Baugh said the incidents complained of had been going on since the beginning of this year, and up until Jan. 15.

# 100 students stay behind bars as drive is launched

By CHESTER M. HAMPTON

ATLANTA — "We are prepared to stay here until . .." said a coed, one of 80 Atlanta students jailed last week in a series of sit-downs. The students were bound over to the Fulton County grand jury in city court.

They chose to remain in jail for two weeks until the hearing rather than put up $100 bail.

"We will make the jails overflow," is the way Lonnie King, leader of the Atlanta sitdowners, explained the drive last week that resulted in 100 students imprisoned in three cities.

In the first week of its second year, the sitdown movement showed two new facets. One was the more widespread practice of staying in jail rather than paying fines or bail; the other was the expansion of the movement to Deep South restaurants not connected with variety or department stores.

The Atlanta arrests were all made in restaurants and lunch-counters operating independently of stores. All variety and department stores in the city had shut down their lunch counters after previous sitdown demonstrations.

* * *

LONNIE KING, the 24-year-old leader of the Committee on Appeal for Human Rights, spoke to the AFRO Saturday as he was in the midst of plans for a Saturday afternoon picketing demonstration.

On Sunday, Atlanta demonstrators formed a motorcade and visited the 17 students jailed in South Carolina. These students, enrolled at Friendship Junior College, were jailed after a sitdown in Rock Hill.

Refusing bail, they were sent to the York County prison where they must serve 30-day work sentences.

The Atlanta motorcade, along with similar student groups from Nashville and other student centers, first wound through Rock Hill before making it to the York County prison in time for visiting hours.

Also in jail are four white and two colored sitdowners in Lynchburg, Va. Arrested and fined $100 for staging a sitdown, they chose to serve 30-day terms rather than pay fines.

* * *

THE ATLANTA students were arrested in a series of sitdowns staged in the downtown area.

On Tuesday, 17 sitdowners were arrested in the office building cafeteria. The following day, 20 were arrested at another restaurant. Thirty - one were taken to jail awaiting grand jury action after they refused to post bond.

Mr. King and Miss Herschelle Sullivan, co-chairman of the group, posted bond so they would be free to direct future activities.

On Thursday, 39 more were arrested and on Friday, ten more were arrested. The total number of those choosing to stay in jail was 80.

On Thursday, Mr. King served a five - hour jail sentence on a contempt of court charge. Attending a hearing in the court of Judge James Webb, he noted that the courtroom was segregated.

He and two others moved to the side occupied by white persons. When told to move by the bailiff, they asked what law was being violated. Judge Webb ordered the trio arrested. When all other cases were disposed of, he called them up before him. He dismissed Mr. King's two companions on the grounds that Mr. King was the leader.

He told Mr. King, "You are coming into court seeking something and yet you have no respect for the court itself."

He sentenced him to serve five hours which, he said, was the longest sentence he could give him.

TEN FRIENDSHIP COLLEGE students having been arrested the week before, four more staged a sitdown at a local drug store. They joined those already in prison.

The Lynchburg students were arrested in a sitdown last month. When tried on Monday, they pleaded guilty to a trespassing charge and chose to serve 30 days in jail.

Two of the white students are women enrolled at Randolph - Macon College for Women; the others attend Lynchburg College. The two colored students attend Virginia Theological Seminary.

An interracial group staged a sympathy demonstration outside the jail after they were locked up.

ELSEWHERE ON THE SITDOWN FRONT:

Four colored and four white sitdowners were arrested and fined $10 each after a sitdown in an Oklahoma City, Okla. restaurant.

The North Carolina Supreme Court upheld trespassing convictions and $25 fines for two sitdowners who demonstrated at McLellan's Variety Store.

In Brownsville, Tenn., Sheriff S. T. Hunter ordered five white Michigan students out of town because "they were in the colored section of town and I didn't think that was a good place for them to be." The students had brought food and clothing to "Tent City" residents.

In Charlotte, N.C., over 50 Johnson C. Smith students demonstrated in front of two local movie theaters. City officials attempted to negotiate but theater managers held firm to the segregation policy.

Theaters in Chapel Hill were also picketed during the showing of "Porgy and Bess."

Dr. William C. Finch was named dean of Vanderbilt University's divinity school to replace Dr. Robert Nelson who resigned last year, along with several other faculty members.

They protested the ousting of the Rev. James Lawson from the student body after he was involved in a sitdown. The new dean was formerly president of Southwestern University in Georgetown, Texas.

# 39 More Choose Jail in Atlanta As New Sit-In Tactic Spreads

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Feb. 9—Thirty-nine more Negro students went to jail here today after having staged demonstrations in segregated private restaurants. Others promised to follow them tomorrow.

The refusal of the arrested students to post $100 bonds on trespassing charges raised the number involved in the South's so-called "jail-in" movement to eighty-nine. Seventy are in the Fulton County (Atlanta) prison.

Thirteen Negro students from South Carolina, North Carolina, Virginia, Tennessee and Georgia are serving thirty-day terms in the York County jails near Rock Hill, S. C. Four whites and two Negroes are serving similar sentences in Lynchburg, Va.

Today's demonstrations in Atlanta, which has not desegregated its lunch counters, were similar to those on Tuesday and Wednesday.

The proprietors of two restaurants and the police warned the students to leave or face arrest under the state's new anti-trespassing law. When they refused they were taken to the city jail, singing their theme song, "We Shall Overcome."

Following Municipal Court hearings this afternoon, the students were bound over to the Fulton County grand jury for trial. When they declined to post bond, they were transferred to the county jail.

Herschelle Sullivan, co-chairman of the Student Committee on Appeal for Human Rights, said the sit-in demonstrations would continue tomorrow. "We want to get a few more students in jail," she asserted.

Miss Sullivan expressed hope that the mass trek to jail would bring intervention by President Kennedy.

News of the additional arrests caused jubilation among the thirty-one students already in the county jail. The two-story, new brick and concrete structure is situated in a warehouse district of northwest Atlanta.

The Florida Civil Liberties Union asked the United States Supreme Court yesterday to review two lunch-counter sit-in cases from Florida, according to the American Civil Liberties Union.

The Florida organization told the court that conviction of the sit-in participants had violated their rights of free speech and liberty to seek contracts privately by persuading the store to serve them food. The group's petition for a writ of certiorari suggested the need for a Supreme Court ruling on the sit-in question.

The petition was prepared for a group of Negro students who were refused service at a F. W. Woolworth's lunch counter at Tallahassee last Feb. 20 and four white students who sought food service for Negroes in the same store last March 12. In both instances, the petitioners were arrested and were convicted of disorderly conduct, breach of the peace and unlawful assembly.

Jack Carroll, jailer in charge of the evening shift, said the maximum capacity of the prison was 801. About 700 persons were lodged there tonight and authorities said the mattress supply was running low.

# Fulton Jail Now Full; Cots For Halls Ordered

By ED ROGERS
United Press International

Negro sit-in demonstrators Wednesday filled the Fulton County jail to capacity and Sheriff Ralph T. Grimes ordered in cots, double deck beds, mattresses and blankets to take care of the expected overflow.

The number of Negro inmates rose to 419 by mid afternoon, Grimes said. This included 357 men, slightly below the capacity of 364, and 62 Negro women compared to the official capacity of 56.

Grimes said the temporary bedding for overflow inmates could take care of "quite a few" but he said another wave of mass arrests may force him to transfer overflows to other jails.

By mid-afternoon jail records showe dthere were 78 inmates charged with participating in sit-in demonstrations.

The sit-iners could get out on $100 bond each but most have refused to post bond in protest against segregation. Only four of the 82 sit-iners jailed had posted bond through late Wednesday.

Grimes said farming out prisoners because of an overflow had never, to his knowledge, been done before in Georgia.

Transfers of individuals or small groups occur in almost routine fashion but these are made for security reasons and not because of overflows, Grimes said.

Grimes warned there was no possibility of stalemating the arrests by jamming the jail because of almost unlimited space available in other jails of the state.

"The other sheriffs will be glad to help, I'm sure," Grimes said.

Fulton County would be forced to pay board for the transferred prisoners at rates set by the various sheriffs, usually about $2 a day per prisoner. Fulton County's charge is $1.75 per day.

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GEORGIA

ATLANTA- LUNCH COUNTER
(ATTACK CASE REPORTED FALSE)

# Attack Case Reported To Be False

Atlanta Daily World

Atlanta (Ga.) Daily World 1-14-61

An Atlanta laborer admitted in police court Friday that his tale of being attacked and beaten by three youths last month after making a purchase in a downtown store area was totally false and was not based upon true facts.

Charged before a judge for making a false report, the defendant, who identified himself to police as Allen E. Tillman, 27, listed at an Ashbridge St., N. W., address, was given a 60-day suspended sentence in Recorders Court, Judge James Webb presiding.

Tillman came to court charged with disorderly conduct-disturbance, police said, and left with the 60-day suspended sentence, and a stiff judicial rebuke from Judge Webb.

Prosecuting officers complained to the judge that Tillman's story caused them to lose some 50 to 75-man hours in investigating his stories about the incident.

Detective Captain R. E. Little said Tillman told three versions about how he was injured during the course of police investigation, but, the officer said, none of the tales could be substantiated under a probe that consumed some 50-man hours.

The judge remarked that Tillman could have "made up" another story to cover up for his trouble other than a tale that would cost the city and the taxpayers so much time and effort in investigation.

Webb said he "tempered" the sentence against Tillman because of the defendant's "previous good record," but warned "If you decide to get out of trouble again, don't involve the entire City of Atlanta in your troubles. Get out of trouble some other way."

During the hearing, Captain Little testified that Tillman reported to police that he had purchased a pair of shoes at a store on Peachtree St. the afternoon of December 10.

Following the purchase, Little said he was told, Tillman was followed to a service station on Simpson Road, N. W., where three men allegedly jumped him, beat him, snatched the shoes he had bought for his child and fled.

When police then, Little said, the three attackers had told him, "You know better than to go down there."

Later, Little testified, the defendant retracted his previous version and said, instead, that he was involved in a scuffle with the boy friend of a woman he was once friendly with himself.

Still later, Little said, Tillman changed his story again, and said, this time, that he went to a club after work on December 10, "got to drinking, fell and hit his head against the pavement."

At any rate, Little said, the shoes ended up missing.

Little said Tillman told him that he made up the original story because he didn't want to have any trouble about the shoes from his wife at home.

The third version was for a like purpose. The second version was given, Little said he was told, because Tillman didn't want his employers to know that he was a drinker.

After telling his story about the beating to his employers, they started a collection and raised enough money to buy another pair of shoes for Tillman's child.

Judge Webb suggested to Tillman that there were a "lot of stories you could have told besides that. Why did you settle on that particular story about being beaten by the demonstrators?"

Tillman's reply was, "Well . . ." and his voice dropped off and finally he fell into silence without ever giving a direct answer to the judge's query at that point.

In answer to a pointed question from Judge Webb, Tillman admitted in open court that the student and adult pickets in the downtown area where he bought the shoes had "nothing to do with it."

In court Friday, Tillman stuck by his third story that he had fallen while on a drunken binge at a Simpson club.

Captain Little, however, said that even that story had not been confirmed during his investigation of the matter.

At the time of his original report to police on December 22, Tillman was quoted as saying that his wife had called police immediately after the incident on December 10, but that nothing more was done about it.

Later on, in a signed statement, Little testified, the wife admitted that no call had been placed by her to police. Little further recalled that his check of all available police records revealed no telephone call about such an incident at the time it allegedly occurred.

Little said that one discrepancy in Tillman's story put his investi-

gators on guard.

Under further probing by the judge, Tillman admitted outright that he had "lied" to police about the incident.

At that point, Judge Webb went into his rebuke, saying that the city had been put to a lot of trouble "because of your false report."

Tillman was held on a disturbance charge after police apprehended him at a Jonesboro Rd., address Friday morning. He was arrested by Captain Little, along with Detectives W. B. Blackwell and J. G. McEntire, all members of the police department's special security force.

Tillman pleaded guilty to the charge against him in court, and admitted to the 60-day suspended sentence imposed upon him by Judge Webb without protest.

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GEORGIA

ATTORNEY A.T. WALDEN

ATLANTA- LUNCH COUNTER

# Walden Says He Will Negotiate With Merchants

Atlanta Daily World
Atlanta Daily

Attorney A. T. Walden, retired lawyer who has worked in several civil rights cases, Wednesday confirmed reports that he has been asked to re-open negotiations with downtown store merchants for settlement of the sit-in dispute of many months.

Thurs. 2-16-61

Mr. Walden told reporters he had accepted the job, but has "hardly begun" work as yet.

The attorney said the request came from student body leaders at Atlanta colleges, but the Committee on Appeal for Human Rights had no voice in the request. However, he indicated the student organization is going along with his efforts.

Walden said that if he succeeds he feels students now choosing to remain behind bars will make bail. "A lot of them seem to want to stay there, but I believe that if I do any good they might get out."

Asked why he was chosen to attempt to bring about new negotiations, Walden said, It seems they had confidence in me. They hadn't been inclined to listen to anyone."

NEGROES REQUEST PRESIDENT KENNEDY'S AID IN JAILINGS

# Negroes Ask Kennedy Aid In Jailings

Jackson Daily News
Jackson Miss.
d. 2-8-61

ATLANTA (AP) — Negro leaders are asking U.S. Atty. Gen. Robert Kennedy to investigate the jailing of 13 Negro college students who tried to eat at a white cafeteria.

Seventeen Negroes were arrested in Tuesday's sit-in, but four were released after testifying they had not been asked to leave the cafeteria.

The arrests were made under a state law requiring anyone to leave private property at the request of the owner or manager.

Two of those jailed later posted $100 bonds and were released, but a jailer said Tuesday night that the other 11 "have expressed no desire to post bond."

Nineteen Negroes entered the Sprayberry Cafeteria just before noon. H. J. Sprayberry, owner and manager of the cafeteria, said most of them managed to go down the serving line and pick up food before he ordered the line and the cash register closed down.

He said he asked the Negroes, who proceeded to tables, to leave and then called police. Some of the students testified at a court hearing that they were about to leave when arrested.

38a 1961

# Appeal Court Hears Savannah Sit-In Case

any person do business with anyone but to prohibit the state from punishing an act which is not in itself illegal."

**RIPS TRESPASS LAW**

Gadsden argued that the 1960 trespass law "does not mention race, but that is only due to the ingenuity of the Legislature."

A decision may be a month or two away.

The court also heard appeals of two Savannah sit-in demonstrators who were arrested under an unlawful-assembly law.

Negro attorneys argued that there was no evidence the two had assembled to commit an unlawful act. The state's attorney, on the other hand, argued that the Negroes knew their presence would cause the shut-down of the lunchcounter and therefore had gathered for the purpose of disturbing the peace.

E. H. Gadsden.

**STATE ACTION**

The state attorneys, led by Deputy Asst. Atty. Gen. Sylvan A. Garfunkel, argued that discrimination was made before the state stepped in. "What the state was doing," he said, "was arresting someone who was trespassing."

Garfunkel cited several federal court rulings upholding the right of a store owner to exclude Negroes.

But Attorney Gadsden said the Savannah demonstrators did not enter a store or restaurant which excluded Negroes, but were customers at stores which "only have discriminatory practice at lunch counters."

Gadsden said the demonstrators' appeal was "not an attempt to make any person do business with anyone but to prohibit the state from punishing an act which is not in itself illegal."

He further argued that the 1960 trespass law "does not mention race, but that is only due to the ingenuity of the Legislature."

A decision on the case may be a month or two away, according to reports.

The court also heard appeals of two Savannah demonstrators who were arrested under an unlawful-assembly law.

Attorneys for the demonstrators argued that there was not evidence the two had assembled to commit an unlawful act. The state's attorney argued that the demonstrators knew their presence would cause the shut-down of the lunch counter and therefore had gathered for the purpose of disturbing the peace.

Counsel for the Negroes attacked the law as racially biased.

The appeals court said the only point at issue in this prosecution was whether the evidence justified the lower court verdict. It held that the evidence was ample.

Ten were convicted under an unlawful assembly law. Their counsel had argued before the Court of Appeals that there was no evidence that they had assembled to commit an unlawful act.

The court, however, leaned toward the argument of the state's attorney that the Negroes knew their presence would cause a counter shutdown and therefore had gathered for the purpose of disturbing the peace.

Atlanta Ga.

## To Rule On Savannah Sit-Ins Within A Month

The Georgia Court of Appeals is expected to make a ruling within a month or two regarding the appeals of five Negro sit-in demonstrators arrested in Savannah under the Georgia's 1960 trespass law.

The arguments in the case were heard by the Court of Appeal here Thursday. They were faced with the basic question of whether a store owner may discriminate on the basis of race.

The state attorneys conceded that Savannah merchants had discriminated in refusing to serve Negroes, but they further argued that the merchants had that right.

The attorneys for the demonstrators, however, contended that Georgia's 1960 trespass law was being used solely against Negroes and that therefore invalid.

Being argued were the cases of five Negro sit-in demonstrators arrested in Savannah under the 1960 trespass law, convicted and fined $100 each.

The five were arrested after they declined store managers requests to leave the premises.

**STATE POWER ABUSED?**

Negro attorneys contend the arrest was use of state power to enforce segregation.

But Deputy Assistant Atty. Gen. Sylvan A. Garfunkel contended otherwise:

"The discrimination—and there was discrimination—was all made before the state stepped in," he argued. "What the state was doing was arresting someone who was trespassing."

Garfunkel cited several federal court rulings upholding the right of a store owner to exclude Negroes.

But Negro attorney E. H. Gadsden contended that there is no clear precedent for these cases.

The Savannah Negroes did not enter a store or restaurant which excluded Negroes, he stated, but were customers at stores which only have discriminatory practice at the lunch counters."

Gadsden said the Negroes' appeal was "not an attempt to make

Atlanta Daily World

Atlanta, Ga.

## Convictions In Sitdowns Affirmed

The conviction of Negro sit-down demonstrators at Savannah were affirmed Wednesday by the Georgia Court of Appeals.

Twenty-two were fined $100 each under a 1960 Georgia act aimed specifically at such demonstrations. It makes it a misdemeanor to disobey an order of the owner

The Atlanta Constitution

Atlanta, Ga.

GEORGIA

ATLANTA- LUNCH COUNTER
CITY HALL

# City Hall Lunch Counter Suit Loses In U.S. District Court

Atlanta Daily World p.1
Atlanta Journal

By JOHN BRITTON

The second of three federal court suits filed jointly last year attacking segregated lunch counters in downtown public buildings has been thrown out of U.S. District Court in Atlanta by a federal judge's order.

The second suit to be tossed out of federal court on a summary judgment motion by the defendants involved an action attempting to break down alleged segregation barriers at the City Hall Cafeteria. 12-7-61

Federal Judge Sloan Tuesday issued a three-pronged order denying injunctive relief to the petitioners, dismissing the civil suit and granting to the defendants their motion for summary judgment in their favor.

The suit attacking alleged segregation practices at the City Hall cafeteria was filed in U. S. District Court here on August 3, 1960 by John L. Gibson and Andrew Phillips, both students in the Atlanta University Center.

The attack on City Hall lunch counter practices was one-third of a three-suit convoy that was marched into federal court last August by students who contended that they had been refused food service at three public buildings solely because they were Negroes.

The other two actions attacked segregated eating practices at cafeterias located at the State Capitol building and the Fulton County Courthouse.

The court, under Judge Sloan's ruling, threw out the suit against the State Capitol cafeteria on Oct. 4, 1960.

**RENDERED MOOT ACTION**

That suit was dismissed, the judge ruled, because the permanent closing of the state eating facility had apparently rendered the action "moot."

The third action against a cafeteria located in the Fulton County Courthouse is the only such action still pending here. Nothing further has been recorded in that case since defendants in the action filed their answers to charges listed in the students' original complaint.

The [illegible] authorities named in that action took defensive measures other than asking [illegible] ruling on the city suit.

Tuesday, Judge Sloan said it appeared that the cafeteria involved is being operated exclusively for the service to City Hall employes and their guests.

This would make the cafeteria operated in compliance with a resolution passed by the Atlanta Board of Aldermen on August 15, and later approved by the mayor, restricting the use of the cafeteria to City Hall employes and their guests.

**CITED FEDERAL RULING**

The judge cited a federal ruling that held "A court of equity will not afford an injunction to prevent in the future that which in good faith has been discontinued in the absence of any evidence that the acts are likely to be repeated in the future."

Judge Sloan said he was satisfied, under the evidence before him, "that no discrimination because of race is now being practiced or will be practiced in the future (at the City Hall cafeteria.)

The plaintiffs in the suit, the judge noted, sought neither damages nor declaratory judgment, but asked for an interlocutory and permanent injunction restraining the defendants from making any distinction based upon color in regard to service at the City Hall Cafeteria.

"The sole function of an action for injunction," Judge Sloan ruled, "is to forestall future violations."

"Under these facts the issuance of an injunction would serve no useful purpose and there appears no likelihood that the conduct complained of in the complaint will recur," Judge Sloan said.

**INJUNCTION DENIED**

"The renewed motion of defendants for summary judgment is granted, the issuance of an injunction as prayed for is denied and the complaint is hereby dismissed" the judge concluded.

The latest action was a ruling on the third attempt by the defendants to secure summary judgment in their favor. Twice before, their similar bids were refused by Judge Sloan because, he said, they had not sufficiently shown to the court that segregation was no longer being employed in service at the cafeteria despite the facility's restriction to employes and their guests.

Defendants in the City Hall cafeteria action were listed in the petition as Mayor William B. Hartsfield, Police Chief Herbert T. Jenkins and Alton B. Okarma, owner of the cafeteria facility involved in the action.

The dismissal of the suit came after Okarma filed affidavits with the court swearing that his is complying with the Board of Aldermen's resolution of August 15, 1960, and that no segregation is practiced at the cafeteria now, nor is there any intention to do so in the future.

# Four Under Bond After Seeking Food At Terminal Cafe

Atlanta Daily World
Atlanta Jour.
Wed 1-11-61

Four students of the Atlanta University Center Tuesday afternoon were held under $100 bonds each to await trial in Fulton County Criminal Court on charges arising from their attempts to get food service at a restaurant located in Terminal Station last month.

The group, two men and two women, unsuccessfully attempted to persuade the presiding Recorders Court judge to dismiss the cases against them on the strength of a Supreme Court ruling in a similar case that originated in Virginia.

The judge refused o dismiss the cases, it was reported, on the grounds that only probably cause needed to be shown in his court, and that he would not go into the constitutionality of the law under which the students were arrested.

Those held under bond awaiting trial were identified in court and police records as Miss Mary Ann Smith, 20, of a Fraser St., S. E., address; Miss Ruby Doris Smith, 18, of a Fraser St., S. E., address; Robert Felder, 22, of a McDonough Blvd. address, and John L. Gibson of a Chilton Dr., N. W., address.

Defense attorney A. T. Walden cited to Judge R. M. Jones the Supreme Court ruling in a Virginia case that held, Walden said, that to prosecute persons for exercising their rights under interstate commerce was unconstitutional.

The students were arrested on December 11 at Terminal Station after arriving in Atlanta from Birmingham, Ala., it was reported. They sought service at the train terminal restaurant, but were refused.

They were reportedly asked to leave the eatery by management personnel, but refused to do so. They were later arrested and taken into custody by police Captain C. C. Hamby.

They were charged with violating the 1960 Georgia statute that makes it mandatory to leave the premises when the management of a store demands such action.

The students were all out of jail under bond Tuesday night, according to Attorney Walden.

The cases against the four latest students will join more than a hundred others that are presently lying dormant in the Criminal Court solicitor's office.

The other cases represent prosecutions carried out against students arrested in March, 1960, sit-in-demonstrations as well a demonstrators nabbed in October of the same year.

3Ga 1961

GEORGIA CITY HALL CAFETERIA

# Cafeteria Integrated, Negroes' Suit Voided

The Atlanta Constitution
Thurs., 1-12-61 p. 6

U.S. District Judge Boyd Sloan has dismissed a suit to desegregate the city hall cafeteria here.

Judge Sloan said evidence in the case indicates that the cafeteria is being operated on a non-segregated basis.

Atlanta, Ga.

**FILED IN AUGUST**

The suit was filed in August by two Negro students after a sit-in attempt at the cafeteria. It asked for an injunction against racial distinctions at the cafeteria.

After the suit was filed, the city closed the cafeteria to everyone except city hall employes and their guests. At the same time, the city opened the cafeteria to 12 Negroes on the city hall payroll.

Judge Sloan said, "there appears no likelihood that the conduct complained of in the complaint will recur." Judge Sloan cited an affidavit filed by the cafeteria lessee saying that "no discrimination because of race is now being practiced or will be practiced in the future."

**EARLIER OVERRULINGS**

Judge Sloan twice overruled similar city motions for a summary judgment.

The city hall suit was one of three filed last August to desegregate cafeterias in public buildings here. A suit to desegregate a small capitol cafeteria was dismissed after the cafeteria was closed. A suit to desegregate the courthouse cafeteria is still pending.

38a 1961

GEORGIA

# Atlanta Eat Spots to Integrate

*Special to The Christian Science Monitor*

Leading Atlanta department, variety, and drug stores have agreed to desegregate their lunch counters and other facilities.

This goal, for which Negro college students have struggled for the past six months, will become a reality early next fall shortly after the integration of the 11th and 12th grades in the Atlanta city schools.

Meanwhile Negro leaders have agreed, so far as it lies within their power, to call off sit-ins, boycotts, picketing, or other reprisals against stores maintaining segregated lunch counters until the integration deadline.

This is the gist of a surprise statement issued jointly Tuesday by Ivan Allen, Jr., president of the Atlanta Chamber of Commerce, and a group of Negro leaders, both students and adults. The agreement was whipped into final form at a meeting of Negroes and white merchants at the chamber the previous evening.

**Secret Sessions**

Negotiations leading to the agreement were secret, and the public had no inkling that a settlement of the long controversy between Negroes and merchants was impending.

Prime mover in the negotiations to end the sit-in demonstrations, which have been staged periodically since early last fall and have resulted in the arrest of several hundred Negroes, was A. T. Walden, prominent Atlanta Negro lawyer, businessman, and political power. Semiretired, Mr. Walden recently consented to aid the Negro students in working out a compromise with the merchants.

He disclosed Tuesday that first he had sought the cooperation of a prominent white Atlanta attorney, Robert B. Troutman, Sr., a friend of his for many years. Together they sought the cooperation of Mr Allen and the Chamber of Commerce in approaching the merchants.

Several weeks ago, as reported in The Christian Science Monitor, the Negro student movement appeared to have reached a stalemate. Sit-in demonstrations were being held periodically, but their only result seemed to be the jailing of a group of students.

**Counsel Called In**

White merchants appeared to be adamant in their stand against desegregation. It was about this time that the Negroes sought Mr. Walden's counsel and assistance.

Interestingly, the merchants based their agreement on action of the Georgia General Assembly and the Atlanta Board of Education in opening other areas of integration.

The statement, after referring to "the fine relationship that has existed between the races for a long number of years," said: "In order to establish good relationships, the leading merchants have stated it is their decision to carry out in lunchrooms and other facilities the same patterns as have been recognized and evidenced by:

"1. Actions of the 1961 General Assembly of Georgia (which repealed the state's school segregation laws).

"2. The admission of qualified students to the University of Georgia.

**Linked to School Issue**

"3. The decision of the Atlanta Board of Education to comply with the orders of the federal court—all relating to the public school issues in Atlanta and as are finally decided upon in the public school issues in Atlanta.

"The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing, and sit-ins and to bring back a condition of complete normalcy as soon as possible.

"Each party is fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

[Mayor William B. Hartsfield said, "This agreement puts us all on our mettle in seeing that the school integration next September is brought about without any disorder and without outside interference," the Associated Press reported.

**Stabilizing Move**

[Ivan Allen, Jr., president of the Atlanta Chamber of Commerce, said the agreement would mean a return to normalcy for downtown business and pave the way for peaceful desegregation of eating facilities.

[Mr. Walden, Negro attorney and special negotiator in the settlement, said the agreement means that all sit-ins probably are over.

[Mr. Walden said Negroes who lost their jobs because of the shutdown of lunch counters and because of the Negro boycott of stores will be rehired where practicable. He estimated 500 to 600 Negroes had been affected by business dropoffs growing from the boycott.]

Negro signers of the agreement included both students and prominent adults. Among them, aside from Mr. Walden, were Lonnie King, head of the Atlanta unit of the Student Nonviolent Coordinating Committee; the Rev. Dr. William Borders, chairman of the student-adult liaison committee, and the Rev. Martin Luther King, Jr., widely known Negro protest leader.

**Key Stores Included**

Stores party to the agreement were Rich's, Davison's, Woolworth's, McCrory's, Grant's, the Walgreen Company, Jacob's Pharmacy, S. H. Kress & Co., Sears, Roebuck & Co., Kresge's, S. H. Green Company, Newberry's and Lane-Rexall Drug Stores.

All the merchant signers operate department, drug, or variety stores which maintain restaurants and/or lunch counters where the Negro students have staged sit-ins. All have departments selling commodities other than food where Negroes are welcome customers. None of the parties to the agreement operate restaurants alone.

With one exception—a small restaurant near Rich's — the Negro students have confined their demonstrations either to the stores listed earlier or to eating facilities in buildings occupied by offices of federal, state, county or city governments or rail, bus, or air lines. Hundreds of other restaurants in Atlanta have not been affected.

There is only one technical loophole in the merchants' agreement. The opening of their eating facilities to Negroes is based on integration of the Atlanta public schools, scheduled to take place in September. If that should not be carried out, the present agreement would not be binding.

But as the Atlanta Board of Education already has submitted an integration plan which has been approved by the United States District Court here, the prospect of a failure appears remote.

## *Integration Leader Wins Appeal*

*By the Associated Press*

Atlanta

**The Georgia Court of Appeals has voided a 12-month traffic sentence given integration leader Martin Luther King, Jr., and returned the case of De Kalb County Court for sentencing in accordance with the misdemeanor law.**

**The Misdemeanor Statute provides for a sentence of six months in jail, six months in a public works camp, $500 fine, or all three.**

**King was fined $25 and sentenced to 12 months in a public works camp for driving without a Georgia license. The sentence was probated. King was arrested later after taking part in a sit-in demonstration and that arrest brought a four-month jail term for violation of probation.**

**The Court of Appeals held that since the 12-month sentence was void, part of it could not be reimposed.**

## 100,000 Afro-Americ back sit-ins

ATLANTA, Ga. — One hundred thousand university students of Canada and thousands of others in England, Wales and Northern Ireland have expressed solidarity with and moral support of the colored and white students now serving jail and chain gang sentences in South Carolina and Virginia.

Communications released Saturday by the Student Nonviolent Coordinating Committee show this in strongly worded cables to Governor Lindsay Almond of Virginia and Governor Ernest Hollings of South Carolina.

The National Federation of Canadian University Students condemned "state violation of human rights," and called student imprisonment "unjust."

* * *

CABLES FROM THE National Union of Students of England, Wales and Northern Ireland to the Governors of Virginia and South Carolina declared "students everywhere (are) united against continuation of immoral practice" of racial discrimination.

Letters reporting the actions taken by the two student groups were also received at the SNCC office. The one from the Canadian group, read as follows:

"We have learned with deep regret of the recent imprisonment of students in South Carolina and Georgia for their peaceful efforts to wipe out the shame of racial segregation in those states. We would like to express our solidarity with you in this task and assure you of our moral support."

The other from British students stated:

"We have received information about the arrests in Carolina and Virginia of students, and their subsequent imprisonment, as the result of their noble acts defending the very legitimate principles of student equality and total absence of discrimination on racial grounds."

**THE LYNCHBURG SIX** — Shown are the first six persons convicted for protesting racial segregation at Patterson's drug store in Lynchburg, Va. (Left to right) Kenny Green, Terrell Brumback, Miss Rebecca Owen, Miss Mary E. Bentley and Miss Barbara Thomas.

**BRUTALITY VICTIM?** — Miss Mae F. Moultrie, Morris College student, is shown in Community Hospital where she was treated for injury received during recent demonstration in Sumter, S.C.

# Atlanta Stores Agree To End Segregation Of Eating Facilities

ATLANTA, Ga., March 7 (UPI).—Major Atlanta department and variety stores agreed Tuesday to gradually desegregate their eating facilities.

Sit-in leaders and the city's merchants reached the agreement after months of demonstrations at downtown stores that had a policy of segregated eating places.

No deadline for a start toward desegregation of the facilities was announced except that it would begin at the time the city's schools are desegregated. This is scheduled next fall.

**VICTORY FOR NEGROES**

Although the eating facilities will be reopened for the present on a segregated basis, Tuesday's action appeared to be a major victory for the Negro groups.

Attorney General Eugene Cook said the State would be "helpless" to enforce its new anti-trespass law—under which Negro sit-inners have been arrested by the score—if management of stores refuse to cooperate or if they "voluntarily submit to racial integration."

**SUSTAINED PRESSURE**

The Atlanta Chamber of Commerce, which announced the agreement, said the 17 stores and chains representing approximately 50 individual stores would gear their desegregation on the admission of the first Negroes to white public schools here.

The settlement was reached after sustained pressure by Negroes in the norm of sit-ins, picketing and boycott at department and variety stores that had segregated eating places.

The agreement specified that:

**1. Leading merchants have decided to carry out "the same patterns" as those recognized by the 1961 Georgia Legislature in repealing segregation laws, by the University of Georgia in admitting Negro students and by the Atlanta School Board in complying with Federal desegregation orders.**

**2. Negro leaders will "make every effort' to "eliminate boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible."**

The agreement emphasized, however, that parties to the settlement could be responsible only for themselves and could not force their stand on others.

Atlanta Mayor William Hartsfield congratulated "all sides upon a fair and statesmanlike approach to this situation."

# Negroes Agree To End Sit-Ins

The Atlanta Constitution
Atlanta, Ga.
Wed. 3-8-61

By BRUCE GALPHIN

Downtown merchants and Negro leaders announced a pact Tuesday which promises to end Atlanta's year-long sit-ins and boycotts, and sets a target date for desegregating lunch counters.

Under terms of the agreement, luncheon facilities in department, drug and variety stores will reopen on a segregated basis this week.

Dining and other facilities would be desegregated within "a reasonable time" after desegregation of Atlanta's public schools—presumably next fall.

**ANNOUNCED JOINTLY**

The accord was announced jointly by A. T. Walden on behalf of Atlanta's Negro leadership and Ivan Allen Jr. for the Atlanta Chamber of Commerce.

Signers of the agreement on behalf of the Negroes included leaders of all major adult and student interests.

Retail stores signing the pact included Rich's, Davison's, and Sears, as well as chain and local drug and variety stores which have been targets of sit-ins.

**TO RE-HIRE EMPLOYES**

Walden also revealed that merchants have given assurance that some 500 to 600 Negro employes laid off during the sit-ins will be re-hired where practicable.

He said the lay-offs were the result of the closing of lunchrooms and the reduced volume of trade during the three-months-long boycott and not any act of retaliation on the part of merchants.

Davison's announced its mezzanine lunchroom will re-open Thursday and its basement facilities Friday. Most of Rich's lunchroom facilities will be open Friday.

Allen, who took part in negotiations as president of the Atlanta Chamber of Commerce, hailed the agreement as "progressive."

Walden said it represented major concessions on both sides.

Mayor Hartsfield called it a "statesmanlike solution . . . in the very best traditions of dynamic and growing Atlanta."

Citing rumors that trouble-makers from other states may come to Atlanta in September "to make a segregation circus at our expense," he warned "that they will be handled most sternly."

The Rev. Martin Luther King Jr., who was in Detroit and did not sign the agreement, called the plan workable and urged its support.

Gov. Vandiver appealed for continued voluntary segregation "as the best solution under which the harmony, the progress and the peaceful conditions of the state can be maintained."

Sit-ins and boycotts began here in the latter part of March, 1960. After a spate of demonstrations at that time, activity dropped off until last fall. A 30-day truce was called while Hartsfield attempted negotiations, but sit-ins and an intensified boycott of the downtown area began again after Thanksgiving. It was then that most department, drug and variety store lunch counters were closed.

It was only a few weeks ago that Walden was called into negotiations by the students, many of whom were then remaining in jail rather than take bail.

A retired attorney with a long string of civil rights victories to his credit, Walden enlisted the aid of attorney Robert Troutman Sr., who in turn called Allen into negotiations.

Retail stores signing the agreement were: Rich's, Davison's, Woolworth's, McCrory's, Grant's, Walgreen Co., Jacobs Pharmacy, S. H. Kress & Co., Sears, Roebuck & Co., Kresge's, H. L. Green Co., Newberry's and Lanes.

Negro leaders who signed were. Dr. William Holmes Borders, pastor of the Wheat Street Baptist Church and chairman of the Student-Adult Liaison Committee; Walden; Dr. M. L. King Sr., pastor of Ebenezer Baptist Church; attorney Leroy R. Johnson, member of the Atlanta Negro Voters League executive committee; Q. V. Williams, executive committee of the Empire Realty Board and member of the Advisory Committee on Urban Renewal.

Also Jessie Hill Jr., actuary, Atlanta Life Insurance Co.; Mrs. P. Q. Yancey, housewife representative on the Student-Adult Liaison Committee; the Rev. O. M. Moss, pastor of Providence Baptist Church; Dr. Rufus E. Clement, president of Atlanta University; Lonnie C. King, chairman of the students' Committee on Appeal for Human Rights, and Miss Herschell Sullivan, vice chairman of the CAHR.

The agreement reads as follows:

"We feel that the fine relationship which has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible. In order to re-establish good relationships, the leading merchants have stated that it is their decision to carry out in lunchrooms and other facilities the same patterns as have been recognized and evidenced (1) by actions of the 1961 General Assembly of Georgia; (2) the admission of qualified students to the University of Georgia, and (3) the decision of the Atlanta Board of Education to comply with the orders of the federal court—all relating to the public school issues in Atlanta and as are finally decided upon in the public school issues in Atlanta. The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible. Each party is fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

Later in the day the Chamber of Commerce issued a "clarifying statement" saying the original statement meant the lunchrooms will be reopened on a segregated basis "pending a final decision on the Atlanta school issue and that they will then follow the pattern of that decision."

Following the settlement Mayor Hartsfield proclaimed March "Shop Downtown in Atlanta Month."

"Atlanta has always been a friendly city," the mayor said. "In these troublesome days, our slogan has been 'We're too busy to hate anybody.'

Let us put this into effect and make downtown Atlanta full of people shopping and trading as we have done in the past," Hartsfield urged.

# Atlanta Sit-In Drive Ended With Pledge of Integration

The New York Times
New York, N.Y.
Wed. 3-8-61
Page 1

Special to The New York Times

ATLANTA, Ga., March 7—Negro leaders and business men agreed here today to a formula for desegregation of lunch counters and other store facilities. In return for an immediate end to sit-ins and other boycotts, the stores agreed to end discrimination at the time of desegregation of local schools, expected in the fall.

Meanwhile, the Georgia Court of Appeals here up held the conviction of the Rev. Dr. Martin Luther King Jr. on a traffic violation. However the court voided as excessive a sentence of one year imposed on the integration leader.

The settlement of the lunch-counter controversy was announced by the Atlanta Chamber of Commerce.

**Many to Get Jobs Back**

Negroes agreed to make "every effort" to end sit-ins, picketing and boycott of downtown stores. Major department, drug and variety store merchants agreed to "follow the pattern" of "a final decision" in the Atlanta school desegregation case.

The merchants said they would reopen on a segregated basis lunch counters and dining facilities closed for three months as a result of sit-ins and other demonstrations.

A. T. Walden, a Negro lawyer who served as special negotiator, said the agreement also that 500 or 600 Negroes who had lost jobs in stores affected by sit-ins would get them back where practicable.

Mr. Walden said setting of a "time certain" for desegregation was a factor in the acceptance of the agreement.

The agreement has the effect of putting additional emphasis on the school issue. On the other hand, chamber spokesmen said, it assures a calmer mood for school integration.

Public schools are under Federal Court order to put into effect a desegregation plan for the eleventh and twelfth grades in time for school openings this fall.

Stores included in the agreement are Hrch's, one of the South's largest department stores, Sears-Roebuck & Co.; Davison's, an affiliate of Macy's; Woolworth, McCrory, S. H. Kresge, H. L. Green, Newberry and Grant variety stores, and Walgreen, Jacob's and Lane drug stores.

**Probation Issue 'Nullity'**

In its ruling on Dr. King, the Court of Appeals said its action made a "nullity" of a revocation of probation of the sentence ordered by a DeKalb County Judge.

The judge, Oscar Mitchell, ordered the revocation after Dr. King was arrested last year on sit-in charges.

The case now goes back to Judge Mitchell's court for resentencing, the court said.

"The probationary feature of the sentence being void, the defendant was not under probation at the time he allegedly committted the crime for which the purported probationary sentence was sought to be revoked," the court held here today.

The agreement ending the demonstration said that "the fine relationship which has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible."

The merchants agreed to desegregate "lunchrooms and other facilities" in "the same patterns" that "are finally decided upon in the public school issues in Atlanta."

The Negro leaders said that "every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible."

Each party said it was "fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

The Chamber of Commerce later announced:

"This statement means in principle that the lunchrooms will be reopened on a segregated basis pending a final decision in the Atlanta school issues and that they will then follow the pattern of that decision."

# Segregationist Pays Tribute To Sit Iners

The Louisiana Weekly
New Orleans La
Sat. 3-4-61
P 13

Atlanta-(ANP)-The miracle of the sit-ins occurred here last week.

The high priest of lily whiteism, arch-segregationist Roy Harris, paid tribute to Negro youngsters who are conducting sit-in demonstrations here in an effort to break down jim crow patterns in the community.

Referring to the several score Negro college students now overflowing the jail here for their participation in sit-in demonstrations, Harris, who advocates violence if necessary to prevent integration said:

"You've got to hand it to them", speaking at a meeting of Georgians Unwilling to Surrender he declared.

"They're willing to go to jail for their beliefs."

"And if we're to win this fight," he continued, "White people have got to have the guts to standup and fight."

The Augusta lawyer said he has "always wanted to see one Southern governor who had the courage to let a federal judge put him in jail" for refusing to obey a court integration decree.

Still discussing jailing, Harris said "They can't put you in jail" for refusing to associate with Negroes or whites who associate with Negroes.

If they won't let us have segregation in seating, we can have social segregation," he said. "All it takes is what's on that emblem--'GUTS" as he pointed to the organization's name and initials.

Discussing Martin Luther King, Jr.'s recent remarks that "unjust" laws should not be obeyed , Harris commented.

# ATLANTA ACCORD AROUSES DISPUTE

New York Times
New York N.Y.
Sun 3-12-61

## Date to Desegregate Lunch Counters Called Unclear—Sit-Ins Are Dropped

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, March 11—Negro students agreed today to refrain from further picketing and sit-In demonstrations against white merchants. But a settlement that promised an end to the city's year-long lunch-counter desegregation dispute still appeared to be in jeopardy.

At a meeting this morning, seventy-five students decided to continue a boycott of the downtown area until the counters had been desegregated. They have been promised adult support.

A sizable number of those present favored a resumption of the sit-ins. This would have closed the eating facilities that were reopened on a segregated basis following an announcement of the pact Tuesday by a biracial committee.

A solution is widely conceded to be crucial to Atlanta's racial peace and public school desegregation unmarked by violence. Moreover, business men are eager to end the boycott, which began last Thanksgiving after earlier negotiations had collapsed.

The crux of the problem lay in the settlement terms made public. Ivan Allen Jr., president of the Atlanta Chamber of Commerce, had said that the agreement provided for desegregation to follow the admission of Negroes to white classrooms here. This is scheduled next September under a Federal Court order.

### 1,500 Attend Meeting

However, the Negro negotiators, led by A. T. Walden, a retired lawyer, explained to a mass meeting last night that the lunch-counter move was in no way contingent upon the school question. This was confirmed by white involved in the talks.

Mr. Walden and others told the 1,500 persons who attended the meeting at Warren Memorial Methodist Church that a specific date had been agreed upon. One speaker, apparently through a slip of the tongue, said the action would be taken in September. It is known that the date fixed is in October.

The meeting was called in an effort to win Negro acceptance of the settlement. Students and young adults had shown rising dissatisfaction over its terms. The opposition centerd on the reopening of the counters and the tentative assurance given by the Negro leaders that the boycott as well as the demonstrations would be stopped.

### Dr. King Makes Plea

Only an impassioned speech by the Rev. Dr. Martin Luther King Jr. saved the older men from an outright repudiation of their leadership. Dr. King, who led the 1956 Montgomery, Ala. bus boycott, is co-pastor of Ebenezer Baptist Church, president of the Southern Christian Leadership Conference and a leading exponent of passive resistance to desegregation.

Developments at the church dramatized the division within the Negro community between those supporting a go-slow policy and the youthful advocates of militant action. It was obvious that the latter group was predominent.

One speaker nodded toward students sitting in the choir who were among the more than eighty-five who initially refused to post bonds after being arrested for sit-in violations and went to jail. He said the negotiators should ask themselves if "you thought those students were playing." He then asserted:

"When we talk about going downtown to desegregated lunch counters, we're not begging, we're buying. I don't see how in the name of heaven any self-respecting Negro can go downtown under these circumstances."

The crowd gave an uenthusiastic response to such prominent elder statesmen of the community as the Rev. Martin Luther King Sr., the Rev. William Holmes Borders and the Rev. Samuel Williams, head of the Atlanta branch of the National Association for the Advancement of Colored People.

At one point, they shouted down Mr. Borders when he urged them to hear one explanation of the negotiators' actions. They were similarly unreceptive to the remarks of the others.

The turning point came when one young Negro called for their repudiation. Benjamin Brown, a student leader, came to their defense. But it was Dr. King who turned the tide.

He pointed out that not one lunch counter in the Deep South had been desegregated.

"Even if desegregation does not take place before next September, Atlanta will be involved in the first break-

# 'Sit-Ins' Urged to Broaden Program

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 4-1-61

ATLANTA—Roy Wilkins has called on the college community here to extend the spirit of the sit-ins to a four-point program for attaining first-cass citizenship.

The NAACP executive secretary addressed a student assembly at Spelman College, one of the centers of the local sit-in movement.

Mr. Wilkins praised the students for bringing the problem of racial discrimination in Atlanta to the attention of the American public.

"When white men and women in a Deep South state sit down to negotiate on the abolition of racial segregation in public eating places, this in itself is a significant advance," he said.

## Settling The Sit-In Issue

The agreement reported Tuesday by representatives of the Atlanta Chamber of Commerce, leading downtown merchants and leaders of the Sit-In Movement over lunch counter segregation seems to settle the issue.

The substance of the agreement, according to reports, is that the stores concerned would re-open the lunch counters as operated in the past, but would desegregate them by next fall when the Atlanta public schools remove their racial restrictions. Employees laid-off as a result of the lunch counter closings would be re-employed. A large number of Negroes were among them.

The Negro leaders of the Movement would call-off the boycott, picketing and sit-ins and help to bring back a condition of normalcy in the city as soon as possible.

Desegregation of the public schools is the most important issue and all responsible citizens should work to relieve tensions and help to provide an atmosphere which will permit the change with smoothness.

The resolution of the sit-in question should be good news to both sides because no long drawn out controversy would serve the true interest of either. We have always felt that the settlement of issues by negotiation and voluntary agreement is in the best interest of all concerned.

In resolving the issue here by agreement, leaders of both races have set an example which might be followed in other communities where a similar controversy exists.

## Atlantans discuss sitdown movement

ATLANTA — The student sit-in movement has accomplished more than people think, M. Carl Holman told an Atlanta University Center Town Meeting last week.

The other members of the panel, which was assessing the successes, failures, and prospects of the movement, agreed with the editor of the Atlanta Inquirer.

Lonnie King, Chairman of the Committee on the Appeal for Human Rights, said that the students had disturbed the complacence of the "black bourgeoisie" and aroused the consciences of the colored middle-class.

Margaret Long, columnist for the Atlanta Journal, said that not many white people have avenues to say what they mean, but that the movement was causing them to think and, by taking thought, to add cubits to their stature.

* * *

IF SEGREGATION does not crumble, there will be many more years of the movement, King said. He noted that the white man can stand years of litigation, but not direct action.

Although Mr. King scored the coldness of some older leaders toward the movement, Mr. Holman said that 100 per cent support is not important.

"It is debasing to think that colored persons act 100 per cent," he said.

Both he and Miss Long observed that young colored persons have discovered the power to shape events and have also brought white students into the movement.

Progress will be slow in some places, Mr. Holman said split-level houses, or freedom. but the important thing is to To the students, freedom is decide what is the highest the highest goal." good, "peace, love, Cadillacs,

## Accusations Drawn Against 26 Sit-Ins

Assistant Solicitor James L. Webb announced Thursday that Fulton County Criminal Court has drawn up accusations against 26 college sit-in students, charging that they violated the state's anti-trespass law, by demonstrating at racially segregated eating facilities last month in the downtown area.

Webb further stated that the accusations Thursday were signed by H. J. Sprayberry, owner of the Sprayberry's Cafeteria on Peachtree St., scene of the first demonstration last month.

It has been reported by the solicitor's office that accusations are being drawn up and readied to ign against more than 80 students, ministers and doctors that were arrested and charged with violation of the trespass law.

Criminal Court Solicitor John I. Kelley stated that he expected to meet with Judge Charles Wofford and Judge Charles G. Bruce to set a trial date for the students.

Kelley indicated that the trials if set routinely, will probably be placed on the calendar for trial week after next. He stated that it will be up to the attorneys for the defendants to decide whether to try the cases separately or as a group.

The solicitor said that his office has decided to charge the sit-inners arrested last month with violation of the antitrespass act only because the law has recently been upheld by the Georgia Court of Appeals.

It is expected that the anti-trespass law will be taken to the U. S. Supreme Court, if held to be legal under Georgia law. Many students stated that the sit-ins were repeated to focus national attention on the fact that the Fulton Criminal Court refused to draw up accusations in the cases to test the law.

Solicitor Kelley stated in an interview two weeks ago to Stanley S. Scott, Atlanta Daily World reporter, that the cases would be filed in the near future.

The more than 70 arrested students refused to make $100 bail and decided to stay in jail until last week, when they yielded to adult citizens, to accept bail.

The students who have been processed for trial so far have been identified as: Harold Andrews, William Beasley, Gene Edward Flowers, Marsha Goodwin, Leon Greene, Suzon Grimes, Wilford Hepburn, Frank Holloway, Richard Hope, Lonnie Cecil King, Jr., Harold Middlebrook, Ralph M. Moore, Charles Person, David Mitchell, Ernest Moon, Johnnie Price, William T. Robinson, Charles Smith, E. Christine Sparks, Lenora Taitt, Solomon Taylor, Herschelle Sullivan, Yvonne Tucker, LeRoy Washington, Robert Y. Watley and Laurine Weaver.

## Nine Sit-Ins Post Bonds In Atlanta Cases

ATLANTA, Ga.—(SNS)—Nine students Tuesday afternoon were reported to have posted bonds of $100 each and secured release from the Fulton County jail, it was reported.

The students, part of a group who had participated in local sit-ins, had earlier refused to post bond. The students were not immediately identified. Three others posted bonds last week and were released from jail pending trial on charges lodged aganst them under the state's anti-trespassing law

Atlanta's Terminal Station was the scene of a sit-in arrest Tuesday when Rev. Fred C. Bennette, Jr., 32, attempted to receive service in the restaurant.

Rev. Bennette, identified as a college student at Morris Brown. Police Capt. J. L. Mosley stated that he had been informed that Rev. Bennette had arrived by train from Jacksonville.

Capt. Mosley said that the minister had been asked to leave the restaurant twice by the manager and refused. He was then arrested under the Georgia anti-trespass law.

Eight Atlanta ministers were arrested last week at the Terminal Station for sit-in activity, and joined 77 student sit-in demonstrators in jail after refusing to post bond.

The preachers posted bond the following day with the student's choosing to remain in County Jail rather than pay bond.

## Sit-In Trials Reset For May

ATLANTA, March 13 (AP)—Trials of 58 Negro sit-in demonstrators originally scheduled for next week have been postponed until May 9, Fulton Criminal Solicitor John I. Kelley said today.

Kelley said this means that the trials of all 84 Negroes defendants arrested in recent Atlanta sit-in demonstrations now have been delayed.

He already had announced that 26 other Negroes, originally scheduled for trial tomorrow, will be tried by Judge Charles Bruce, April 25.

Kelley said the Negroes' attorney filed a motion asking for the postponement because he would be tied up in other courts next week.

# Author foresaw Atlanta victory

WASHINGTON

Author Lillian Smith said a settlement in the Atlanta "jail without bail" struggle to desegregate lunch counters was in the making Tuesday before the news broke that an agreement had been actually reached.

**"It's reported that a settlement will be reached after Easter," Miss Smith told the AFRO after her speech before the National Workshop for Religious Liberals at All Souls Church.**

"Students have stirred Atlanta, and the whole South for that matter, as nothing else has," she said of the sitdown movement.

"Those young people who went to jail made Atlanta very uncomfortable. In following civil disobedience, they take the attitude that if you break the law you will have to go to jail."

She referred to anti-trespass laws under which some 200 students were jailed recently in the struggle that has gone on continuously since last fall.

* * *

**THE SETTLEMENT** called for complete desegregation of all downtown Atlanta eating facilities beginning this fall when the school system is slated to be desegregated.

**Miss Smith told the audience at All Souls Church. "There aren't hundreds of our students, but thousands of them who are making a political and moral impact by stirring the conscience of the South as nothing else has done."**

She said the movement has enabled whites for the first time to discuss openly the desegregation problem.

The White Citizens Council, however, is carrying on what she described as "organized terror" by way of threats over the telephone and whispered warnings in the streets.

Threats are made in the streets in New Orleans in the school desegregation struggle, she said. "If you don't take your child out of that school, your home will be bombed."

* * *

**MISS SMITH** stated that the two embattled New Orleans schools were not among 17 that had PTA agreement for desegregation.

**"It seems that the two were chosen to make desegregation fail," she said.**

About the University of Georgia, she said, the fact wasn't publicized that white girls in their pajamas lined up in the dormitory to hiss Cnarlayne Hunter when she was expelled under mob pressure.

"This worried many other students and members of the university faculty," she said.

* * *

**MOST OF** the girls had shown friendly interest in Miss Hunter until mob violence erupted, Miss Smith said.

Her explanation for this reversal was:

**"Very few white people now who haven't been indoctrinated in such a way that secretly they fear themselves as human beings and fear to talk with one another and with mankind about the personal and the individual that means so much."**

She said, "Segregation was built up by our politicians in the South.

"You hear a great deal about the breakdown of communications between the races, but I say it is harder to get one Southerner (white) to communicate with the others."

* * *

**SHE SAID** the great danger in the world today is that leaders of the rising non-white nations will resort to racism that goes deep down into man and loves to live with his anxiety.

**"They can become great powers the way our Southern politicians have held every one of us," she said.**

Some 300 delegates from over the country registered for the three-day meeting that ended Tuesday.

On various subjects, they heard a list of speakers that included Justice William O. Douglas, Sens. Joseph S. Clark, John Sherman, Paul H. Douglas, Harrison A. Williams and Hubert Humphrey.

The New York delegation from the Community Church, the Rev. Donald Harrington, pastor, consisted of the following:

Mrs. Maude Veal, Miss Beatrice Worthy, Mrs. Lealine Tucker, Mrs. Marion Maurer, Miss Mae Tabbonon and Isaac McNatt, regional director of the Unitarian Fellowship for Social Justice.

Other delegates were Mrs. James T. Wiley, Yellow Springs, Ohio; Miss Karen Schmitt, Indianapolis; Mrs. Kenneth J. Smith, Long Island, N.Y.; Mrs. Elizabeth A. Brandstatter, Syoret, N.Y.

Glenn Brown, Davenport, Iowa; Pruutt Townsend, Boston and Tom Williams, Columbia, S.C.

# Atlanta Mayor bars rabble-rousers

ATLANTA, Ga. — There will be no "segregation circus" here next September, Mayor William Hartsfield vowed, last week as downtown merchants and a number of anti-segregation groups agreed to a pact to end lunch counter segregation next fall.

Mayor Hartsfield promised that if out of state trouble-makers come to Atlanta, "they will be handled most sternly."

The community leaders and business men agreed to the desegregation pact, March 7.

The agreement calls for an immediate end of the sitdown demonstrations and boycotts of the stores and desegregation of the lunch counters when public schools are desegregated next fall.

* * *

**OTHER DETAILS** of the agreement included the following:

(1) Colored leaders must make every effort to end the sitdown demonstrations and boycotts of downtown stores.

(2) White merchants must begin, "where practical" rehiring some 500 to 600 workers who lost their jobs during the demonstrations.

Meanwhile, the lunch counters of stores which were closed during the demonstration are to be reopened on a segregated basis.

**THE AGREEMENT** was signed by 14 stores and 11 colored adult and youth leaders.

The stores signing the pact were Rich's, the largest in the city; Davidson's, an affiliate of Macy's in New Ycrk; Woolworth, McCrory's, Grant's, Walgreen Co., Jacob's Pharmacy, Kress, Sears and Roebuck, Kresge's, H. L. Green Company, Newberry's and Lanes.

The leaders who signed were Dr. William H. Border, pastor of Wheat Street Baptist Church; A. T. Walden, counsel for the sitdowners; Dr. M. L. King Sr., pastor of Ebenezer Baptist Church; Leroy R. Johnson, attorney, member of the Atlanta Negro Voters League's executive committee.

Also, Jesse Hill Jr., actuary, Atlanta Life Insurance Co.; Mrs. P. Q. Yancey, Student - Adult Liaison Committee; the Rev. O.M. Moss, pastor, Providence Baptist Church; Dr. Rufus E. Clement, president, Atlanta University; Lonnie C. King, chairman, Students' Committee on Appeal for Human Rgihts, and Miss Herchell Sullivan, vice chairman of the students' group.

Following the settlement, Mayor Hartsfield designated March "Shop Downtown in Atlanta Month."

# Settlement In Atlanta Lunch Counter Sit-Ins

ATLANTA, 3 (UPI) — Atlanta Negro leaders called off sit-in demonstrations and boycotts of segregated stores Tuesday in return for a pledge from leading merchants of future desegregation of lunch counters.

Lunch counters in the city's two leading department stores and in 11 drug and variety chains representing about 75 stores — many of which have been closed by sit-ins — were to reopen Thursday on a segregated basis. Desegregation apparently will not begin until the Atlanta public school system is integrated, probably this fall.

In another victory for Negro integrationists Tuesday, the Georgia court of appeals ruled a 12-month jail term handed Martin Luther King Jr. for driving without a proper license was in error.

The appeals court ordered Judge Oscar Mitchell of the DeKalb county criminal court to resentence King.

King had paid a $25 fine on the charge, but was arrested for violating probation after he was jailed for taking part in a sit-in demonstration.

The Atlanta Chamber of Commerce made the announcement. It was subscribed to by officials of the stores involved and by Dr. Martin Luther King Sr., father of the well-known Negro integration leader, and by Lonnie C. King, leader of Negro college students who have conducted intensive protests against lunch counter segregation.

Other Negro leaders also signed and agreed to use their influence to stop all Negro demonstrations.

There was no clear-cut announcement about the date for desegregation.

Later in the day the Chamber of Commerce issued a "clarifying statement" saying the original statement meant the lunchrooms will be reopened on a segregated basis "pending a final decision on the Atlanta school issue and that they will then follow the pattern of that decision."

"We feel that the fine relationship that has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible," the statement said.

The statement appeared to be a clear-cut victory for the Atlanta segment of the widespread sit-in movement.

The announcement was subscribed to by Atlanta's two major department stores and by 11 chain drug and variety stores. It came one day after the Georgia legislature adjourned for the year.

The statement said "leading merchants have stated that it is their decision to carry out in lunch rooms and other facilities the same pattern as has been recognized and evidenced" by admission of two Negro students to the University of Georgia, decision of the Atlanta school board to comply with federal integration orders this fall and actions of the late Georgia general assembly in repealing the state's massive resistance anti-segregation laws.

"The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible," the statement said.

The statement was subscribed to by Rich's and Davison's department stores, by the Walgrens, Jacobs, and Lane's drug chain and by the Woolworth's, McCrory, Grants, S. H. Kress, Kresge, H. L. Green and Newberrys variety chains. Sears Roebuck also signed.

Accurate assessment of the economic damage suffered by the stores has been difficult but the boycott has at times appeared to be highly effective in a city where about one-third of the population is Negro.

Apr 1961

GEORGIA

LUNCH COUNTER

# Boycott by adults in Atlanta gives support to sitdowners

The Afro American
Baltimore, Md.
3-4-61

ATLANTA — (ANP)—The fight for human dignity in this city has developed into a full scale, all out cold war involving all segments of the colored community.

Because of their dramatic aspects, the sit-in demonstrations and the decision on the part of young people to remain in jail have been highlighted in the press, radio and television of the nation.

However, the adult elements of the colored community are waging a quiet, undramatic struggle along economic lines that is showing remarkable success.

It is the boycott of the downtown stores that have enjoyed colored patronage for many years.

* * *

**MERCHANTS CONCEDED** that the boycott of the down-down area has been almost 100 per cent effective.

Department store sales in the central-city area for the full week period ended Feb. 4 were down 12 per cent from last year, the Federal Reserve Bank reported.

The receipts of some variety stores have shown a far greater drop.

Leading merchants have said that they are willing to desegregate their lunch counters, a move that is considered inevitable. But they argue that they cannot do so because Richs, Inc., the city's largest department store, has refused to go along.

* * *

**RICH'S IS** a family operation that had an excellent reputation among colored persons prior to the sit-in dispute. This was because of the family's many gifts to colored educational and charitable causes and the store's courteous treatment of colored shoppers.

Rich's was the first major store in Atlanta to address colored patrons as "Mr." and "Mrs."

But on a walk through the spacious first floor recently it was possible to find only two colored persons — one customer and a candy counter clerk. There were few white customers, too.

Shortly after the sit-in controversy began, Richard H. Rich, president of the store, and Frank H. Neely, the board chairman, were said to be willing to desegregate once the school desegregation problem had been solved.

However, they took no action after Governor Vandiver and the Legislature cleared the way for local communities to comply with federal court rulings.

* * *

**SEVERAL ATTEMPTS** have been made to reach both Rich and Neely. A subordinate, who declined to permit the use of his name, refused to outline the store's present position.

"We'd rather not talk about it," he said. "We're in a dilemma." He also said, "there's not going to be any change in the immediate future."

Other merchants have said that they would lose many white customers to Rich's if they led the way in desegregating lunch counters. Some observers have called this view questionable. Meanwhile, most agree that every downtown merchant is suffering.

"The most important thing that can be done is to convince the power structure that this situation can ruin the downtown area," one executive said.

"The effect is not going to be confined to the retail stores. It will hit the banks, the office supply concerns, the insurance firms, the real estate interests and all the rest."

# Sit-ins Ease On Picketing, Boycotts Go On

The Atlanta Constitution
Atlanta, Ga.
3-5-61

By FRED POWLEDGE

The hard core of Atlanta's Negro sit-in movement has agreed to suspend picketing and other demonstrations at downtown stores, even though its 75 members are dissatisfied with a lunch counter desegregation agreement worked out for them last week.

These college students and their adult sympathizers plan in the meantime to continue their boycotts against stores which practice segregation, although they have been promised that the bars will be dropped by next fall.

* * *

**THE STUDENTS**—not a formal organization, but about 75 individuals who have taken part in sit-ins for the past year—met Saturday morning and made the choice.

This came a few hours after the students' leaders—the people who made the agreement with the merchants—were severely tested in a public meeting attended by 2,000 persons. The sit-in movement held together, some said afterwards, because integration leader Martin Luther King Jr. put out a strong, last-minute plea for unity.

Those who disagreed with the pact, signed Monday by 17 leading merchants and 11 Negro students and adults, said that before Friday night's meeting they were considering further sit-ins and picketing. Now, they said, there is little sentiment for this.

A press release issued Tuesday and explanations of it by a chamber and a Negro spokesman said that the lunch counters would be desegregated next fall after the city's schools are desegregated.

The Rev. Samuel Williams, head of the Atlanta branch of the National Association for the Advancement of Colored People, said Friday night that the agreement was not an "if and when" thing at all.

"It is agreed," he said, "that desegregation of the lunchrooms and other facilities will take place no later than next fall, regardless of what occurs in connection with public school desgregation."

The agreement also says, according to a press release issued Tuesday, that lunch counters will remain open and segregated until the merchants choose to desegregate them, and it binds the Negro signers to an effort to eliminate all boycotts, sit-ins, reprisals or other demonstrations.

* * *

**THE STUDENTS** who met Saturday morning had been meeting all week to mull over their protest. They disagreed with the agreement's provision for desegregation six months from now, and they did not like the provision for segregated counters until then.

"There was definitely a strong feeling this week that the students should resume the sit-ins and picketing," said Carolyn Long, one of the sit-in leaders, after Saturday's meeting.

"But the public meeting Friday night helped us, to a certain extent, to come to a decision."

She said Mr. King's call for unity had a strong effect on the students. "Unity," she said, "is the most important thing now. We realized that."

# Savannah Eyes End of Year-Long Meets, Boycotts

The Pittsburgh Courier
Pittsburgh, Pa.
3-11-61

SAVANNAH, Ga.—Sunday, March 12, will be a "super" Sunday in this Coastal Empire capital city, for it will mark the 52nd weekly mass meeting and the 52nd week of boycotting aimed at local merchants on West Broughton Street by a redoubtable NAACP branch, headed by Wesley W. Law, who is also state prexy.

'For one full year now the attack has been on, and is being relentlessly carried on with the hope that the future will bring capitulation on the part of the merchants who have lost tremendously in Negro business, because they refuse to desegregate their facilities. The NAACP is expected to arrange for a very special program to celebrate mass meeting No. 51, climaxing the year's efforts.

■

**THE 51st MASS** meeting was held Sunday at First Evergreen Baptist Church on East Bolton St., near East Broad. The 50th meeting, held Feb. 26, at historic Tremont Temple Baptist Church was a unique meeting and deserves special narration.

**At that meeting the son of the minister, L. S. Stell Jr., delivered the invocation, with more than a thousand persons overflowing the church into the street outside.**

Then came pretty Mrs. Mercedes Wright, called "the sweetheart of the boycott movement," with an unusual personality fitted for getting the point over. When Mrs. Wright asked that everyone who had boycotted Broughton St. for the past 50 weeks raise their hand, one thousand hands shot into the air and remained uplifted, like a truncheon or a club against all that is indecent in this era.

When the member of the boycott committee asked how many would continue to withhold patronage from Broughton St. merchants for another year, not one hand wavered, but each one remained aloft, firm and unmovable. Mrs. Wright pointed out that no NAACP requests had been met and the fight must go on.

Main speaker for this meeting was Leola Clinton, a young high school student from Greenville, S. C., a participant in the student protests in that city.

■

**AMONG OTHER** points scored by Miss Clinton was one in which she pointed out that Negro mothers "are doing much to aid this insult against decency by dragging their children to the rear of buses, and in this very young formative stage of being, teach them a deep sense of insecurity and inferiority that will last a lifetime.

**She flayed apathy on the part of the Negro professional business men who decline to take leading roles in the fight for freedom. Her speech drew much applause. Rev. J. M. Benton, pastor of Tremont Temple, told the group that adults cannot allow the youth to fight this battle alone. It was an interesting meeting.**

But all eyes are now turned toward next Sunday, when the boycott and mass meetings roll into their 52nd week—one full year. What's ahead is the big question on every tongue now.

■

Malcolm MacLean Friday ordered Savannah's city-owned parks integrated. The Mayor also named a Negro minister, the Rev. O. L. Oliver, to be a member of the City Park and Recreation Board to fill a vacancy already existing on that body. His action was hailed by NAACP officials as a tremendous step forward.

# LUNCH COUNTER AGREEMENT REACHED, PLEDGE SIT-IN END

Atlanta Daily World

## Chamber Of Commerce Issues "Agreement"

Atlanta, Ga. Wed 3-8-61

Atlanta was promised relief from its uneasy position of "sit-ins" over segregated lunch counters and other facilities Tuesday, after major Atlanta department and variety and drugstores agreed to desegregate them by next fall. The timetable would not be beyond desegregation of city public schools slated this fall. The Chamber of Commerce issued the statement of agreement.

The statement came from a group of leading white merchants and representatives of the Negro community, both adults and students. Both promised to exert every effort to reestablish an atmosphere of "good racial relationship" and to bring back a condition of complete normalcy as soon as possible.

An unofficial source said the lunch counters were reopening on a segregated basis, but that some businesses would desegregate voluntarily within the next few week. It was reported that much of the "truce" was secured with the agreement that Atlanta's school desegregation issue is the key to the lunch counter openings on a general basis, although several chain -operated stores are reportedly ready to comply with national policy. School desegregation is under court order for this September 1961.

Although the eating facilities will be re-opened for the present on a segregated basis, Tuesday's action appeared to be a major victory for the Negro groups pressing for desegregation.

Attorney General Eugene Cook said the state wodlu be "helpless" to enforce its new anti - trespass law under which Negro sit-inners have been arrested by the score - if management of stores refuse to cooperate or if they "voluntarily submit to racial integration."

**CONGRATULATED "ALL SIDES"**

Atlanta Mayor William Hartsfield congratulated "all sides upon a fair and statesmanlike approach to this situation."

The mayor served notice on "professional rabblerousers from outside the city they will be dealt with most sternly" in the event of trouble in the city's desegregation transition.

"The community affected and the people of the state must now look to all citizens to exercise the same restraint which they have demonstrated over the years in not creating or provoking intolerable conditions which might tend to generate violence," Gov. Ernest Vandiver said of the development.

The complete Atlanta Chamber of Commerce Stateemnt follows:

"We feel that the fine relationship which has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible. In order to reestablish good relationhips, the leading merchants have stated that it is their decision to carry out in lunchrooms and other facilities the same patterns as have been recognized and evidenced (1) by actions of the 1961 General Assembly of Georgia (2) the admission of qualified students to the University of Georgia, and (3) the decision of the Atlanta Board of Education to comply with the orders of the Federal Court—all relating to the public school issues in Atlanta and as are finally decided upon in the public school issues in Atlanta. The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible. Each party is fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

**ATLANTA RETAIL STORES PARTY TO AGREEMENT:**

Rich's
Davison's
Woolworth's
McCrory's
Grant's
Walgreen Company
Jacobs' Pharmacy
S. H. Kress and Co.
Sears, Roebuck and Co.
Kresge's
H. L. Green Co.
Newberry's
Lane's

**NEGRO LEADERS PARTY TO AGREEMENT:**

Dr. Wm. Holmes Borders, Pastor of Wheat Street Baptist Church, and Chairman of Student - Adult Liaison Committee.

Attorney A. T. Walden, Special Negotiator, Chairman of Atlanta Negro Voters League.

Dr. M. L. King, Sr., Pastor, Ebenezer Baptist Church and Member of Student - Adult Liaison Committee.

Leroy R. Johnson, Attorney-at-Law, Member of Executive Committee Atlanta Negro Voters League.

Q. V. Williamson, business - man Executive Committee, Empire Realty Board) Member, Advisory Committee on Urban Renewal

Jesse Hill, Jr., Actuary, Atlanta Life Insurance Company.

Mrs. P. Q. Yancey, Housewife, Member of Adult - Student Liaison Committee.

Rev. O. M. Moss, Pastor, Providence Baptist Church.

Dr. Rufus E. Clement, President, Atlanta University.

Lonnie C. King, Chairman Committee on Appeal for Human Rights.

Miss Herschell Sullivan, Vice Chairman, Committee on Appeal for Human Rights.

## Judge Puts Off Sit-In Charge Against Negro Demonstrators

The Montgomery Advertiser

Montgomery, Ala.

ATLANTA (AP) — Trial of sit-in charges against 34 Negro demonstrators was put off indefinitely Monday at the request of the prosecuting attorney.

Two Fulton County criminal court judges granted the postponement after Solicitor John I. Kelley reported that he had been given to understand that there will be no repetition of sit-ins.

Joining in asking the continuance was President Ivan Allen Jr. of the Chamber of Commerce. The Chamber coordinated negotiation of an agreement to desegregate department, drug and variety store eating places this fall.

Allen told the judges that the problem has now been solved and merchants feel that postponement of the trials would help to improve race relations.

Also agreeing to the continuance were operators of three eating places where the Negroes were arrested for violating the new Georgia Anti-Trepass Law. One said, however, that he was agreeing only to postponement and not to dismissal.

Prosecutor Kelley said if there are any future sit-ins he will move at once to bring the charges to trial. Judge Charles Bruce said he and Judge Charles Wofford likewise will insist that the conditions of postponement be carried out to the letter.

Bruce observed that he and Wofford feel that a postponement will serve the best interests of justice.

# Sit-In Trials Are Continued

Atlanta Daily World
Atlanta Jour.
p. 1

By STANLEY S. SCOTT

Atlanta merchants and attorneys for sit-in demonstrators met in Fulton Criminal Court Monday morning to hear a motion for continuance of the sit-in cases for an indefinite period of time.

Jan. 4-25-61

Judges Charles G. Bruce and Charles C. Wofford, after hearing plaintiffs in the case, "agreed that the motion would serve the best interests of justice," and ordered a continuance in the sit-in trials originally scheduled for today.

Criminal Court Solicitor John L. Kelley told the court that, "Mr. [illegible] Sprayberry, owner of a cafeteria on Peachtree St., scene of sit-in demonstrations, had come to his office and stated that he had met in conference with a group of gentlemen from the Chamber of Commerce and agreed to go along with their recommendations to not press the charges."

However, Kelley stated that Sprayberry wanted to go on record as saying he had the right to serve whomever he pleased.

**SIT-IN COUNSEL READS CONTINUANCE MOTION**

Attorney D. L. Hollowell, representing the sit-in students read the motion for continuance, which stated in part:

"Movants show that foregoing 26 cases are listed on the calendar of Tuesday, April 25, 1961; and, that a large number of similar cases are scheduled for trial in this court during the ensuing week."

"That the City and County of Fulton is experiencing unusual growth in population, industry and commerce as well as in prestige as an important regional city; that the problems inherent in the issues of the subject accusations are among those which must be ameliorated in order to effect a smooth transition of the said City of Atlanta from that of being a great city to that of becoming an even greater city."

Atty. Hollowell, in stating that the motion, "is not filed merely for the purpose of delay, but filed in the interest of justice," stated that: "It is believed that the justice which society has a right to expect and this Court has a duty to dispense would be justly served if this Honorable Court further continued the respective cases for an indefinite period of time and made timely disposition of them as in its judicious wisdom seemed just and fair in light of all the circumstances."

A group of merchants, representing the larger business interests in the city, represented by Ivan Allen, president of the City Chamber of Commerce, spoke before the court expressing their desire to effect a harmonious disposition of the sit-in cases.

**BUSINESS LEADERS VOICE CONCURRENCE**

Mr. Allen, principal in the "agreement" that was reached a few weeks ago between Negro and whites to stop student demonstrations, after it was agreed to desegregate downtown eating facilities in the Fall, stated "It is our feeling that a great atmosphere has been created between the races in this town. The problems facing us several months ago have now been eliminated."

The Chamber of Commerce leader said "Relations are better in Atlanta presently than they have been for some time ,and we have the best race relations in the South here in Atlanta."

Attoney A. T. Walden, mediator for sit -in students in their efforts to gain concessions from the downtown merchants stated befoe the judges: "I am glad of the opportunity to concur with Mr. Allen. We have spent many countless hours on this project realizing what a great city we have."

Walden further stated that, "Life is a compromise, we have given and taken in this situation." He said, "There has been wonderful cooperation on the part of all groups, the students, merchants, Chamber of Commerce and everyone."

I very strongly urge the court and concur with these gentlemen on a continuance, Walden said.

Joseph Ross, presidet of Davison-Paxon department store, stepped before the courthouse microphone and said, "A fundamental change is taking place, and an attempt to solve our problems is being made."

C. S. Semple, vice president of Rich's department store, made a brief statement saying, "On behalf of Rich's we would like to say that we concur with the motion for continuance."

Other department store representatives concuring with the latest efforts to dispose of the cases included: H. B. Thompson, public relations director for Woolworth's Robert Woods, attorney for Sear's Roebuck and Co.

Merchants of privately owned establishments, scene of the student demonstrations, were on hand to express their desire for a continuance of the cases.

One of the storeowners said, "I'll go along. I believe the sensible thing at this time would be to go along."

Judges Bruce and Wofford recessed the court for five minutes after hearing parties in the case, and convened the hearing by stating:

"After careful consideration, it is agreed that it would serve the best interest of justice, in view of the fact that statements have been made by merchants in addition to the motion read, therefore, it is so ordered."

**MARKS SECOND CONTINUANCE HERE**

Trials for the more than 80 sit-in demonstrators was originally scheduled to start March 14, but a continuance was granted the students March 10, on a motion by Atty. D. L. Hollowell.

Yesterday's action by the court, granting continuance of the cases for an indefinite period of time, indicates that the disposition of the sit-in cases will depend on the outcome of promised voluntary lunch counter integration in the Fall.

On the other hand, Sol. Kelley said Monday, "We have made it crystal clear, that if anymore sit-ins take place, we will take the present cases on the calendar for trial."

# 26 in Sit-Ins Face 2 More Counts Here

The Atlanta Constitution
Atlanta, Ga.
Thurs, 3-30-61

Fulton Criminal Court Solicitor John I. Kelley said Wednesday that he will redraw accusations against 26 sit-in demonstrators to include two additional counts.

Kelley said that in addition to trespass charges against Negroes who participated in sit-ins, the accusations will charge disturbing the peace. Kelley said one count will charge that the demonstrators were guilty of "statutory violation of breach of peace."

**COUNTS EXPLAINED**

This count, Kelley said, contends that two or more persons gathered together to violate the law are guilty even though no one asked them to leave the premises.

The other count, according to Kelley, will charge that the Negroes were guilty of disturbing the peace because both property owners and law enforcement officials asked them to leave and they refused.

**TRIAL APRIL 25**

Kelley said that conviction on either one of the two additional counts will allow punishment for only one count. He said that the new accusations present a more formidable case against the defendants and are drawn with an eye to recent Georgia Supreme Court decisions which have upheld convictions of demonstrators.

Trial for the 26 Negroes charged with violations in connection with demonstrations at Sprayberry's Cafeteria is scheduled for April 25 in the court of Criminal Court Judge Charles G. Bruce.

## Public Doesn't Know What to Do

# Disunity in Atlanta!

The Pittsburgh Courier
Pittsburgh, Pa.
Sat 3-25-61

ATLANTA, Ga.—Last week's angry student repudiation of the agreement signed between a special negotiating committee and white merchants representing 70 to 75 stores that promised desegregation of Downtown lunch counters by next fall, has left many Negro citizens here in a genuine state of confusion.

People don't know whether to go downtown and shop or to stay away from the white stores, as a result of the student action at the hectic Friday night mass meeting.

The students voiced overwhelmingly their decision to continue to boycott the stores, in spite of the committee's signed agreement.

■

**CHAGRIN COULD** be seen on the faces of most of the committee members present, even though several of them had tried hard to explain to the students and the public that newspaper stories carried in local white dailies were inaccurate and that the issue in no way depended upon public school desegregation, or anything else.

The confusion caused by these stories in the daily papers created such an air of tension that the committee was compelled to alter its plans and make public certain aspects of the agreement it had planned to keep silent.

A prepared statement was distributed at the mass meeting and read by Rev. Samuel Williams, president of the local NAACP branch.

■

**THE PERTINENT** paragraphs read as follows:

**(1) It is not true that the integration of the lunch rooms and other facilities is left to some uncertain "if-or-when" situation; nor is it true that it is dependent upon the settlement of the public school desegregation issue.**

**The FACTS are: It is agreed that desegregation of the lunch rooms and other facilities will take place not later than next fall, regardless of what occurs in connection with public school desegregation.**

**It is not required of any merchant that he must wait until this final date if he sees fit to procee earlier with the orderly desegregation of his facilities.**

These were the basic points in the agreement, but, despite the emphasis placed upon them by the committee members, the students said the boycott would continue. At the same time, the agreement was already signed by both sides and was apparently in effect.

To find out the status of things at the week-end, The Courier questioned Atty. A. T. Walden, who spearheaded the negotiations and agreement. Colonel Walden said that as far as the committee was concerned the agreement was in effect, but that the students had voiced their intention of continuing the boycott. It was indicated that the sit-ins and picketing would be halted.

Incidentally, student leaders Lonnie C. King and Hershelle Sullivan, co-chairmen of the student movement, and both signers of the agreement, both resigned their posts with the student movement, but the students refused to accept their resignations and reelected them to office.

# Reveal Inside Story Of Atlanta 'Sit-In' Victory

By AL KUETTNER

ATLANTA—(UPI)—Negroes were told Saturday that they have won complete victory in their campaign to desegregate facilities in Atlanta department and variety stores.

It was the most significant civil rights victory in the long sit-in movement that began in Greensboro, N. C., nearly two years ago.

A crowd estimated at more than 2,000 cheered the news but denounced one phase of an agreement worked out with Atlanta merchants which delays the implementation date until fall.

It took the silver voice of integration leader Martin Luther King jr., to calm angry voices that had accused their leaders of becoming "turncoats" and to restore order to a packed house in a Baptist church.

No vote was taken during the tumultuous meeting but there was strong sentiment for continuing a boycott of stores until the segregation barrier is lifted.

**LED FIGHT**

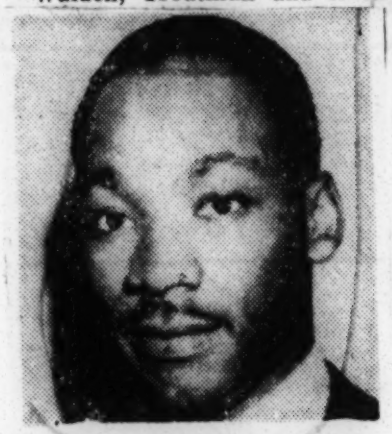
Atty. A. T. Walden, who was instrumental in negotiating with white leaders an end to the city's 14-week sit-in movement, predicted after the meeting that most of the city's Negroes would go along with the settlement.

Walden, who at 75 recently retired from active law practice, was the key figure in the settlement negotiations. With friends on both sides of the racial fence, he began building communications as the first tep toward a solution.

Walden called on an old white friend, Atty. Robert B. Troutman. The two then enlisted the support of businessman Ivan Allen, jr., president of the Atlanta Chamber of Commerce. Allen had recently come out strongly for an open schools policy in a controversy between federal court orders desegregating Atlanta schools.

Allen's urging that Atlanta schools be kept open regardless of desegregation and regardless of a state law closing integrated schools swung a big segment of business leaders into that camp. The State Legislature soon voted at the request of Gov. Ernest Vandiver to abandon the law.

Walden, Troutman and Allen



REV. MARTIN L. KING

formed a committee of three on the sit-ins and soon began holding a series of meetings with the parties involved. At several sessions up to 10 Negroes sat down with representatives of 17 stores or chains.

**EXACT PROMISE**

They hammered out a "memorandum of agreement" that included a promise by the stores to gradually adopt a desegregation policy in their eating places as integration comes to Atlanta schools. This is scheduled to begin this fall.

The Atlanta sit-ins began on a regular basis last Thanksgiving weekend and cut sharply into Christmas business at big department stores. Many downtown stores had closed tea rooms and lunch counters and scores of Negroes were jailed for violating the state's anti-[illegible]ss law.

[illegible]ials of 17 stores or chains and 11 Negroes worked out the agreement which called for:

—Desegregation of eating and all other facilities in the affected stores in the Fall, regardless of whether Atlanta schools are integrated then.

—Re-hiring of most Negroes released when the eating places closed.

—Further meetings to provide for "orderly desegregation" of the facilities.

In return, the Negro leadership pledged to work for a complete end to boycotts and picketing which have accompanied the sit-ins.

Walden, who has fought the Negroes' civil rights battle in the courts for half a century, urged compliance with the delayed action agreement.

"What difference does a few months make when we have been fighting for this 100 years?" he said.

38a 1961

GEORGIA

# 17 Negroes Arrested for Atlanta Sit-in

Philadelphia Inquirer

United Press International

integration troubles flared on both sides of the Mason-Dixon line Tuesday.

Seventeen Negro students were arrested in Atlanta, Ga., for staging a lunch counter sit-in demonstration, and in New Rochelle, N. Y., the City Board of Education voted to appeal a Federal ruling ordering the Lincoln Elementary School to be desegregated.

At Oxford, Miss., eight highway patrol plainclothesmen were stationed at the University of Mississippi's administration building after a rumor swept the campus that Negroes would try to enroll in classes.

The Congress of Racial Equality (CORE) announced in New York that demonstrations would be staged in "sympathy" with 13 Negro students sentenced to jail terms in Rock Hill, S. C., for refusing to leave a segregated lunch counter.

Student leader Edward King, of Atlanta, urged that Rock Hill be made the next battleground for integration. He called on "all who share the conviction of the students to go to Rock Hill and join them at the lunch counters and in jail."

Lonnie King, another student leader in the southern movement, was among the 17 arrested in Atlanta Tuesday. They were charged under the State's trespassing act when they refused to leave a cafeteria.

They had picked up food as they moved through the line; but when they got to the cashier their money was refused.

The vote by the New Rochelle board to appeal a Federal integration ruling followed a public meeting Monday night at which several speakers voiced opposition to the appeal.

Parents of eight Negro children, who filed the original suit, charge that Negroes in a particular section of the city have been allowed to register only at the New Rochelle-Lincoln Elementary School, which is 94 percent Negro.

They also declared their children were receiving a substandard education at the school.

Despite repeated reports of imminent integration attempts at the University of Mississippi, school officials said late Tuesday that no proper applications had been received.

## 6 More Students Arrested Here

Atlanta Daily World

Atlanta Ga.

Refuse Bonds

Sat. 2-11-61

Six more students were arrested here Friday and jailed in lieu of $100 bond each, bringing to 70 the number now lodged in the Atlanta city jail as sit-in demonstrations continued against the city's segregated eating facilities.

The six arrested Friday never got to stage a sit-in. They were arrested when they refused to move from a strip of sidewalk in front of a coffee shop.

Restaurant Manager George Comb called police when the Negro students refused his orders to move and as each again refused to leave they were bundled into police cars and carted off to join the large group of their fellow students already lodged in the jail.

The latest arrests represented a slowdown in the week's activity. There were 29 arrested Thursday, 20 Wednesday and 17 Tuesday. This totals to more than the 70 now behind bars but several of those arrested the first day were later released and then arrested again.

The only student who has posted the $100 bond needed for freedom has been integration leader Lonnie King.

A court official said the students, all young men and women attending Negro colleges in the Atlanta area, may have to spend up to three weeks in jail before their cases come up before the next term of court.

A jail official noted that it might be necessary to bring in additional mattresses before then or have some of the students sleep on blankets if they continue to demonstrate, get themselves arrested and refuse to post bond.

## Police Arrest 10 Students as Sit-Ins Wane

The Atlanta Constitution

Atlanta, Ga.

Sat. 2-11-61

By KEELER McCARTNEY

Ten Negro college students were arrested Friday as sit-in demonstrations, in an attempt to force integration of downtown restaurants, slowed in the fourth consecutive day of the newest drive.

Municipal Judge James Webb ordered all held under $100 bonds for Fulton Criminal Court on charges of violating the Georgia anti-trespass law.

Only one actually gained entrance to an eating establishment, officers said, and he was quickly removed after being instructed to leave by the owner.

### GUARDS POSTED

Restaurant owners posted guards at the doors to turn away students, following the lead of a cafeteria owner in the Peachtree-Seventh Building where demonstrators first appeared Tuesday and returned again Wednesday.

The latest arrests brought to 32 the number of students who have been bound over this week under the anti-trespass law. Only two have posted bond.

Threats of overcrowded conditions at the Fulton County jail eased somewhat as a group of prisoners under sentence were moved out to Tattnall Prison at Reidsville and the county supplied additional mattresses for the jail.

### ROOM FOR 100

A survey showed the jail could accommodate approximately 100 more than the 700 prisoners on hand Friday.

The demonstrations Friday were directed at a coffee shop at 1 Forsyth St., SW, and a grill at 66 Forsyth St., SW — the same two places where 39 students were arrested Thursday.

Lt. M. A. Hornsby said students first appeared at 66 Forsyth St. and finding the door barred most of them moved on to 1 Forsyth Street.

### OTHERS NAMED

Elroy Embry, 33, of Ragland, Ala., a student at the Interdenominational Theological Seminary, walked into the 66 Forsyth St. grill behind a white patron, was asked to leave and was then placed in custody.

### REPEATED SCENE

Hornsby said five others—Isaac John Miller, 17, Ft. Valley; Betty Vanusa Stevens, 18, Raleigh, N.C.; Willie Randolph Bryant, 17, of Mt. Pleasant, Tex.; Robert Travis Jr., 21, Vidalia, and Arthur Jackson Pindle, 18, Fayetteville, N.C., appeared at 1 Forsyth St. and were refused admittance.

The group stood on a concrete apron between the sidewalk and the restaurant door, Hornsby said. He stated in court he was told the apron was private property included in the restaurant lease.

Hornsby said Capt. J. L. Moseley ordered all persons standing on the apron — white and Negro —to leave and that all except the five obeyed.

Four others appeared later at

ATLANTA— LUNCH COUNTER

1 Forsyth St. and the same scene was repeated, Sgt. C. J. Strickland said. They were listed as Gwendolyn Wells, 20, of 2793 Morris Dr.; Gwinnett Rhodes, 19, of 1079 Coleman St., SW.; Birdie Hix, 20, 82 Linkwood Rd., and Bessie Smith, 21, 648 McGruder St., all Spellman students.

Gwinnett Rhodes, spokesman for the group, told the court: "We only went there to eat. The manager told us that was private property, where he made his living, and he did not want us there."

### ASKS DISMISSAL

Attorney H. T. Ward moved for dismissals on the grounds police action was discriminatory and a violation of the freedom of assembly. Webb overruled the motions.

Meanwhile, the mass demonstrations which police had expected did not develop and the drive in its fourth day at least had slowed considerably. Seventeen were arrested Tuesday and 13 bound over; 20 were bound over Wednesday and 39 on Thursday.

## Negroes Stage Foot-Stomping Rally In Atlanta

Charleston, S. C.

ATLANTA (AP)—Hundreds of Negroes, warned not to gather around the county jail, staged a foot - stomping church prayer meeting instead Sunday in sympathy for jailed sit-in demonstrators.

The state anti-trespass law under which 80 Negro students were arrested recently was called "unconstitutional, undemocratic and un-Christian" by one speaker, the Rev. William Holmes Borders.

"The current philosophy of the Southern white man is to keep the Negro down," said another speaker, the Rev. B. Joseph Johnson, who was released on bail after the series of sit-ins last week and the week before.

"After the Negro grows the food in the field, harvests it, prepares it and serves it, some white folks want to sit down and eat it all by themselves," Borders said to a burst of applause and stamping of feet.

"I'd be ashamed to look that white and act that black," he added.

## Atlanta Arrests Negroes In Cafe

Birmingham Post Herald

Birmingham, Ala.

ATLANTA, Feb. 7 (AP)—Police arrested 17 Negro youths today in a cafeteria in an office building leased to Federal government agencies.

Nineteen Negroes appeared about 11 a.m. and 10 managed to go down the cafeteria line and be served before the establishment was closed.

H. J. Sprayberry, owner and manager of the cafeteria in the Peachtree-Seventh Bldg., twice asked the Negroes to leave. Lonnie C. King, leader of the demonstrators, said "We'll leave" and then tried to discuss the matter with Police Capt. J. F. Moseley.

At that point Sprayberry said he wanted the Negroes arrested and they were herded into three police cars and taken to city jail.

Two of the demonstrators today were freed when one said he had not heard Sprayberry's request to leave and the other said he was putting on his coat to obey.

Shortly after the arrests, Negro leaders wired Robert Kennedy, U. S. attorney general, to investigate the situation.

## Some Students Make Bond In Sit-In Arrests

Atlanta Daily World

Atlanta, Ga.

Wed. 2-15-61

The Lane-Rexall lunch counter at Peachtree and Ellis Streets was closed Monday after four Negroes attempted to receive service. No arrests were made.

The counter has given infrequent service since it was a target of sit-in activity early last fall.

No sit-ins have been reported in the city this week. Three of the 80 students jailed last week refusing bond were released after posting bonds of $100 each.

The three released are: Willie J. Stewart, Tarpon Springs, Florida; Ralph L. Stephens of North Carolina, and Roy Carver Crettenden of Columbus, Ga.

# 20 Negroes Hauled To Jail After Atlanta Sit-In Moves

ATLANTA (AP) — Twenty Negroes were arrested Wednesday after further restaurant sit-in efforts and a leader said they went to jail prepared to stay there in a "moral protest" effort.

The sit-ins occurred at Sprayberry's Cafeteria, where 17 Negroes were arrested Tuesday, and at Denhy's Grill in downtown Atlanta.

Among those arrested were two of the students who had charges against them for Tuesday's sit-ins dismissed.

The Negroes who took part in the latest demonstrations were arrested after managers of the eating places asked them to leave and the Negroes refused.

Shortly after they were jailed, Lonnie King, the chairman of the Committee on Appeal for Human Rights, announced the moral protest movement. He said the 20 Negroes went to jail with the idea that they would refuse bond if offered it, and remain in jail. They were charged with violation of the state's anti-trespass law.

The arrests occurred as 11 Atlanta Negro college students arrested Tuesday were telling a city judge they will "stay in jail as a moral conviction." They refused to post $100 bond in their arrest for trying to eat in the white cafeteria.

The students were among 17 arrested in the earlier demonstration. Four were released when they testified they had not been asked individually to leave.

Two others, King and Herschelle Sullivan, 22, of Pittsburgh, Pa., said they posted $100 bond because they felt they were needed out of jail to handle affairs involved in the arrest.

The committee Tuesday appealed to U.S. Atty. Gen. Robert Kennedy to investigate the jailings.

# 10 More Negroes Jailed In Sit-Ins In Atlanta

By The Associated Press

Atlanta, Feb. 10.—Negro demonstrators tried unsuccessfully again Friday to break the traditional Southern policy of segregated eating facilities.

Police arrested 10 at a coffee shop and a grill in downtown Atlanta.

The arrests brought to 86 the number of Negroes taken into custody. Before Friday, 70 Negroes were held in jail awaiting Criminal Court action on charges of violating the State's antitrespass law—a measure to curb desegregation demonstrations.

The Negroes, mostly students at the Atlanta University Center, have elected to remain in jail rather than go free on bond.

### 'It's Worth Anything'

One of them, Leon Greene of Morris Brown College, said he hated to miss school but, like the others, felt the cause is worth the trouble. "It is worth anything to do this," he said.

Dan Calbos, owner-manager of Denny's Grill, had a different view. His restaurant has been the scene of Negro sit-ins for several days.

"For the life of me I can't see what they're driving at," he said. "I'm sympathetic with some of their objectives, but there's a stopping point to everything."

Calbos, who is of Greek descent, said he has "no personal grudge against the Negro students."

"But they're not going to establish a new way of life down here by coming in with a club," Calbos said.

The Student Nonviolent Coordinating Committee, a Southwide Negro student organization with headquarters here, reported that Carl Braden, Louisville, publisher of The Southern Patriot, had given considerable help to the committee in the sit-in movement.

### 17 Sit-Ins Arrested

# New Racial Strife Hits North, South

By United Press International

New integration troubles flared on both sides of the Mason-Dixon line Tuesday.

Seventeen Negro students were arrested in Atlanta, Ga., for staging a lunch counter sit-in demonstration, and in New Rochelle, N.Y., the city board of education voted to appeal a federal ruling ordering the Lincoln Elementary School desegregated.

**At Oxford, Miss., eight highway patrol plainclothesmen were stationed at the University of Mississippi's administration building when a rumor swept the campus that Negroes would try to enroll in classes.**

The Congress of Racial Equality announced in New York that demonstrations would be staged in "sympathy" with 13 Negro students sentenced to jail terms in Rock Hill, S.C. for refusing to leave a segregated lunch counter.

Lonnie King, another of the student leaders in the Southwide movement, was among the 17 arrested in Atlanta Tuesday. They were charged under the state's trespassing act when they refused to leave a cafeteria.

# Students "Unhappy" In Atlanta Desegregation,

Atlanta, Ga. — Approximately 75 Negro students from Atlanta area colleges have indicated their "dissatisfaction" over a decision to delay stand-ins with a promise by white merchants to integrate in September by continuing announced plans of an "economic boycott."

The students, however, agreed to refrain from picketing and stand-in demonstrations at the request of Negro leaders. The city had been marked by desegregations protests for over a year's period.

An agreement was reached between white merchants and the Negro leaders last Tuesday for the desegregation of public accommodations beginning with the integration of public schools. The merchants later agreed to desegregate facilities regardless of the outcome of school integration in September.

### Adult Support

The student leaders reportedly have been promised adult support in the boycott. Many of the students favored a resumption of the sit-in demonstrations until the area is desegregated.

The decision has placed the settlement of the sit-in crisis in jeopardy. Negro leaders had announced in a mass meeting at Allen Memorial church that "the stores would desegregate eating and "all other facilities."

The agreement was reached after 14-weeks of every-day sit-in and stand-in activity conducted by Negro students. Negro leaders negotiated wtih representatives of 17 firms and chains representing about 50 individual stores.

### King Pleads

A solution to the sit-in problem is widely considered crucial to the success-integration of the public schools of Atlanta. Businessman, reportedly, are anxious to end the six-month economic boycott.

Negro leadership of Atlanta had come under considerable fire in the negotiations. Only an impassioned plea by Dr. Martin Luther King, Jr., pastor of Ebenezer Bapitst Church and Montgomery Bus Boycott leader,

saved a split in the Negro ranks over the decision to stop the demonstrations.

# 8 Ministers Seized in Sit-In, Now to Remain in Fulton Jail

The Atlanta Constitution
Atlanta Ga.

By KEELER McCARTNEY

Eight ministers were arrested in a restaurant in the Terminal Station Wednesday and ordered held for Fulton Criminal Court on charges of violating the Georgia anti-trespass law.

Thurs. 2-16-61

The Rev. Otis Moss Jr., 25, pastor of Providence Southeast Baptist Church, who served as spokesman for the group, said they would remain in Fulton County jail with 77 students already bound over on similar charges.

P. 10

The move by the ministers—seven Negro and one white—came as veteran Negro attorney A. T. Walden confirmed reports that he had been asked to reopen negotiations with downtown merchants in an effort to settle the restaurant sit-in dispute.

Walden, who came out of retirement to accept the assignment, said he "had hardly begun work on it." He said, however, he felt if he could reopen negotiations the 85 now in jail would accept bonds.

Elsewhere in Atlanta Wednesday, three Negro students sat-in at the lunch counter at Lane's drugstore at Broad and Alabama streets, SW, forcing the counter's closing. There were no arrests. The counter has operated only sporadically since sit-ins began last fall.

With the Negro ministers in the demonstration at the Terminal Station restaurant was the Rev. Ross Waldron Anderson, 60, of 208 Auburn Ave., NE.

In reply to routine questions from police, the Rev. Mr. Anderson said he was "a member of the human race." He identified himself as an ordained Methodist minister and a missionary worker from Washington, D.C.

In court, the tall, gaunt Anderson, with moustache and goatee, told municipal Judge James Webb, "I was segregated when pleas were called because I didn't know what the law was."

"In this critical period of history if we go on denying the laws of God and man, civilization as we know it will be destroyed," he declared.

The Rev. Mr. Moss, speaking quietly and calmly, told the court the ministers . . . "had nothing but love in their hearts for the man who refused them service, the policeman who arrested them and the judge before whom they stood."

"Hunger is a part of the human makeup," he said. "We were hungry in body and hungry in spirit to be treated like men.

"We are not lawless. We believe in the Constitution of the United States, we believe in God and in the power of redemptive suffering. We entertain no hatred towards anyone."

Told by Judge Webb that bond was set at $100, the Rev. Mr. Moss replied: "We do not desire to make bond."

**KINGS ATTEND**

The Rev. Martin Luther King Sr., and his two sons, the Rev. Martin Luther King Jr., and the Rev. A. D. King, were courtroom spectators during the hearing. The Rev. A. D. King was arrested recently in Fayette County on charges of drunk driving, police said.

In addition to Moss and Anderson, those held were identified as the Rev. Benjamin Joseph Johnson, 49, pastor of Mt. Calvary Baptist Church; the Rev. Walter Raleigh McCall, 37, pastor of Providence Baptist Church; the Rev. Joe Dell Grier Jr., 31, pastor of Fort Street Methodist Church; The Rev. Joseph Everhart Boone, 38, pastor of Bush Memorial Congregational Church; the Rev. Albert Lee Dunn, 26, pastor of Fountain Memorial African Methodist Episcopal Church and the Rev. Roosevelt Wilson Moore, 47, pastor of Gordon Road Methodist Church.

Lt. J. F. Johnson said he answered a call to the restaurant shortly before noon and found the group seated at a counter. He said the restaurant manager, Clude C. Harrison, requested them to leave and when they refused he placed them in custody.

Harrison testified that he asked the group to move from the counter to a section for colored or a dining room at the back and they refused. Harrison said he informed them if they did not he would have to call the police and added he understood one to say that they had come there to be arrested.

The Rev. Mr. McCall, in his statement to the court, denied anyone saying that they had gone there to be arrested.

# Eight Ministers Out On Bond In Sit-Ins In City

Atlanta Daily World
Atlanta Ga.

Seven Negro ministers, who were arrested Wednesday after attempting to gain entry at a Terminal Station restaurant, got out on bond after less than 24 hours behind bars. A white minister, who was arrested at the same time, made bond shortly after them.

Meanwhile three more students were arrested after attempting a sit-in at the Coffee Shop, 1 Forsyth St., S. W. They were identified as Jesse J. Harris, 21, of 31 Yonge St., S. E., student at Atlanta University, and Spelman students, Roberta Smith, 18, of Washington, D. C., and Runelle Lawrence, 18, of 174 Silver Springs Circle, S. W.

The ministers left 76 demonstrators in jail. The religious leaders posted bonds of $100 each.

**Bail Is Refused**

Atlanta Daily World

# Eight Ministers Arrested At Terminal Station Here

Thurs. 2-16-61

By STANLEY S. SCOTT

Seven Negro ministers and one white Methodist Missionary preacher were arrested by police Wednesday morning at the Atlanta Terminal Station after attempting to receive food service inside the restaurant.

The ministers appeared in city court before Judge James E. Webb at 2:30 Wednesday afternoon and were bound over to a higher court on $100. bonds. However the ministers chose to refuse bail and join 77 student sit-iners at the County Jail. The students were arrested during sit-in activities last week.

**ARRESTED MINISTERS**

Those arrested included: Reverends B. J. Johnson, Sr. Greater Mount Calvary Baptist Church; Otis Moss, Jr., Providence Baptist Church in South Atlanta; J. E. Boone, Congregational (Rush Memorial); Walter R. McCall, Providence Baptist Church on Maher St, J. D. Greer, Jr., Fort Street Methodi t Church; Albert Dunn, ITC student; R. W. Moore; R. W. Anderson, (white) Methodist Missionary from Washington, D. C.

Rev. Anderson, white minister arrested with the Negroes, stated to observers when they inquired about his race, "Just mark me down as a member of the human race." Rev. Anderson's address was listed as Washington, D. C. and one wire service had his residence listed in Americus, Ga.

He told Judge Webb, "I don't know what the law is that we were supposed to have broken. But our whole civilization will soon be destroyed unless we start trying to live as brothers."

# Atlanta Sit-ins Halted; Stores Vow Bias End

N. Y. World-Telegram and Sun
New York, N. Y.

United Press International

ATLANTA, March 7.—Atlanta Negro leaders called off sit-in demonstrations and boycotts of segregated stores today in return for a pledge from leading merchants of future desegregation of lunch counters.

Date 3-7-61

Lunch counters in the city's two leading department stores and in 11 drug and variety chains representing about 75 stores—many of which have been closed by sit-ins—will reopen Thursday on a segregated basis. Desegregation apparently will not begin until the Atlanta public school system is integrated, probably this fall.

The Atlanta Chamber of Commerce made the announcement. It was subscribed to by store officials and by Dr. Martin Luther King Sr., father of the Negro integration leader, and Lonnie C. King, leader of Negro college students who have conducted intensive protests against lunch counter segregation.

Other Negro leaders also signed, and agreed to use their influence to stop all Negro demonstrations.

There was no clear-cut announcement about the date for desegregation. But it was tied to the forthcoming desegregation of the city's public school system.

"We feel that the fine relationship that has existed between the races for a long number of years hould be reinstated in Atlanta in every way as soon as is possible," the statement said.

# Atlanta Sit-In Tension Imperils Peaceful Integration of Schools

The New York Times
New York City

By CLAYDE SITTON

Special to The New York Times.

ATLANTA, Feb. 18—"We're like lemmings marching off the cliff," a prominent business executive said.

His remark reflected the growing feeling here that many residents have a false sense of security toward the city's racial problems.

This executive and some other persons believe that tension aroused by the dispute over lunch-counter desegregation has already lessened the chance for peaceful desegregation of the schools next September under a Federal court order.

Moreover, extreme segregationists apparently have singled out this metropolitan complex of 1,000,000 persons as a major battleground in their fight against integration.

Atlanta is regarded as one of the South's most progressive cities. Its race relations have generally had an even tenor. This is attributed in part to the efforts of Mayor William B. Hartsfield and an alert police force.

Most whites apparently have little sympathy with the activities of the bitter-end segregationists. However, observers contended that the Negro student demonstrations, which began here last March, might bring a crisis to the city.

Frustrated by the merchants' refusal to remove racial barriers in restaurants and at lunch counters, the students have become increasingly militant. More than seventy-five are now in jail as a result of their refusal to post bonds on trespass charges growing out of the demonstrations. Many adult leaders have voiced support for them.

Merchants conceded that a Negro boycott of the downtown area had been almost 100 per cent effective. Department store sales in the central-city area for the full week period ended Feb. 4 were down 12 per cent from last year, the Federal Reserve Bank reported. The receipts of some variety stores have shown a far greater drop.

Since the sit-ins began, a Negro school has been bombed, the Ku Klux Klan has trooped through the business section twice and a small group of anti-Semites has started distribution of hate literature.

Leading white supremacists from Little Rock, New Orleans and other Southern cities have paraded across the speaker's platform of a new segregationist organization. This is Georgians Unwilling To Surrender, or GUTS, as its members call it.

One such speaker was William Simomns, executive secretary of the Mississippi Citizens Council and secretary of the Citizens Council of America. "Atlanta is practically the nerve center in the South for the integration movement," he told the new organization.

### Major Test Predicted

Liberal whites also see an important skirmish developing. Harold C. Fleming, executive director of the Southern Regional Council, said:

"As school desegregation nears in Atlanta, the forces of organized bigotry in the South are clearly concentrating their efforts here. The apostles of anti-Negro, anti-Semitic and anti-Catholic prejudice are gathering for what they evidently see as a major test of their extremist doctrine."

Events at a meeting of Georgians Unwilling to Surrender Thursday night at the Tower Theatre seemed to bear out this conclusion. The audience included Calvin F. Craig, Georgia Grand Dragon of the U. S. Klans, Knights of the Ku Klux Klan, Inc.; J. B. Stoner, an avowed anti-Semite and head of the Christian Knights of the Ku Kux Klan, and at least four of the five persons indicted for the bombing in 1958 of Temple, house of worship for Atlanta's largest Jewish congregation.

Before the program began, copies of The Thunderbolt were distributed. This organ of the National States Rights party is pubilshed by W. R. Fields. He described himself as a Birmingham, Ala., chiropractor who was once in "the reducing-salon business" in Louisville, Ky.

One article in the four-page paper said:

"The Jews have long believed that they would have to integrate Atlanta before they could integrate the rest of the South."

Two inside pages recounted the murder of an Atlanta girl in 1913 and the subsequent lynching of Leo Frank. The headline read:

"Leo Frank Case and Today's Jewish Rape of the South."

Lester Maddox, a local restaurant operator and chairman of Georgians Unwilling to Surrender, said that The Thunderbolt had not been approved for distribution. Nevertheless, the program that followed had anti-Semitic overtones as well as tirades against Negroes.

The first speaker was Roy V. Harris, once a political kingmaker in this state who now heads the Georgia States Rights Council. He denounced Gov. S. Ernest Vandiver and the Legislature for discarding the state's policy of massive resistance to desegregation.

### Favors Going to Jail

I've always wanted to see one Southern Governor who had the nerve and the courage to let the Federal Government put him in jail," he said.

The keynote address was made by Leander Perez, former District Attorney of St. Bernard and Plaquemines Parishes (counties) in Louisiana. He is a guiding light of the Ctzens Council movement there. He once spoke at a council rally in New Orleans that preceded an anti-desegregation riot.

Mr. Perez called out the names of a number of prominent members of the legislative, executive and judicial branches of the Federal Government, while some in the audience shouted "Communist Jews." He referred to these officials as "another pinko," "that Zionist," "a smart mulatto," and that "eighteen-time Commie front member."

Mr. Perez said that the sometimes violent protests over desegregation in New Orleans marked "one of the most worthy demonstrations of a freedom-loving people." This was greeted by whoops and rebel yells.

"How would you like it if your little girl came back home ravished from a forced racially integrated school?" he asked.

### Assails Government

When he said, "The national Government is the enemy of our people," the audience shouted, "Yes! Yes!"

Without segregationist political leadership, he contended, Southerners have no choice "but to rise up in physical opposition."

As the crowd left the theatre, a detective remarked, "The rats were sure coming out of all the holes tonight." He estimated that at least 25 per cent of those in the audience were Klansmen.

The activities of Georgians unwilling to surrender and similar groups present a potentially dangerous problem. Arthur J. Levin, director of the southeastern regional office of the Anti-Defamation League of B'nai B'rith, called on responsible residents to seek a solution to this problem by eliminating the cause.

The New York Times

**FIGHTS INTEGRATION: Leander Perez, a former district attorney in Louisiana, who addressed a meeting of Georgians Unwilling to Surrender, held last Thursday in Atlanta.**

"Bigots feed on tensions and crises, in which atmosphere they can best peddle their hysteria of lies, distortions and false predictions," he said. "Therefore, it becomes imperative that the real leadership—economic, civic, religious, educational — resolve whatever tension and crises exist in the community so that we can get on with our business of growth and prgroess."

Leading merchants have said that they are willing to desegregate their lunch counters, a move that is considered inevitable. But they argue that they cannot do so because Rich's, Inc., the city' largest department store, has refused to go along.

Rich's is a family operation that had an excellent reputation among Negroes prior to the sit-in dispute. This was because of the family's many gifts to Negro educational and charitable causes and the store's courteous treatment of Negro shoppers. Rich's was the first major store in Atlanta to address Negroes as "Mr." and "Mrs."

### Few Customers in Store

But on a walk through the spacious first floor this week it was possible to find only two Negroes—one customer and a candy counter clerk. There were few white customers, too.

Shortly after the sit-in controversy began, Richard H. Rich, president of the store, and Frank H. Neely, the board chairman, were said to be willing to desegregate once the school desegregation problem had been solved. However, they took no action after Governor Vandiver and the Legislature cleared the way for local communities to comply with Federal court rulings.

Several attempts have been made to reach both Mr. Rich and Mr. Neely. A subordinate, who declined to permit the use of his name, refused to outline the store's present position.

"We'd rather not talk about it," he said. "We're in a dilemma." He also said, "There's not going to be any change in the immediate future."

Other merchants have said that they would lose many white cusomers to Rich's if they led the way in desegregating lunch counters. Some observers have called this view questionable. Meanwhile, most agree that every downtown merchant is suffering.

"The most important thing that can be doneis to convince the power structure that this situation can ruin the downtown area," one executive said. "The effect is not going to be confined to the retail stores. It will hit the banks, the office supply concerns, the insurance firms, the real estate interests and all the rest."

### Negroes' Stand Is Firm

The Negroes' determination has been reiterated by their leaders, Lomnie C. King Jr., chairman of the Student Committee on Appeal for Human Rights; the Rev. William Holmes Borders, chairman of the Student-Adult Liaison Committee and pastor of Wheat Street Baptist Church, and the Rev. Dr. Martin Luther King Jr., head of the Southern Christian Leadership Conference and symbol of the student movement.

Mr. Borders has served notice on white that Negro adults are giving full support to the sit-ins. "Right now the community wouldn't go to Heaven without the students," he once said.

Those familiar with the present situation have made these points:

¶Peaceful school desegregation depends upon a calm and harmonious climate of race relations.

¶Negroes will not end their protests without assurance of desegregation by a specified and reasonably early date.

¶A continued stalemate will increase the militancy of both the protest movement and the segregationists.

"The city's business leadership has so far failed to recognize the dangers of the unresolved sit-in dispute both to the local economy and to law and order," Mr. Fleming of the Southern Regional Council said.

"Peaceful school desegregation will depend in large measure on Atlanta's joining more than one hundred other Southern cities int he orderly settlement of the sit-in protests by opening eating facilities to all."

# 'Jail-ins' Now Replacing 'Sit-ins' In New Desegregation Drive in South

The Washington Post
Washington, D.C.
Date 2-11-61
Page A1

A program of "jail-ins" has apparently begun across the South as part of the "sit-in" demonstrations aimed at cracking segregation practices in public places.

In Atlanta, 70 Negroes were in jail yesterday after they refused to post $100 bonds when they were arrested during restaurant sit-ins.

In Rock Hill, S. C., 13 Negroes are serving 30-day jail sentences rather than pay $100 fines after being convicted of trepass during sit-ins.

In Lynchburg, Va., where two white and four Negro students are serving 30-day sentences stemming from a sit-in, there is talk of "filling the jail full" as the only effective protest against segregation.

**Started With Meeting**

Much of the effort seems to have grown from a meeting last Sunday in Atlanta of the Student Nonviolent Coordinating Committee. Four of the Committee's leaders went directly from that meeting to Rock Hill where they sat-in, and were arrested and convicted.

When they went to jail, the Committee's headquarters in Atlanta urged all Southern students to join the "jail, no bail" movement.

On Tuesday, 17 Negro students were arrested in a sit-in in Atlanta. On Wednesday, 20 more were arrested and on Thursday, another 39. Of the 76, 70 stayed in jail by refusing to put up bond. The jailer said he was almost out of space.

One of the leaders of the group, Herschelle Sullivan, a student at Spelman College, put up bond so she could organize more students. Appealing to all students to join in a "struggle for human dignity," she said, "The students in jail have said that they can stand it in there as long as other people can stand it out here."

Behind the "jail-in" drive is the desire of the students to reviltalize the "sit-in" movement which has been less active in recent weeks and to dramatize to the Kennedy Administration segregation practices throughout the Nation.

**Movie Walk-in Set**

In other events:

• A group of Texas students called for a Southwide walk-in at movie theaters on Sunday. In Nashville, Tenn., on Thursday, about 100 Negroes and a few whites were turned away at segregated theaters.

• In New Rochelle, N. Y., attendance at a predominantly Negro elementary school was off about a third Friday. The boycott, organized by a parents' committee, protested the School Board's decision to appeal a court ruling requiring desegregation of the school.

• In Cleveland, eight students are picketing the Sigma Phi Epsilon fraternity house at Baldwin-Wallace College because the chapter has refused to sign a statement opposing racial and religious qualifications for membership.

• In Virginia, plans are being laid for the filing of a court case arguing that Federal funds must not be given to institutions which practice racial segregation.

• In Chicago, 10 Negro physicians filed suit against 56 hospitals which they say bar Negroes from their medical staffs.

• And in Athens, Ga., one of the first two Negro students at the University of Georgia has been invited to join the local Episcopal Church.

## NEGROES' JAIL-IN MAY BE CANCELED

The New York Times

### Atlanta Leaders Indicate Purpose Is Accomplished in Rousing Community

New York, N.Y.

By CLAUDE SITTON

ATLANTA, Feb. 10—While some 100 persons have gone to jail deliberately in a drive to break down racial barriers at Southern lunch counters, a student leader indicated today that the movement might be stopped.

Ten Negroes were arrested in Atlanta today at two private restaurants. The fourth consecutive day of demonstrations brought to eighty the total number imprisoned here.

Thirteen other Negroes, including four regional leaders of the sit-in movement, are serving thirty-day sentences following arrests in Rock Hill, S. C. Four whites an dtwo Negroes are serving similar terms in Lynchburg, Va.

Atlanta student leaders said they were calling a meeting to determine whether the so-called "jail-in" should continue. Herschelle Sullivan, co-chairman of the Student Committee on Appeal for Human Rights, said:

"We think that we have accomplished our purpose."

She said the purpose was "to arouse the community." While a number of Negro adults have expressed concern and support for the students, she said, only a few whites have done so.

**Show of Strength Urged**

A regional group, the Student Nonviolent Coordinating Committee, has called for a show of strength at Rock Hill. Miss Sullivan said Atlanta students might go there Sunday with others from elsewhere in the South to visit the prisoners.

But she said none was expected to demonstrate in an effort to join them in jail, as the regional committee had urged.

Miss Sullivan and Lonnie C. King Jr., chairman of the Committee on Appeal for Human Rights, were arrested on trespassing charges Tuesday. They posted $100 bonds, however, explaining that they were needed to direct the movement.

The eighty students in the Fulton County (Atlanta) Jail have refused to post bonds pending trials on charges of violating a new street trespass law. The statute makes it a crime to remain in a private establishment after having been asked to leave by its proprietor.

Only one of the ten arrested today actually entered a restaurant. The others were seized just outside a coffee shop. The manager contended that a paved area between the door and the sidewalk was private property.

## 78 Sit-In Prisoners Pack Jail Here; Sheriff Orders Cots, 2-Deck Beds

The Atlanta Constitution
Atlanta, Ga.
Date Thurs. 2-16-61
Page 1 & 10

Negro sit-in demonstrators Wednesday filled the Fulton County jail to capacity and Sheriff Ralph T. Grimes ordered in cots, double-deck beds, mattresses and blankets to take care of the expected overflow.

The number of Negro inmates rose to 419 by mid-afternoon, Grimes said. This included 357 men, slightly below the capacity of 364, and 62 Negro women compared to the official capacity of 52.

Grimes said the temporary bedding for overflow inmates could take care of "quite a few" but he said another wave of mass arrests may force him to transfer overflows to other jails.

By mid-afternoon jail records showed there were 78 inmates charged with participating in Negro sit-in demonstrations.

The sit-iners could get out on $100 bond each but most have refused to post bond in protest against segregation. Only four of the 82 sit-iners jailed had posted bond through late Wednesday.

Grimes said farming out prisoners because of an overflow had never, to his knowledge, been done before in Georgia.

Fulton County would be forced to pay board for the transferred prisoners at rates set by the various sheriffs, usually about $2 a day per prisoner. Fulton County's charge is $1.75 per day.

"I'd let all sleep on the floor that I could possibly put there first, then put them in jails around the state," Grimes said.

## Say Sit-In 'Complete' Success

The Call
Kansas City, Mo.
Date 2-17-61

ATLANTA 2 (UPI) — Negroes were told here Friday night that they have won complete victory in their campaign to desegregate facilities in Atlanta department and variety stores.

It was the most significant civil rights victory in the long sit-in movement that began in Greensboro, N.C., nearly two years ago.

A crowd estimated at more than 2,000 cheered the news but denounced one phase of an agreement worked out with Atlanta merchants which delays the implementation date until fall.

It took the silver voice of Dr. Martin Luther King Jr. to calm angry voices that had accused their leaders of becoming "turncoats" and to restore order to a packed house in a Baptist church.

No vote was taken durng the tumultuous meeting but there was strong sentiment for continuing a boycott of stores until the segregation barrier is lifted.

**Negroes "Stick Together"**

Attorney A. T. Walden, who was instrumental in negotiating with white leaders an end to the city's 14-week sit-in movement, predicted after the meeting that most of the city's Negroes would go along with the settlement.

The Atlanta sit-ins began on a regular basis last Thanksgiving week-end and cut sharply into Christmas business at big department stores. Many downtown stores had closed tea rooms and lunch counters and scores of Negroes were jailed for violating the state's anti-trespass law.

Officials of 17 stores or chains and 11 Negroes worked out the agreement which, according to Friday night's announcement, called for:

—Desegregation of eating and all other facilities in the affected stores in the fall, regardless of whether Atlanta schools are integrated then.

—Re-hiring of most Negroes released when the eating places closed.

—Further meetings to provide for "orderly desegregation" of the facilities.

In return, the Negro leadership pledged to work for a complete end to boycotts and picketing which have accompanied the sit-ins. They tried mightily last week to live up to their pledge.

Walden, who has fought the civil rights battle in the courts for half a century, urged compliance with the delayed action agreement.

"What difference does a few months make when we have been fighting for this 100 years?" he said.

# MERCHANTS AND SIT-INS; NATURE AND AID

Atlanta's sit-in stalemate was announced settled last week with an agreement signed by both sides.

The historical legislature of '61 ended on a high note, leaving behind its monuments of open schools and budgetary legislating.

And there were sure enough tornadoes.

## Compromise

With the Atlanta Chamber of Commerce and Negro Atty. A. T. Walden handling negotiations, merchants and Negro leaders signed an agreement ending the year-old sit-in campaign which saw numerous demonstrators arrested and helped cause a slump in downtown trade.

**According to the original announcement, the stores agreed to desegregate after the schools here are desegregated, meanwhile opening sit-in closed eating places on a segregated basis. Some 500 to 600 Negroes would regain jobs as a result. The students agreed to try to end sit-ins, picketing and the adult-participating boycott.**

By week's end, dissatisfaction by some Negroes had been heard, and at a mass meeting Friday night, Rev. Martin Luther King Jr. urged unity in a speech that seemed to dissuade proponents of "wildcat" sit-ins. The Negro leadership at the meeting said lunch counter desegregation does not hinge on school desegregation, as originally announced by the chamber, but was agreed on for this fall regardless.

Sit-in trials, expected next week and apparently not to be dropped as a result of the agreement, were postponed in Fulton Superior Court for six weeks. A new charge, disturbing the peace, was added because, Solicitor John I. Kelley said, this was the charge in the case the U.S. Supreme Court refused to hear.

## Other Fronts

Judge W. A. Bootle, on request of the University of Georgia, gave an explanatory ruling that his desegregation decree means Negroes at the University are entitled to all privileges, including eating in the cafeteria. Charlayne Hunter, who has requested the latter, said she will wait until spring quarter to exercise it.

**Judge Jesse Wood, charging the new grand jury, urged more peace and cooperation in racial matters. . . . The famous M. L. King Jr., traffic case was sent back to Judge Oscar Mitchell's court by the Court of Appeals. The court said the original sentence was too long and hence revocation of probation of it was nullified.**

Atlanta School Supt. John Letson spoke plainly on the effect of new school laws: They take desegregation out of courts and legislative bodies and put it squarely to the people. He urged they handle it with dignity or pay a "terrible price" for generations to come.

Georgia's Negro population increased slightly during the last decade, but not proportionately with other states. We dropped from first to third place in Negro population. The total: 1,122,596.

## Session Adjourned

"Serenity prevails," said Gov Vandiver. "Georgia's schools and colleges are open . . ." A "growing vitality," said Rep James Mackay about the legislature.

These were comments on the history-making repeal of segregation laws, which pitted state power against federal, and adoption of local option measures permitting integration, and on the battle of the budget which saw a great show of legislative independence but ended with the governor still strongly in control of fiscal matters.

**In closing hours, meanwhile, there was passage of a resolution backing the federal aid to education measure—which could mean an extra $700 a year for Georgia teachers. (GEA official Frank Hughes meanwhile said five Georgia congressmen would vote for it; three might, and two—James C. Davis and E. L. Forrester—wouldn't.)**

Other last-minute action: passage of Democratic primary date changing, and shelving of the bill to repeal compulsory attendance at integrated schools.

Among the other monuments left behind were passage of legislation for tax equalization, and to study county unit reapportionment and the state's criminal law code, and against drag racing and dangerous drugs.

Failing to pass were possibly needed bills on fireworks control, speed traps and taxing mixed drinks, and a possibly not needed sovereignty commission to study and propagandize on integration.

Heading into the wild blue per diem were members of 64 interim study committees. Work of such bodies last year cost $295,000.

## Our Governments

W. O. Brooks, speech writer for governors and astute student of Georgia-style political science, was named to the Pardon and Parole Board as part of an otherwise expected shift: William H. Kimbrough went to the Public Service Commission from whence Matt McWhorter went full-time to the Stone Mountain Memorial Assn. Mrs. Rebecca Garrett was named parole board chairman.

**Speakers at a Municipal Affairs workshop in Athens urged over and over again that city officials need to get rid of lethargy and ignorance of industry is to be attracted. Only trouble: Attendance was reported sparse.**

The point of no return is almost here on rapid transit, said Glenn E. Bennett of the Metropolitan Planning Commission, and the Atlanta chamber intensified its campaign to keep us from missing the fast boat.

**Twenty Fulton schools will be built on a $3,300,000 bond sale. . . . A fancy motel bid got the nod for first sale of Atlanta urban renewal land. . . . The Georgia Supreme Court ruled profit-making church property can be taxed.**

Insurance Commissioner Zack Cravey announced approval of an auto insurance fee hike schedule which he said would mean lower rates for some because of a provision rewarding drivers with no accident records.

A statewide move for more training schools (to get children out of common jails) and for a youth commission was launched in Atlanta by juvenile court advisers and judges and other groups.

## The Economy

Ford workers were laid off again this week. BOP workers will get it again next week. DeKalb joined counties participating in the federal surplus food program for needy folks.

**Federal medicare will be available to Georgians only if Gov. Vandiver dips into the surplus for matching funds, and there is no money for matching funds in another federal measure to aid children of unemployed folks.**

Georgia Power will build the nation's largest steam-electric generating plan near Milledgeville. First unit will cost $42,000,000.

## Town and Country

Tornadoes struck around Ringgold and near Macon, with no injuries or deaths but a million dollars in property damages . . . Contracts were signed for wederal disaster aid to flood-hit areas in west Georgia. It'll probably amount to around $2,000,000.

Farms, declining in number, doubled in value in Georgia, making us fifth in the nation at $16,000 average per farm.

**Georgia an dthe South need to restore the balance of trade in ideas, and must look to universities for leadership, said Emory President S. Walter Martin at a dinner of the Newcomen Society of North America, signal honor for the school.**

A wallaby sort of like a kangeroo), given to the zoo, kicked an alderman on arrival . . . Holiday on Ice came to delight children and other lovers of color and costumery and continous skating.

# Atlanta Stores, Sit-In Agreement Is Reached

ATLANTA, March 7 (UPI)—Major Atlanta department and variety stores agreed today to gradually desegregate their eating facilities.

Sit-in leaders and the city's merchants reached the agreement after months of demonstrations at downtown stores that had a policy of segregated eating places.

No deadline for a start toward desegregation of the facilities was announced except that it would begin at the time the city's schools are desegregated. This is scheduled to begin next Fall.

**Segregated**

Atty. Gen. Eugene Cook said the state would be "helpless" to enforce its new anti-trespass law—under which Negro sit-inners have been arrested by the score — if management of stores refuse to co-operate or if they "voluntarily submit to racial integration."

The Atlanta Chamber of Commerce, which announced the agreement, said the 17 stores and chains representing approximately 50 individual stores would gear their desegregation on the admission of the first Negroes to white public schools here.

**Agreement**

Although the eating facilities will be re-opened for the present on a segregated basis, today's action appeared to be a major victory for the Negro groups pressing for full desegregation.

The settlement was reached following sustained pressure by Negroes in the form of sit-ins, picketing and boycott at department and variety stores that had segregated eating places. Many downtown stores, including the big Rich's and Davison's department stores and most dime stores, closed tea rooms, snack bars and lunch counters during the sit-in effort which began here during Thanksgiving week-end of 1960.

There was no estimate of the monetary loss suffered during the controversy but it was considerable, mainly during the Christmas season when the boycott by Negroes was at its height. Another similar drive had been planned by them for the Easter shopping season.

The sit-in settlement came just one week before the scheduled trials of 26 Negroes who were arrested under the state's anti-trespass law.

# Atlanta Stores Will Integrate

## Most Department And Drug Store Counters To Allow Equal Service

By United Press International

ATLANTA, March 7. — A group of leading Atlanta merchants and Negro leaders announced Tuesday that Negroes would be allowed to eat at most department and drug store lunch counters and would call off their sit-in movement.

The statement, released by the Atlanta Chamber of Commerce, appeared to be a clear-cut victory for the Atlanta segment of the widespread sit-in movement.

The announcement was subscribed to by Atlanta's two major department stores and by 11 chain drug and variety stores.

**Also Signing**

Also signing were Dr. Martin Luther King Sr., father of the well - known Negro integration leader, and Lonnie C. King, Negro student leader.

The statement came one day after the Georgia Legislature adjourned for the year.

The statement said "leading merchants have stated that it is their decision to carry out in lunch rooms and other facilities the same pattern as has been recognized and evidenced" by admission of two Negro students to the University of Georgia, decision of the Atlanta school board to comply with Federal integration orders this fall and actions of the late Georgia General Assembly in repealing the state's massive resistance anti-segregation laws.

"The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible," the statment said.

The lunch counters will reopen Thursday on a segreated basis but will be integrated when the Atlanta public school system is integrated, probably this fall.

**Sears Signs Too**

The statement was subscribed to by Rich's and Davison's Department Stores, by the Walgrens, Jacobs, and Lane's Drug chains, and by the Woolworths, McCrory, Grants, S. H. Kress, Newberrys variety chains, Sears Roebuck also signed.

Accurate assessment of the economic damage suffered by the stores has been difficult but the boycott has at times appeared to be highly effective in a city where about one-third of the population is Negro.

The agreement affected about 75 Atlanta stores.

# Integration In Atlanta Stores Set

ATLANTA, March 7 (UPI)—Major Atlanta department and variety stores agreed today to gradually desegregate their eating facilities.

Sit-in leaders and merchants reached the agreement after months of demonstrations at downtown stores that had a policy of segregated eating places.

No deadline for a start toward desegregation of the facilities was announced except that it would begin at the time the ctiy's schools are desegregated. This is scheduled to begin next fall.

Although the eating facilities will be reopened for the present on a segregated basis, today's action appeared to be a major victory for the Negro groups pressing for full desegregation.

Atty. Gen. Eugene Cook said the state would be "helpless" to enforce its new antitrespass law—under which Negro sit-inners have been arrested by the score —if management of stores refuse to cooperate or if they "voluntarily submit to racial integration."

The Atlanta Chamber of Commerce, which announced the agreement, said the 17 stores and chains representing approximately 50 individual stores would gear their desegregation on the admission of the first Negroes to white public schools here.

The lunch counters will reopen Thursday on a segregated basis but will be integrated when the Atlanta public school system is integrated, probably this fall.

# Atlanta Stores Agree To End Lunch Counter Segregation

## Negroes Halt Sit-In Demonstrations

Atlanta, Ga. Mar. 7 — A group of leading Atlanta merchants and Negro leaders announced today that Negroes would be allowed to eat at most department and drug store lunch counters here and would call off their sit-in movement.

The lunch counters will reopen Thursday on a segregated basis but will be integrated when the Atlanta public school system is integrated, probably this fall.

**The statement, released by the Atlanta Chamber of Commerce, appeared to be a clear-cut victory for the Atlanta chapter of the widespread sit-in movement.**

**The announcement was subscribed to by Atlanta's two major department stores and by 11 chain department stores and by 11 drug and variety chains representing about 75 stores.**

**Also signing were Dr. Martin Luther King Sr., father of the Negro integration leader, and Lonnie C. King, Negro student leader.**

**The statement came one day after the Georgia Legislature adjourned for the year.**

# Atlanta Stores to End Dining Segregation

ATLANTA, March 7 (UPI) Major Atlanta department and variety stores agreed today to gradually desegregate their eating facilities.

Sit-in leaders and the city's merchants reached the agreement after months of demonstrations at downtown stores that segregated their eating places.

The desegregation would begin at the time the city's schools are desegregated. This is scheduled next fall.

The eating facilities will be re-opened for the present on a segregated basis, but today's action appeared to be a major victory for the Negro groups.

Attorney General Eugene Cook said the State would be "helpless" to enforce its new anti-trespass law—under which Negro sitters-in have been arrested by the score—if stores refuse to cooperate or if they "voluntary submit to racial integration."

The Atlanta Chamber of Commerce, which announced the agreement, said the 17 stores and chains representing approximately 50 individual stores would condition their desegregation on the admission of the first Negroes to white public schools here.

The settlement was reached following sustained pressure by Negroes in the form of sit-ins, picketing and boycott at department and variety stores. Many downtown stores, including the big Rich's and Davison's department stores and most dime stores, closed tea rooms, snack bars and lunch counters during the demonstrations which began during Thanksgiving week-end.

There was no estimate of the monetary loss suffered during the controversy but it was considerable, especially during the Christmas season when the boycott by Negroes was at its height.

# Atlanta Halts Sit-In Activities

ATLANTA, Ga. — (SNS) Atlanta was promised relief from its uneasy position of "sit-ins" over segregated lunch counters and other facilities Tuesday, after major Atlanta department and variety and drugstores agreed to desegregate them by next fall. The timetable would not be beyond desegregation of city public schools slated this fall. The Chamber of Commerce issued the statement of agreement.

The statement came from a group of leading white merchants and representatives of the Negro community, both adults and students. Both promised to exert every effort to re-establish an atmosphere of "good racial relationship" and to bring back a condition of complete normalcy as soon as possible.

An unofficial source said the lunch counters were reopening on a segregated basis.

It was reported that reliably the "truce" was secured with the agreement that Atlanta's school desegregation issue is the key to the lunch counter openings on a general basis, although several chain -operated stores are reportedly ready to comply with national policy. School de egregation is under court order for this September 1961.

Although the eating facilities will be re-opened for the present on a segregated basis, Tuesday's action appeared to be a major victory for the Negro groups pressing for desegregation.

Attorney General Eugene Cook said the state would be "helpless to enforce its new anti-trespass law under which Negro sit-inners have been arrested by the score if management of stores refuse to cooperate or if they "voluntarily submit to racial integration."

**CONGRATULATED**

**"ALL SIDES"**

Atlanta Mayor William Hartsfield congratulated "all sides upon a fair and statesmanlike approach to this situation."

The mayor served notice on "professional rabblerousers from outside the city they will be dealt with most sternly" in the event of trouble in the city's desegregation transition.

"The community affected and the people of the state must now look to all citizens to exercise the same restraint which they have demonstrated over the years in not creating or provoking intolerable conditions which might tend to generate violence." Gov. Ernest Vandiver said of the development.

The complete Atlanta Chamber of Commerce Statement follows:

"We feel that the fine relationship which has existed between the races for a long number of years should be reinstated in Atlanta in every way as soon as is possible. In order to reestablish good relationships, the leading merchants have stated that it is their decision to carry out in lunchrooms and other facilities the same patterns as have been recognized and evidenced (1) by actions of the 1961 General Assembly of Georgia; (2) the admission of qualified students to the University of Georgia, and (3) the decision of the Atlanta Board of Education to comply with the orders of the Federal Court—all relating to the public school issues in Atlanta and as are finally decided upon in the public school issues in Atlanta. The Negro leadership has stated that every effort will be made to eliminate all boycotts, reprisals, picketing and sit-ins and to bring back a condition of complete normalcy as soon as possible. Each party is fully cognizant of the limitations of its own commitments on behalf of any group other than that it specifically represents."

**ATLANTA RETAIL STORES PARTY TO AGREEMENT:**

Rich's
Davison's
Woolworth's
McCrory's
Grant's
Walgreen Company
Jacobs Pharmacy
S. H. Kress and Co.
Sears, Roebuck and Co.
Kresge's
H. L. Green Co.
Newberry's
Lane's

**NEGRO LEADERS PARTY TO AGREEMENT:**

Dr. Wm. Holmes Borders, Pastor of Wheat Street Baptist Church, and Chairman of Student - Adult Liaison Committee.

Attorney A. T. Walden, Special Negotiator, Chairman of Atlanta Negro Voters League.

Dr. M. L. King, Sr., Pastor, Ebenezer Baptist Church and Member of Student - Adult Liaison Committee.

Leroy R. Johnson, Attorney-at-Law, Member of Executive Committee Atlanta Negro Voters League.

Q. V. Williamson, business - man Executive Committee, Empire Realty Board) Member, Advisory Committee on Urban Renewal.

Jesse Hill, Jr., Actuary, Atlanta Life Insurance Company.

Mrs. P. Q. Yancey, Housewife Member of Adult - Student Liaison Committee.

Rev. O. M. Mo[illegible] Pastor, Providence Baptist Church.

Dr Rufus E. Clement, President, Atlanta University.

Lonnie C. King, Chairman Committee on Appeal for Human Rights.

Miss Herschell Sullivan, Vice Chairman, Committee on Appeal for Human Rights.

# Atlanta Stores Agree To End Segregation

By THE ASSOCIATED PRESS

Negroes scored a major victory in their sit-in movement Tuesday when business leaders in the Deep South city of Atlanta agreed to end segregation in downtown stores next fall.

The settlement will become effective in September, when Atlanta public schools are scheduled to begin integrating under federal court order.

Negro leaders agreed, in the meantime, to urge their followers to stop all sit-in demonstrations, boycotts and picketing at department stores, restaurants and lunch counters.

In another development in Georgia's capital city, the Rev. Martin Luther King Jr. won a legal victory of sorts when the State Court of Appeals ruled he was illegally sentenced to a year in jail on a traffic charge.

But King, long-time champion of Negro civil rights, could still be sent to jail for six months in the case which attracted national headlines and brought an expression of sympathy from John F. Kennedy when he was campaigning for president.

King could possibly get a suspended sentence on the charge of driving without a Georgia license when the case goes back to the lower court.

# Atlanta Stores Integrate Eating

## Policy To Start in Fall When Negroes Enter White Schools

By The Associated Press

Atlanta, March 7. — Major Atlanta department and variety stores agreed Tuesday to gradually desegregate their eating facilities.

Sit-in leaders and the city's merchants reached the agreement after months of demonstrations at downtown stores.

No timetable for a start toward desegregation of the facilities was announced except that it would begin at the time the City's schools are desegregated. This is scheduled to begin next fall.

Although the eating facilities will be reopened for the present on a segregated basis, Tuesday's action appeared to be a major victory for the Negro groups.

**Law Held Unenforceable**

Attorney General Eugene Cook said the State would be helpless to enforce its new antitrespass law—under which Negro sit-in demonstrators have been arrested by the scores—if stores "voluntarily submit to racial integration."

The Atlanta Chamber of Commerce, which announced the agreement, said the 17 stores and chains representing about 50 individual stores would gear their desegregation on the admission of the first Negroes to white public schools here.

Many downtown stores, including Rich's and Davison's department stores and most dime stores, closed tea rooms, snack bars, and lunch counters during the sit-in effort that began during Thanksgiving weekend of 1960.

*The agreement specified:*

1. Leading merchants have decided to carry out "the same patterns" as those recognized by the 1961 Georgia Legislature in repealing segregation laws, by the University of Georgia in admitting Negro students, and by the Atlanta School Board in complying with federal desegregation orders.

2. Negro leaders will "make every effort" to "eliminate boycotts, reprisals, picketing, and sit-ins, and to bring back a condition of complete normalcy as soon as possible."

**All Sides Congratulated**

Atlanta Mayor William Hartsfield congratulated "all sides upon a fair and statesmanlike approach to this situation."

The Mayor served notice on "professional rabble rousers from outside the city they will be dealt with most sternly" in the event of trouble in the city's desegregation transition.

*Governor Ernest Vandiver said:*

"The community affected and the people of the state must now look to all citizens to exercise the same restraint which they have demonstrated over the years in not creating or provoking intolerable conditions which might tend to generate violence."

Vandiver again appealed for voluntary segregation as the "best solution" for race relations.

38a 1961

ILLINOIS

LUNCH COUNTER

# Young, White Chic Sympathizer Safe

The Call
Kansas City, Mo.
Jan. 1-6-61

CHICAGO. — (ANP) — The teen-age daughter of the president of Chicago Theological seminary, whose family thought she had gone to the South to lend her support in the integration fight, has been found safe in West Palm Beach, Fla.

The Rev. Dr. Howard Schomer reported here last week that his daughter, Karin, 16, had been located. She had been missing since December 8, disappearing after leaving her home for a Christmas shopping tour in this city's Loop.

Dr. Schomer said his daughter was seeking "personal independence" by running away, and not trying to join the racial integration movement in the South "as we thought had been the aim of her trip."

38a 1961

INDIANA LUNCH COUNTER- DESEGREGATED

# Sit-Ins End Bias At Indiana Cafe

Chicago Defender

Michigan City — Fifteen teenagers Saturday staged a successful sit-in that ended 11 years of racial discrimination at a restaurant in the shadow of the court house and police station.

Chicago, Ill.

The owner of Brownie's Griddle at 401 Franklin, George Brown, ordered the group served after they "blocked" every booth in the restaurant from white customers for more than an hour.

B-2-(11-17)-61

The first team of three teenagers to enter, light-complexioned youths, were served by waitresses in what apparently was a mistake. When the second group entered five minutes later the employes realized both groups were Negroes and refused to serve the second.

The remaining youngsters came in groups of three at five minute intervals and occupied every booth. The apparently frustrated employes called for Brown.

Meanwhile the youths sat — and white customers coming in declined to join any of them at a booth.

P 13

The history making movement, sponsored by a local citizens committee, was planned the night before, according to president Richard Hatcher, an attorney.

**SPACES RESERVED**

He said in the past when sit-ins have been attempted Negroes were told the spaces were reserved. When they refused to leave, police were summoned and the Negroes were arrested for disturbing the peace.

Brown has contended he would lose business if he served Negroes, Hatcher told the Defender.

Taking part in the demonstration were Richard Whitlow, Lois Johnson, Jaunita Dandridge, Barbara Lavis, Delores Nance, Marie Chambers, Ernest Mayo, Ann Walker, Clyde Wllams, Alecia Farmer, Versilee Amico, Burton Evans, Donald Fly, Joyce Davis and Irma McNeal.

According to Hatcher, Brown has stated before "something needs to be done," but he has refused to change his policy.

38a 1961 KANSAS LUNCH COUNTER

Trade Boycott

# Drive Against Bias Set By Kansas U. Students

Journal and Guide

Norfolk Va.

Date 3/18/61

LAWRENCE, Kans. (ANP) Petitions calling for boycott of business places refusing service to Negroes are being circulated on the campus of University of Kansas here.

One thousand students have signed the plea, which urges the K. U. All - Student Council to adopt a strong anti-discrimination resolution.

SPONSOR of the movement is the Civil Rights Council, which has been conducting a test of taverns and other establishments to find out whether they will serve Negroes.

Police have jailed 19 students, Negro and white, who staged a sit-in in a small bar. They were detained four hours but no charges were filed.

Since then the city and campus police have taken a "hands off" attitude.

**OFFICIALS** at K U. have made it clear no disciplinary action would be taken against those who take part in demonstrations so long as they were non - violent and with the law.

Organizer of the civil rights group is Michael Landwehr, a junior, from Brooklyn, N.Y.

**LINES ARE** being drawn in in the controversy. The students seem determined to push the sit - ins where discrimination appears and business men appear equally determined to "hold the line."

Kansas has a civil rights law which went into effect a year and a half ago. It provides a maximum fine of $1,000 for any place of public accommendation which discriminates because of race or color. Many county law enforcement officers take the attitude that taverns and bowling alleys are exempt from this law.

# Human-Rights Group To Probe Central Students' Complaint

## Charge Meals Curbed For 12

Frankfort, Ky., Feb. 10 (AP)—A complaint that 12 Negro students of Louisville's Central High School were refused service at a Lexington restaurant was presented Friday to the Kentucky Commission on Human Rights.

The complaint said that the students and their vocal music instructor, Miss Alyce K. Holden, were in Lexington for a gathering of the 600-voice all-state chorus last month.

**Inquiry Ordered**

Miss Holden said in a memorandum:

"We feel that our students should not have to face such situations in the future. If they are accepted in the All-State Chorus, then they should be allowed the same privileges."

A commission member, Charles Steele, Louisville, presented the complaint on behalf of Atwood S. Wilson, principal of Central High.

The commission instructed its executive director, Galen Martin, to investigate the incident and report his findings later.

Martin was also instructed to draw up a procedure and policy by which the commission could handle such complaints in the future.

In a memorandum to Wilson, Miss Holden said the students' problem of eating was solved easily in the daytime, for the University of Kentucky campus cafeterias were open to all persons, regardless of race.

**'Met Difficulty'**

However, at night after rehearsals, she added, "We met with difficulty which proved embarrassing and quite unnecessary."

Miss Holden related that on two nights she and the students were served in their cars at a drive-in restaurant.

On the third night, with rain pouring down, the group was told it could not be served inside the restaurant, she said.

A waitress brought one student food in a bag, but the student refused to accept it, Miss Holden related. She said they later ate at the bus-station snack bar.

**Agree To Newsletter**

In other action, the commission:

1. Voted approval of a monthly newsletter.

2. Discussed the possibility of better informing itself by bringing in consultants at a monthly workshop.

3. Agreed informally that it should hold a state-wide workshop for persons participating in similar commissions locally.

4. Talked about the possibility of conducting surveys and fact-finding studies to learn more about intergroup relations.

5. Discussed ways in which it could promote greater use of Negroes for jury duty.

## Kaufman's, Stewarts Shut Down Tea Room Opens Monday After Demonstrations

Restaurants located in two of the largest Fourth Street department stores closed earlier this week following stand-in demonstrations by groups of white and Negroes but reopened Monday morning.

Pickets belonging to the Congress of Racial Equality (CORE) and the Civil Rights Commission of the AMEZ Church conducted the stand-ins at Kaufman's of Kentucky, 427 S. 4th and Stewarts Dry Goods Company, Fourth and W. Walnut, protesting segregated eaitng facilities.

The Charl-Mont tea room at Kaufman's closed after demonstrated gathered outside a retaining chaining at 12:30 p.m. Saturday. Included in the group was AMEZ Bishop C. Ewbank Tucker and David West, a CORE member.

**Two Hour Pickets**

The demonstrators remained at Kaufman's for two hours when they left at 2:30 to set up similiar pickets at Stewart's basement cafeteria. The Kaufman restaurant closed at 2 p.m.

Roy Gardner, Executive Vice-President of Kaufman's, stated that he had nothing further to add to previously stated policy of the department store on integration. "We," said Gardner, "have not closed the door to integration and will desegregate our restaurant when the rest (Fourth Street store) do so."

Gardner said that this had consistently been the policy of Kaufman's and in all probability would continued to be so. He said that the tea room reopened Monday after the demonstrations.

Bishop Tucker stated that it was his opinion that Kaufman's attitude prior to the demonstrations was that if the stand-ins would stop they could come "to an agreement on desegregation. The Bishop added that this was not done which was the reason the stand-ins were resumed.

The cleric also said that Gardner had told him and West that rather than desegregate before the rest of the stores, he would cease, they could come room."

Saturday marked the first time that Stewart lunch room had been closed during a demonstration. The picketeers were again restrained by a chain in front of the entrance o the restaurant.

**Bishop Tucker**

Bishop Tucker said that an official who had been called to he scene by employees durin, he Stewart demonstration made side remark that "you (demonstrators) are endangering obs of Negroes at the store."

The demonstrators said that Saturday's stand-ins would begin anew the demand for public accommodations for Negroes in Louisville. Earlier in the week. demonstrators lined up in front of the United Artists theater.

CORE members siad that two white woman told them during he Stewarts demonstration that hey were unaware of the reasons for the pickets and if they knew would not have gone in o eat."

Bishop Tucker said that a white Attorney whom he knew described the incident as regrettable, and stated that it was a 'shame something like this could happen here."

The majojrity of the five and ten department stores including Grants, Woolworth Kresge's, McCory's, Pennys, Sears, and W. T. Grant's desegregated their lunch counters as long as six years ago. Kaufman's of Kentucky and Stewarts have been exceptions.

## Peace try fails, pickets march again

LOUISVILLE, Ky. —Sit-down demonstrations were resumed here Friday after a breakdown of negotiations which had been going on 13 days.

Many pickets, including a number of whites, appeared in the downtown section.

"The steering committee was very disappointed that it could not report substantial progress . . . so we had to recommend the march," Bishop C. Ewbank Tucker of the AME Zion Church reported.

In Louisville, Ky.—

# Negroes prepare nothing new drive

By the Associated Press

A "nothing new for Easter" campaign protesting segregation is being prepared in Louisville Ky., to keep the city's 75,000 Negroes from shopping in downtown stores during the Easter season.

The Rev. W. J. Hodge, president of the local chapter of the National Assn. for the Advancement of Colored People, called for the boycott to begin Monday and continue through April 3, the normally heavy Easter shopping time.

**The minister said Negroes are being asked not to shop for clothing at all during that period. He estimated Negroes account for about $18 million worth of business a year in downtown Louisville.**

Hodge said the protest was designed to "secure services in restaurants, hotels and theaters and job opportunities in all stores." He also said it was a result of refusal of service to Negroes who participated in a stand-in in downtown restaurants.

About the time the minister was announcing plans for the shopping boycott yesterday, 14 youths were arrested during a demonstration against downtown stores and theaters. Police charged them with disorderly conduct and delinquency for allegedly blocking entrances at three movie houses.

FOR THE THIRD straight night white hecklers attacked Negroes seeking entrance to all-white theaters in downown Nashville, Tenn. As the demonstrators marched back to their meeting place in a church, the white youths threw stones and eggs. No one was injured.

**Police last night prevented a recurrence of the scuffling of the two previous nights when white youths attacked the Negroes with fists, sticks and umbrellas. When the demonstrators began their march last night police were stationed along their route and the white youths fled when they saw the officers waiting.**

One demonstrator, Harvey Hunter, a student at Tennessee A & I University, was arrested on a charge of breaking a theater box office window. He was released under $250 bond.

At Rock Hill, S. C., a Negro minister was among three persons arrested during a disturbance at an anti-segregation demonstration in front of a drug store in the racially tense city, scene of recent disturbances.

CHARGED WITH breach of the peace, police said, were the Rev. C. A. Ivory, pastor of Hermon Presbyterian Church and president of the Rock Hill Chapter of the NAACP; Paul Dietrich, 20, a white man from Washington, D. C., and George A. Beckley, 26, a Negro from Rockville, Md.

The three were jailed in lieu of $100 bond each and said they would not post bond under the "jail, no bail" policy of recent demonstrators.

**Eight Negro college students staged sit-ins at lunch counters for white persons in the downtown area of the South Carolina capital at Columbia. No arrests were reported.**

Meanwhile, Ernest A. Finney Jr., of Sumter, S. C., an attorney for several Negroes arrested in recent demonstrations, met with members of the Justice Department's Civil Rights Division in Washington.

The Department said the attorney gave the government lawyers information about the situation in South Carolina. A department spokesman said, "This information is being evaluated." He declined elaboration.

JUVENILE COURT Judge O. Raymond Cundiff at Lynchburg, Va., sentenced 16-year-old Madaline E. Thompson of nearby Madison Heights to 30 days in jail for violating the state's anti-trespass law during a recent sit-in. The sentence was appealed and she was released under $1000 bond.

**The judge said youngsters involved in comparable future cases would receive "similar or even harsher sentences, as the case may demand." He said he was not going to have juveniles doing what adults could not do.**

At Atlanta all the jailed Negro student sit-in demonstrators were free on bond after a two-week stay in the county jail which they said was designed to dramatize the need for unified action. All told, 84 were arrested. The last group of 54 posted bond yesterday.

# White Cross-Burning Victim Remains Sit-In

LOUISVILLE, Ky. — Undeterred by a flaming cross burnt on the lawn of her parents home Lynn Pfuhl, a white member of Louisville CORE, participated in a CORE stand-in just one week later and was herself arrested by police.

Lynn and four other members of CORE, Kenneth Miller Ragni Cunningham, William Buchanan and Lawrence Williams, were arrested and charged with trespassing as a result of a stand-in at Stewarts Dry Goods co. Police have not arrested the vandals responsible for the cross burning.

The five CORE members face trial on the trespass charge on March 2. They have been conducting stand-ins at Stewarts, a member of Associated Dry Goods Corp., and at Kaufmans since last spring.

**MAN BURNED**

Herman Pfuhl was burned at his home when all of the family was absent. A neighbor called the police when she noticed the fire.

Pfuhl turned the remnants of the cross, which was made of paper wrapped in rags and soaked with gasoline, over to the police for investigation.

This was not the first time that Pfuhl had been subject to vandalism because of his daughter's CORE activities. Prior to the cross burning his car windows had been broken and gas siphoned out. "It is my personal conjecture," said Pfuhl, "that the same vandals are responsible." There were no threatening notes.

Staff Photo

PERSONAL SERVICE from Louisville's chief of police, William Bindner, was received by Frank Stanley, Jr., a Louisville integration leader, at demonstration on Fourth Street yesterday afternoon. Neither spoke as Bindner steered Stanley to a patrol wagon. Stanley, charged with disorderly conduct, was released on bond.

# White girl picket gets larger bail

(SPECIAL TO AFRO)

NEW ORLEANS, La. — Miss Connie Bradford, a student from Atlanta, Ga., who joined anti-segregated pickets here, was placed under $1,000 bail while bail of $500 was set for six colored held on similar charges as the girl.

The pickets were arrested April 15 on charges of "obstructing traffic" in front of stores on Canal St.

Two week ago, Miss Bradford was quoted as saying white shoppers spat on her and told her:" You are a disgrace to the white race."

Six members of New Orleans CORE remained in jail rather than accept bond while picketing the Woolworth and McCrory stores. CORE offered to furnish bond for all.

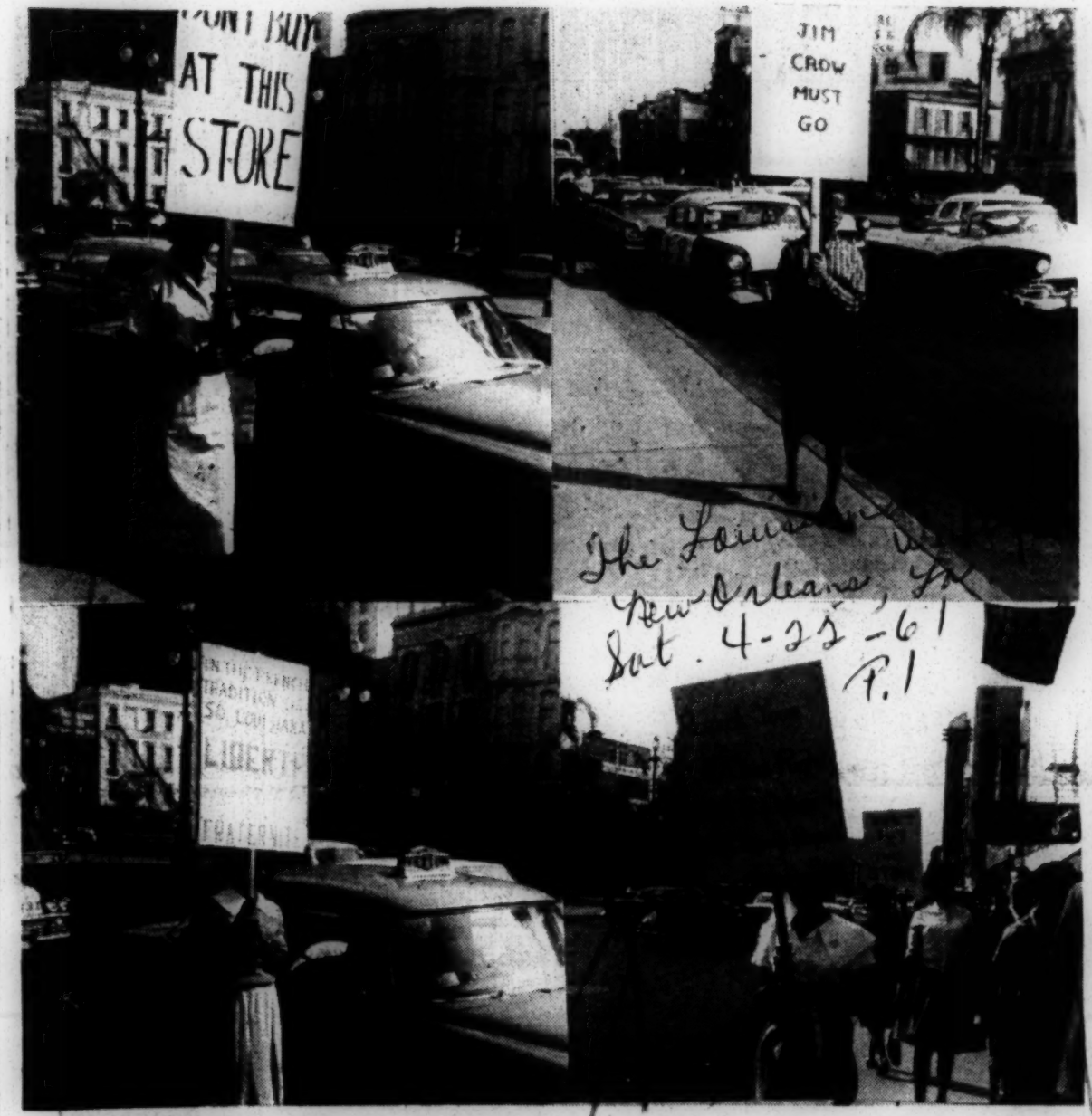
Julia Aaron, Miss Bradford, Dave Dennis and Jerome Smith were arrested, April 17.

CORE Chairman Rudolph Lombard reports that CORE members are making door-to-door visits to break the virtual news blackout on the arrests.

* * *

CORE NATIONAL Director James Farmer wired a protest to Attorney General Robert Kennedy that said in part:

"This is another in a long series of attempts by New Orleans officials to prevent CORE members from exercising their Constitutional rights of speech and assembly. Urge immediate investigation and strong action. Supporting documents on way to you. We are prepared to meet with you or your representative on short notice."




'CORE' MEMBERS JAILED --- Members of the Congress of Racial Equality are shown picketing one McCrory and two F. W. Woolworth Stores in New Orleans as a protest against segregated lunch counters Monday. Shortly after these photographs were made police arrested five CORE members on a state charge of "obstructing free and normal passage of sidewalks. Four were still in jail at press time, the fifth, a white co-ed, was paroled shortly after being arrested.

# CORE Pickets Say 'Jail No Bail' After Arrest

Five members of the Congress of Racial Equality were arrested Monday as four of them picketed two Canal Street stores while a fifth was engaged in making their photographs. Police made the arrests in the rear of the F. W. Woolworth Store at Iberville and North Rampart Streets.

Booked at the First District station with violation of a state act which prohibits the "obstruction of free and normal passage of sidewalks" were: Constance Bradford, white, 19, of 28 McAlister Pl.; Doris Jean Castle, 20, 917 No. Tonti; Julia Aaron, 20, 4008 Jumonville; Dave Dennis, 20, Dillard University campus; and Jerome Smith, 21, 917 1/2 No. Tonti. Dennis and Smith were additionally charged with failure to move on.

The arrest of the five, in the first police action against pickets since March 11, has been protested by Rudolph Lombard, local CORE chairman, in a letter to Mayor deLesseps S. Morrison.

Miss Bradford, who was arrested while photographing the four pickets, was paroled shortly after her arrest. Dennis, Smith, Miss Aaron and Miss Castle adopted the "jail no bail" slogan and were still in custody at press time.

The Louisiana Weekly learned that the latter four were taken from the First District station to police headquarters where they were fingerprinted, photographed and placed in the line-up Tuesday.

It was learned, too, that CORE members had been advised March 11 that they would not be arrested providing they placed not more than four pickets in a square block, that they did not interfere with persons entering or leaving the stores, and that the pickets walked as close to the curb as possible.

Lombard said, in his letter to the mayor:

"Because the New Orleans police have once again abridged and denied the rights of citizens of this community to peacefully picket and demonstrate against segregation at lunch counters, CORE, in the name of Justice and Freedom, demands the immediate release of these persons arrested for picketing the Woolworth and McCrory's Stores.

"The right to peacefully picket does not depend on its 'political popularity' but on its constitutional guarantee in accord with the precepts of Democracy."

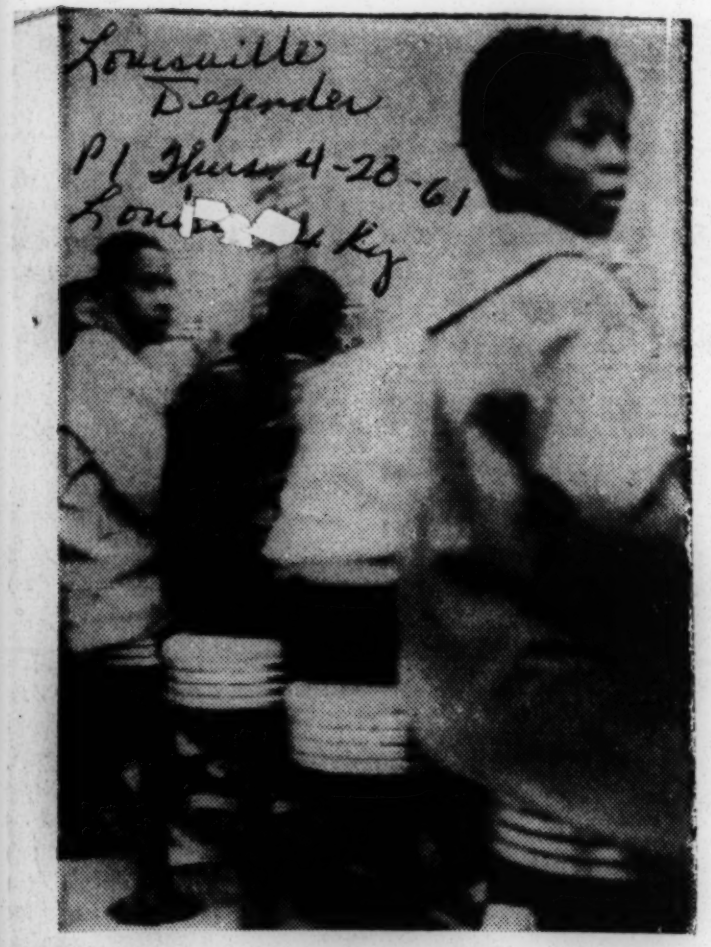
Statements were made by Smith and Dennis for the Louisiana Weekly.

Smith said, "We chose to remain in jail because we believe that our sacrifice and suffering will win support for the boycotting of those stores which refuse to serve Negroes at all lunch counters."

Dennis declared, "It takes courage to stay in jail, but the time has come when segregationists can no longer use the threat of jail to frighten those who fight for liberty and equality."

Prior to March 11, a number of CORE pickets and several members of the Consumers League of Greater New Orleans were arrested for demonstrating against jim crow lunch counters and biased hiring policies. Four CORE members subsequently found guilty in Criminal Court and their convictions are presently under appeal.

A representative of CORE told the Louisiana Weekly that the five persons were arrested as they picketed the Iberville Street rear door of Woolworth's where many Negroes had been observed sneaking in to be served. CORE had picketed the front entrance of the store on Canal Street several weeks, he declared, but police said the Iberville Street sidewalk was too narrow for the same type of demonstration.




SITTING-IN-NEGRO STUDENTS resumed sit-in demonstrations at downtown restaurants Saturday resulting in the desegregation of 17 additional establishments. Above students occupy seats at the California Orange Bar, 310 South 4th Street. They were served reluctantly.

STUDENTS SET UP PICKET LINES outside the White Swan Restaurant, 566 South 5th, after they were refused service. The students returned to the restaurant three times during this week to fine the entrance blocked by an employee of the esatblishment to prevent entering.

THE COLONNADE CAFETERIA, located in the basement of the Starks Building, 4th Street near West Walnut, served students immediately. The Colonnade Cafeteria was the biggest restaurant desegregated during the four-day demonstrations by students and adults here.

# Students Integrate 17 Restaurants In 4 Days

Negro leaders intensified integration efforts here Tuesday as police arrested 38 students and one 19 year old adult conducting sit-in demonstrations protesting segregration at restaurants in the downtown area.

Prior to the arrests the demonstrations, which were resumed last Saturday after a months layoff as a protest against the "slow progress of intgeration talks," resulted in the desegregation of 17 restaurants previously segregated.

The students were arrested late Tuesday conducting a stand-in at the Kupie Double Burger, 436 S. 5th when the manager called the police. They were charged by police with breach of the peace and delinquency.

Charles W. Rhodes, of 1026 Cedar, was charged with breach of the peace by police and in a warrant sworn by Robert F. Whitehouse, owner of the restaurant. He was released under $100 bond.

The juveniles were arrested by Captain George McAlesse the Second District, which embraces the downtown area, when they refused to identify themselves. Police said McAlesse sought the names so Whitehouse could swear out warrants of invasion of privacy.

Whitehouse closed the restaurant moments later when 85 students entered the restaurant to resume the sit-ins.

Crime Prevention officers said that 20 of the students were released to their parents. The remaining n[illegible]n, who were arrested fo[illegible]econd time, were taken t[illegible]irens Center, 316 E. Ches[illegible]

In wh[illegible]y be a sit-in record, studen[illegible]in and picketed the Ch[illegible]owl, 616 W. Broadway and [illegible]e White Swan Restaurant, [illegible]6 S. 5th, until midnight Tuesday.

Approximately 75 students occupied all seats at the Chile Bowl at 4 pm in the afternoon and sat quietly as the manager refused them service. The manager then turned off lights announcing that he was closing. The students sat in the darkened restaurant until leaving at 12. Owner Frank Ressnier said he would integrate the Chile Bowl today.

### Locked Doors

The manager of the White Swan locked the door of the restaurant shortly after the appearance of the students. The restaurant then employed a merchant policemen until students left.

Rhodes' case may result in the first jury trial in Police Court. Judge Hugo Taustine sustained a motion by defense attorneys for the trial and set June 25 as the date for the case to be heard.

Attys. J. Earl Dearing, Neville M. Tucker and Charles J. Lunderman, who represented the juveniles obtained a writ from Judge Blakey Helm last Tuesday night for a hearing on their release at 1 pm yesterday at Children's Center.

Juvenile Court Judge Henry J. Triplett, however, paroled the students in the custody of the parents at their arraignment at 10 p.m. yesterday morning. A hearing was set for June 22 in Juvenile Court.

Negro leaders cited the fact that only 115 out of 125 restaurants in downtown area were desegregated and the slow progress made by the Mayor's emergency integration committee as reasons for the "stepped-up" move for integration.

Establishments which served the students included:

California Orange Bar, No. 3, 310 S. 4th; Knotty Pine Restaurant, 434 W. Chestnut; Harley's Sandwich Shop, 428 W. Chestnut; Burger Boy, 3rd and W. Chestnut; J & P Diner, 421 S. 3rd. Times Restaurant, 307 W. Liberty; Barbecue Heaven Steak House, 514 S. 5th; Bright Spot Hamburger, No. 2, 915 S. 5th.

Country Kitchen, No. 1, 738 S. Fifth, Dandee Hamburgers, 454 S. 5th; Coffee Pot, 429 W. Broadway; Whizz Hamburgers, 427½ W. Broadway; Country Kitchen No. 3, 421 W. Broadway; Sarotaga, 128 W. Chestnut and the Colonnade Cafeteria, Starks Building.

De Camillis Restaurant, 451 S. Third, informed students who sought service that it would be a $2 minimum charge. Students said that manager told them that was the amount of the average check a the Italian catery.

Six other restaurants refused service to the Negro students. They were: Coffee Shop, 504 S. 3rd; Music Man Restaurant, 511 W. Walnut; Whizz Restaurant, 744 S. 5th; Dizzy Whizz, No. 2, 216 W. Broadway and Franklin Way Restaurant, 663 Armory Place.

Several of the restaurants served the students without delay. Student leaders would send one or two students into an establishment to "test" the policy and then—if refused would re-enter with a larger group for the sit-in.

Those serving immediately were the Burger Boy; J & P Diner; Bright Spot Hamburger, The Country Kitchens; Dandee Hamburgers; Coffee Pot; Sarotaga and the Colonnade.

Police were called to the scene at the Dizzy Whizz No. 2 Monday. A patrol wagon arrived on the scene during picketting at the Dizzy Whizz but the manager changed his mind about swearing the warrants after confering with police.

### Police Called — Girl Pushed

Students were subjected to verbal abuse during an attempted sit-in and picketing at the W and F Coffee Shop. As the student set up picket lines, persons inside and out began name calling. One girl student was pushed and a group leader was also pushed from the premises.

The demonstrations, in which over 200 students participated, was the first since a resumption of talks between the Mayor's Committee of Negro leaders in mid March.

A statement issued by the Rev. W. J. Hodge, Frank L. Stanley, Jr. and Bishop C. Ewbank Tucker, co-chairmen of the Steering Committee, said, "most of the restaurants have refused to negotiate and we have met with a stone wall. In the past weeks of calm and quiet the number of desegregated restaurants has not increased.'

The Negro leaders stated that a desegregated downtown Louisville was not unrealistic in comparison with St. Louis, which integrated 200 establishments within 3 weeks, Kansas City, 121 and Oklahoma City' 116 in a like period.

Mayor Bruce Hoblitzell issued a statement saying that it was "regrettable that the demonstrations had resumed when they were getting along so fine with negotiations at many of the places."

The Rev. Martin Luther King Jr., of Atlanta, Georgia, the famed Montgomery, Alabama bus boycott and conferred with integration leaders yesterday.

Dr. King then addressed students, who have been conducting the sit-in demonstrations, at Quinn Chapel AME Church, 912 W. Chestnut.

Negro leaders and members of the Mayor's Committee will fly to St. Louis, Missouri, Monday to the integration movement there. A member of the Mayor Committee will furnish the transportation. The trip was at the suggestion of Negro leaders.

### King Speaks

Stanley added 'more than merely a surprising distress — it is an appaling disturbance to note that the Mayor has not had the good judgement of a public official — nor the respect of an American citizen to publically congratulate the 17 resaturants who have desegregated over the past four days as the result of thepeaceful sit-ins.

"In absence of the Mayor's committee producing progress, we are going to continue to use our own methods in the relentless struggle for integration until the entire downtown area is desegregated. There is no turning back from the sit-ins or the non-buying campaign until our goal is realized."

# 21 Arrested As Negroes Demonstrate Anew At Six Downtown Eating Places

The Courier-Journal Louisville Ky.

A7.14-2261

## 13 Are Held After Sit-In On Market

Negroes aimed more demonstrations at six downtown eating establishments yesterday, but did not gain service at any of them. In the 3½ hours of picketing and sit-ins, 21 persons were arrested.

Thirteen Negroes were arrested at the Williams Food Shop, 440 W. Market, on charges of breach of peace brought by the owner, Mrs. Sherry Williams.

Allen Shirrell, the manager, said Negroes took seats and refused to leave when requested.

**Picket On Sidewalk**

Five Negroes were arrested on breach-of-peace charges by merchant police at the W. & F. Coffee Shop, 504 S. Third. Negroes were denied entrance to the place. Several picketed on the sidewalk in front.

The largest number of pickets assembled at the Blue Boar Cafeteria, 410 W. Walnut. Doors were guarded by merchant police, who denied admission to the Negroes but admitted white patrons.

In contrast to shoving and pushing there by Negroes and merchant police during demonstrations Thursday, the Negroes picketed in orderly fashion. Several lined up in front of the doors, but they stepped aside to allow white patrons to enter.

**Incidents Reported**

However several incidents were reported yesterday.

A bottle and an ash tray apparently were thrown from windows in buildings near the Blue Boar. The bottle narrowly missed Frank Stanley, Jr., co-chairman of the Negro steering committee leading desegregation efforts.

A white man pushed two Negro boys and knocked a girl to the ground as he entered the Blue Boar. They were not injured.

**White Woman Joins Pickets**

A well-dressed white woman, who would identify herself only as being from France, joined the Negro pickets at the Blue Boar, saying she was "tired of injustice." She said she was denied admission to the place when she tried to take some of the Negroes inside with her.

The woman later told police that a white man had grabbed her coat, but she declined to press charges.

One juvenile was arrested outside the Blue Boar on a breach-of-peace charge brought by merchant police.

The Kupie Double Burger, 456 S. Fifth, locked its doors when a Negro group approached, but continued to admit white patrons. About 25 youths picketed the place. No arrests were mad theere.

**'Broke His Promise'**

Robert Whitehouse, co-owner, was asked why he served Negroes during a sit-in there last Saturday and then denied them service this week.

He said he understood that Stanley had promised not to resume sit-ins there if the Negroes were served once.

"He (Stanley) broke his promise and I do not intend to serve them," Whitehouse said.

**Denial From Stanley**

Stanley denied he had broken a promise. He said that after Whitehouse agreed to serve Negroes Saturday, he told the co-owner that one or two Negroes would return to test the policy early this week. When they did and were refused service, Stanley said, the sit-ins resumed, resulting in arrests.

There was shoving and pushing by Negroes at the Kupie as they attempted to enter when white patrons were admitted. One juvenile injured his shoulder, but declined treatment. A 2-by-6-foot window in the entrance way was broken during the demonstration.

One juvenile was arrested on a breach-of-peace charge by merchant police at the White Swan, 566 S. Fifth. Pickets were set up there after the Negroes were denied entrance. Merchant police guarded the door.

**Statement Issued On Bars**

At the Music Man, 511 W. Walnut, the door was locked before the Negroes arrived. Pickets later were set up outside.

Earlier yesterday the Rev. A. D. Pinckney, pastor of Plymouth United Church of Christ, a Negro church at 1630 W. Chestnut, issued a statement clarifying comments Thursday on sit-ins in bars.

"Some misunderstanding of my position as a minister and as an individual has arisen as a result of a quotation in The Courier-Journal attributed to me at a meeting of the executive committee of the (Louisville) Council of Churches. I should like to clarify my position in this matter.

**'Behind Entire Principle'**

"I am not only 100 per cent behind the children who are participating in the struggle for integration and individual self-respect.

"I am also 100 per cent behind and in favor of the entire principle involved and the struggle by which its achievement is being sought, whether the struggle be made by children, adults, whites, blacks, rich, or poor.

"As a churchman, I am also anxious that the atmosphere not be clouded by any attempts to bring the question of liquor and children into the same basket. This, I understand, has not been done, despite contrary inferences."

**Four Negroes Listed**

*Among those arrested yesterday were four Negroes considered adults (18 years of age or over). All were charged with breach of peace. They are:*

John Spurley, 18, of 3370 Du Valle Drive, at W. & F. Coffee Shop; LaVerne Downs, 18, of 1816 Cedar; Henrietta Woodson, 30, of 1166 S. 41st, and Mattie Mitchell, 47, of 2128 W. Madison, all at Williams Food Shop.

In Police Court yesterday charges against 20 persons arrested at restaurants Thursday were continued for hearing June 1.

**All Free On Bond**

The appearance of the defendants, all at liberty under bond, were entered by attorneys. The 20 included Frank Stanley, Jr.

The attorneys filed a motion for hearing by jury in the 20 cases. Judge Hugo Taustine has not decided whether to grant jury trials in Police Court, and he said he had no comment on yesterday's motions.

# Singing, Marching Negroes Again Demonstrate In City

## Breakdown In Talks Is Signaled

## Businesses Integration Response Hit

Antisegregation demonstrations were resumed in downtown Louisville late yesterday by more than 200 singing, marching Negro youths supported by a sprinkling of whites.

The 45-minute demonstration apparently signaled a breakdown—at least for the present—in negotiations that have been going on the past 13 days in an effort to bring about a "planned integration" of remaining segregated businesses.

Resumption of the demonstrations—the first since February 24—were forecast when a steering committee representing Negro interests met with the Mayor's Emergency Integration Committee.

**'Progress Has Been Made'**

The committee reported it "has been unable to completely reconcile all of the conflicting emotions" involved in the drive for desegregation.

"Nevertheless," the report continued, "significant progress has been made in general and almost unhoped for progress has been made in specific instances."

After the 2½-hour closed conference at City Hall, representatives of the Negroes—which include some white leaders—issued a statement expressing "disappointment at the response of the Louisville downtown business community" to integration efforts.

**Not 'Definite Enough'**

The statement declared that progress toward desegregation has not been "definite enough."

Shortly after the representatives of the Negro steering committee left City Hall the decision was made to call for a new demonstration.

About 400 youths convened at Quinn Chapel A.M.E. Church, 912 W. Chestnut, where—after a prayer session—they went to the downtown business district.

**'Very Disappointed'**

"The steering committee was very disappointed that it couldn't report substantial progress . . . so that we had to recommend the march," reported Bishop C. Ewbank Tucker of the A.M.E. Zion Church.

Whether the demonstrations will be continued was uncertain.

Bishop Tucker and the Rev. W. J. Hodge, president of the Louisville chapter of the National Association for The Advancement of Colored People, said that decision was to be made last night at a meeting at the Lampton Street Baptist Church.

**'Going On For Years'**

The Mayor's emergency committee had no statement to make on the reaction of the Negro representatives to its progress report. The progress report itself was not released after the demonstration resumed on Fourth Street.

In releasing the report, Hoblitzell expressed "bitter disappointment" at the turn of events.

"I am just sick over it," he declared. "If they would just give people a little time this would all work out. What can they expect of this committee in less than two weeks? This problem has been going on for years."

**Hits 'Use Of Children'**

Hoblitzell was particularly bitter that the demonstrations were being carried out by youngsters he said were led to action by adults.

"This type of demonstration is morally bad, influencing young people to do things like this," he said. "I think it is a shame to use children this way."

Hoblitzell said he is convinced that the breakdown in the integration negotiations and the resumption of demonstrations is the result of "a contest for recognition" among various Negro groups and individuals.

**Members Neatly Dressed**

Although adults who accompanied the marching demonstrators said 400 youngsters took part, a reporter's quick count showed 225 to 250 participating.

Members of the group were neatly dressed and well-behaved. Police Capt. George McAleese said no arrests were made by the 25 or 30 officers on duty because "everything has been orderly."

On Fourth the youngsters moved in single file, with the adults on the side. They kept well over on the right side of the sidewalk and regular pedestrians passed without noticeable incident or comment.

One incident marred the march. Some of the youngsters had crossed Walnut at Fourth on the east side and halted just north of the Starks Building entrance.

**Worker Is Run Into**

A teen-age boy ran to catch the others and knocked down Miss Dorothy Higgins as she left the Starks Building, where she is an office employee.

Miss Higgins, of Jeffersonville, was helped to her feet, apparently unhurt. She protested to a motorcycle policeman across the street who she said made no comment. The policeman said later he did not see the incident.

The marchers carried signs, many of them professionally printed with the inscription:

*"Support Nothing New for Easter—N.A.A.C.P."*

**Other Signs Noted**

Other hand-lettered signs carried such messages as "First-class taxpayers, second-class citizens" and "Don't buy here, this store practices discrimination."

The marchers represented the Congress of Racial Equality, the Non-Partisan Registration Committee, and the N.A.A.C.P., according to spokesmen.

The ministers were mostly from the Interdenominational Ministerial Association, a group representing all Negro churches except the Baptists. There was also a Baptist minister present.

**Committee Praised**

Before the demonstrations yesterday, the mayor's integration committee was commended by directors of the Louisville Chamber of Commerce for "efforts to find orderly solutions to the problem" of downtown segregation.

It was noted that six members of the 10-member Mayor's committee, including Chairman Dillman A. Rash, are chamber directors.

The chamber resolution stated that "The future growth and development of the area is dependent upon solutions of many problems, one of which is racial integration."

It said "the work of the Mayor's Advisory Committee on Integration has reflected favorable national press coverage on this problem for Louisville."

**Final Line Altered**

During a 40-minute discussion, which was closed to the press, directors altered the final line of a version of the resolution approved by the chamber executive committee. The original version commended Mayor Hoblitzell, his committee, "and all who are working with them in their efforts to find and implement an orderly plan of integrated business practices."

The final version omitted reference to "integrated business practices" and substituted "orderly solutions to the problem."

L. Eugene Johnson, a chamber director, said later that he spoke in favor of the change in wording and explained to the other directors that he felt integration would damage his business. He is president of Blue Boar Cafeteria Company.

**Has Three Places Here**

Johnson's company has three cafeterias here, two of them downtown, and other cafeterias in Nashville and Memphis. None of them are desegregated, Johnson said. The company closed an integrated cafeteria in Cleveland, for various reasons, Johnson said.

Johnson said he abstained from voting on the amended chamber resolution, but that there were no "no" votes.

William H. Goepper, candidate for mayor backed by the City-County Citizens Republican Organization, yesterday amplified on his views toward Mayor Hoblitzell's committee.

**Amplifies Account**

Goepper, in a joint appearance with the three other candidates Wednesday night, said he was not ready to endorse the committee. The other candidates did endorse it.

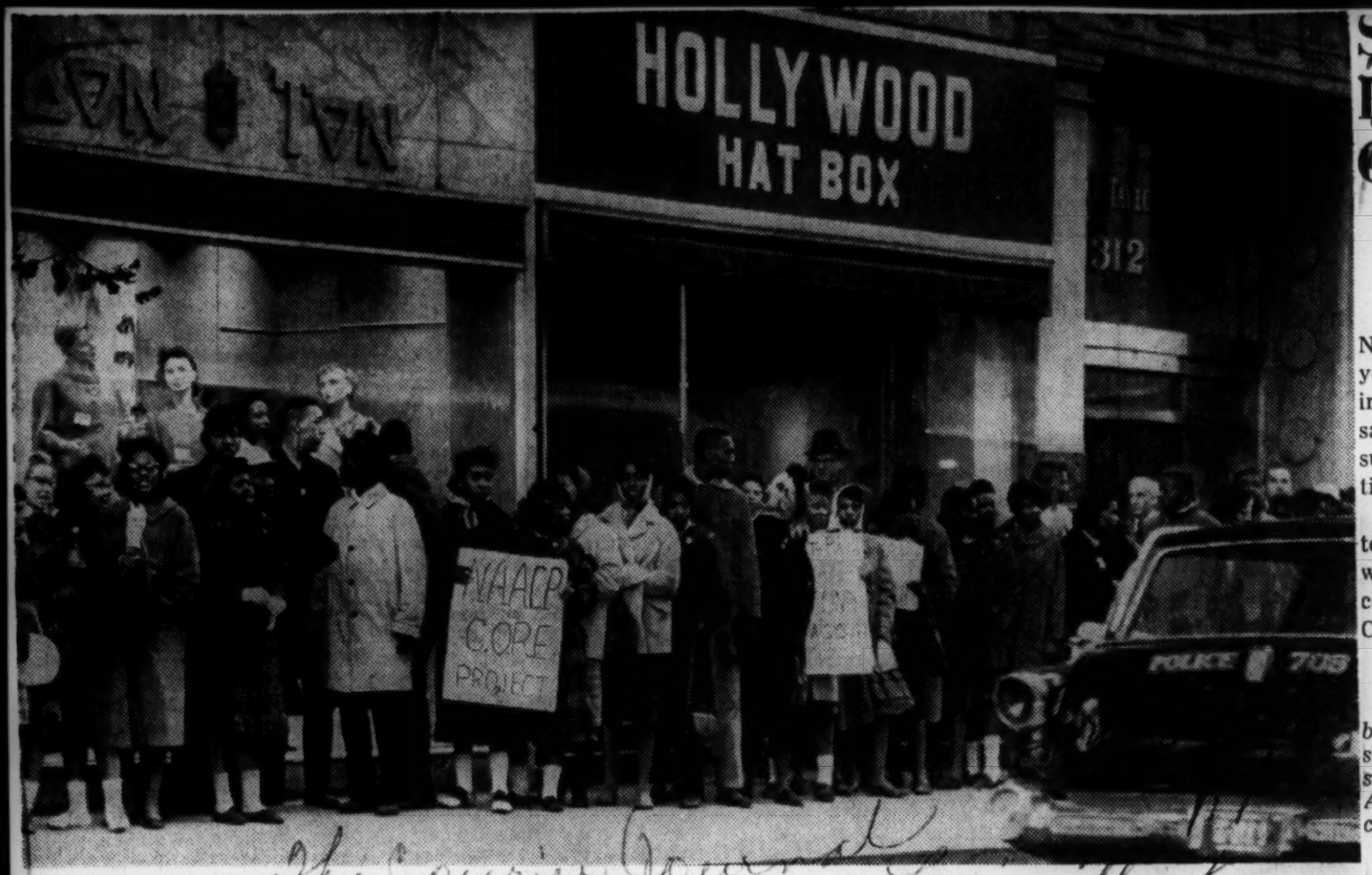
*In a statement yesterday Goepper said:*

"I would like to amplify the bare account in this morning's Courier-Journal concerning the question asked me about whether I was ready to endorse the Mayor's committee on integration, as it was made to appear by inference that I was not in favor of integration.

"The truth is this, that if I am elected mayor and the Board of Aldermen running with me, I will not have to have a committee called into action under pressure to see that I do the right thing morally in regard to human relationships.

**'Group Noble In Cause'**

"I consider this committee formed quickly under pressure as a group noble in cause, which has taken the hot chestnuts of the Democrats out of the fire for the Democrats have had many years to accomplish this purpose, and it is my belief that a gradual integration could have been brought about without the necessity of a pressure group, jailing of our citizens, boycotting of business, or big headlines in the papers if the desire and purity of purpose had been prevalent in the hearts of certain people. Therefore, I do not disagree with the findings of the Mayor's committee, but do disagree with the method used."




The Courier-Journal Louisville, Ky. Staff Photo

**MARCHERS MASSED . . .** A segment of a group of about 250 youngsters who demonstrated on Fourth Street yesterday is shown between Liberty and Jefferson. Members of the group sang almost constantly as they walked in an orderly manner through the downtown section.

# Mid-City-Integration Talks Resume Today

The Courier-Journal Louisville, Ky. Oct. 3-18-61

Negotiations on downtown integration will resume this morning after a nine-day interruption.

Governor Combs, in his third meeting on the Louisville racial question yesterday, mediated an agreement for the Negro steering committee and the Mayor's emergency committee on integration to meet at 10 a.m. at City Hall.

The agreement was reached at a conference in Combs' office in Frankfort attended by Mayor Hoblitzell and six Negro integration leaders. The closed meeting lasted an hour. Negro leaders visited Combs Wednesday and the Governor attended a meeting of the Mayor's committee Thursday.

**Says Calmness Wanted**

In downtown Louisville, the integration front was quiet yesterday. Negro demonstrations were suspended for the second straight day.

The Rev. W. J. Hodge told about 300 Negro youths gathered at Quinn Chapel A.M.E. Church about today's scheduled negotiations and said: "We want our conversations to be carried on in calmness and in quiet."

He said: "But because we have not attained our goal we will meet here again on Monday." He instructed them to continue the Negro buying strike against downtown stores.

**To Name Chairman**

Neither Hoblitzell nor Combs will attend today's negotiations. Hoblitzell left yesterday on a previously scheduled trip to Tulsa, Okla., with Lieutenant Governor Wilson Wyatt to try to bring a future convention of the National Junior Chamber of Commerce to Louisville.

Hoblitzell designated Thomas A. Ballantine to call today's meeting. The committee has been without a chairman since Dillman A. Rash resigned this week as chairman but not as a member. It is made up of white business and civic leaders. Hoblitzell said the committee would elect a temporary chairman for today's meeting.

Negro leaders meeting with the Governor and the Mayor yesterday were Mr. Hodge, the Rev. F. G. Sampson, Bishop C. Ewbank Tucker, the Rev. D. E. King, Frank Stanley, Jr., and J. Earl Dearing.

**Rally Is Planned**

A meeting of the Congress of Racial Equality is set for 5:30 p.m. today at Emmanuel Baptist Church, 648 S. 10th.

A "Let's Meet for Freedom" rally is to be held at 5 p.m. tomorrow at West Chestnut Street Baptist Church, 18th and Chestnut.

A white Baptist editor yesterday advised Baptist churches to "be prepared for a thoroughly Christian consideration" of applicants for membership, whether Negro or white.

Churches should base their attitude toward the applicant on whether he "seriously feels his Christian experience can be best realized by this church," said C. R. Daley, editor of The Western Recorder. The paper is the weekly publication of the General Association of Baptists in Kentucky.

Daley proposed in an editorial that names of potential members, white or Negro, be referred to a church membership committee for recommendation to the church at its monthly meetings. This would give time to determine "whether or not the request is simply a test case" and whether the individual is sincere.

# Segregation Protests Called Off

The Courier-Journal Louisville, Ky. Tues. 3-21-61

## But They'll Resume If Talks Bog Down

Downtown demonstrations by Negroes were called off again yesterday, but spokesmen of an integration steering committee said demonstrations would resume if integration negotiations don't show progress.

The Negro steering committee will meet at 2 p.m. today with the Mayor's emergency committee on integration at City Hall.

**350 Hear Minister**

*A steering committee member, the Rev. W. J. Hodge, speaking to some 350 Negro students at Quinn Chapel A.M.E. Church yesterday, declared:*

"We have said all along we are not demonstrating for the sake of demonstration. We are demonstrating to make a reality of the things we ought to have.

"But if there is no progress, we move from negotiation to what?" he said.

"Demonstrations," the students shouted.

Mr. Hodge is president of the Louisville branch of The National Association for The Advancement of Colored People.

Mayor Hoblitzell is expected to be at today's City Hall meeting. On Thursday he'll leave for Florida on vacation.

**Student Speaks**

Another speaker at the Quinn Chapel meeting was Rex Brown, a second-year student at Louisville Presbyterian Theological Seminary and a member of the seminary students' social-action committee.

Brown noted that seminary students had endorsed integration of businesses, and said the students would contact students at other colleges here to back the integration move.

Brown also noted that two white students from Southern Baptist Theological Seminary attended yesterday's meeting.

**Statement Issued**

*Integration support also came yesterday from the Louisville Clericus, a group of Episcopal clergymen. The group issued this statement:*

"Resolved, that we the members of the Louisville Clericus, call upon all persons in the Louisville area, especially the members of our church, to work together in charity and forbearance, toward the establishment, without racial discrimination, of full opportunities in fields such as education, housing, employment, and public accommodations, reminding the members of our church that concern on their part to support the elimination of racial segregation is implied in the action of the general convention in 1958."

38a 1961

KENTUCKY

BOYCOTT

LUNCH COUNTER

# Easter Buying Boycott Planned

Chicago Defender

Chicago Ill.

LOUISVILLE, Ky. — (UPI)— The Louisville chapter of the NAACP has planned a Negro "shopping vacation" in the downtown area during the Easter season, following new arrests of stand-in demonstrators.

B-(4-10)-61

Police arrested 14 Negro youths who staged stand-in demonstrations in front of three downtown theaters, department store lunch counters and restaurants protesting racial segregation.

The 11 youths and three girls, all arrested in front of theaters, were charged with disorderly conduct delinquency. They were accused of blocking the entrances to the theaters.

One theater closed its box office during the demonstration and a second moved its box office into an inner lobby.

The Rev. W. J. Hodge, president of the local chapter of the NAACP, said the stand-in arrests prompted the proposed shopping vacation, set to begin Monday and last through April 3.

# New Orleans Core Members Get 60 Days

New Orleans, La. — Sixty day jail sentences and fines of $350 were handed out to four New Orleans CORE members, convicted of Criminal Mischief. Criminal District Judge Bernard Cocke gave the defendants the option of paying the fine or of serving an additional 60 day prison sentence.

The arrests of CORE Chairman Rudolph Lombard, Oretha Castle, Cecil W. Carter, Jr., and L. Sidney Goldfinch grew out of a sit-in at a McCrory lunch counter September 17. Goldfinch is also charged with Criminal Anarchy and faces a possible sentence of ten years. No date has been set for the trial of that charge.

Attorneys Lolis P. Elie and John P. Nelson, Jr. filed notice of appeal on the Criminal Mischief conviction. They alleged that Judge Cocke erred in refusing to allow testimony to prove McCrory's to be in interstate commerce and to show a conspiracy between McCrory management and the New Orleans Police. Such a conspiracy would make the arrest unconstitutional state support of private discrimination.

The CORE attorneys indicated that they would appeal to the Louisiana Supreme Court and ultimately to the United States Supreme Court.

# 4 Sit-Ins To Appeal 60 Day Jail Sentence

The Louisiana Weekly
New Orleans, La.

Three Negroes and a Tulane University instructor, were sentenced by Judge J. Bernard Cocke of criminal district court Tuesday to serve 60 days in jail and pay $350 fines each for participating in the recent Canal Street McCrory lunch counter sit-in demonstration.

The trio of Negroes sentenced were Rudolph Lombard, Miss Oretha Castle and Cecil Carter, Jr., along with Tulane instructor, Sydney L. Goldfinch, Jr.

Their attorney filed notice of appeal to the Louisiana Supreme Court and said the four would post bail of $750 each. This was the amount fixed by Judge Cocke, to remain at liberty until the high court rules.

The quartet was charged with criminal mischief as the result of the sit-in last September 17 at the lunch counter of a local department store, 1005 Canal.

According to Attorney John P. Nelson, Jr., in serving notice of appeal, the conviction was a miscarriage of justice and violated the constitutional rights of the defendants.

The defense attorneys said the law under which the four were convicted was enacted "to implement and further the state's policy and custom of forced segregation for the races in public places."

At press time, Mrs. Moore had no information as to whether or not the man who shot at her, had been captured.

# GROUP IN SIT-IN GETS JAIL, FINES

The Times Picayune
New Orleans, La.

## Tulane Instructor One of Four Sentenced

A Tulane university instructor and three Negroes were sentenced Tuesday in criminal district court to serve 60 days in jail and pay $350 fines each for participating in a Canal st. sit-in demonstration.

Judge J. Bernard Cocke sentenced the four after convicting them recently of a criminal mischief charge. The sit-in occurred Sept. 17 at the lunch counter of McCrory's department store, 1004 Canal.

**Sentenced were: Sydney L. Goldfinch Jr., Rudolph Lombard, Oretha Castle and Cecil Carter Jr. Goldfinch is white while the other three are Negroes.**

Attorney John P. Nelson Jr. served notice of appeal. Judge Cocke ordered that the four would be allowed freedom if each would post a $750 bond until the Louisiana state supreme court rules on the case.

Nelson and the three other attorneys, Robert F. Collins, Nils R. Douglas and Lolis E. Elie, alleged that the record "shows error to their (the defendants') prejudice, a miscarriage of justice, and same constitutes a violation of their contitutional rights, and they are desirous to appeal to the . . . supreme court of the state of Louisiana. . . ."

**Judge Cocke set Feb. 1 as the deadline for the appeal and he increased the bail for each defendant from $250 to $750.**

Goldfinch is a Tulane graduate student and philosophy instructor.

# Dixie Congressman head of House probe of sit-ins

The Afro-American
Baltimore, Md.

NEW ORLEANS, La.—Rep. Edwin E. Willis of Louisiana heads a Congressional subcommittee which will quiz supporters of Southern sit-in demonstrators at hearings in San Francisco.

The Dixiecrat Congressman is a member of the House Committee on Un-American Activities which has summoned 40 persons to appear before the subcommittee between May 10 and 13.

Willis comes from one of the worst areas of Louisiana, so far as voting rights are concerned. He was also a leader in raising large sums of money to support Gov. Orval Faubus of Arkansas in his efforts to keep non-white children out of previously all-white schools in Little Rock.

A wide variety of people have been summoned to the California hearings. The only thing they have in common is that they have been active in organizing picket lines, boycotts, and other active support for the resistance movement in the South.

The San Francisco hearings recall similar proceedings held in Atlanta, 1958. At that time Willis was a member of a subcommittee that quizzed Southern integration workers.

# First Sit-In Appeals Reach Supreme Court

The News Courier
Charleston, S. C.

WASHINGTON (AP) — Three groups of Negro students arrested at lunch counters in Baton Rouge, La., filed the first appeals Tuesday to reach the Supreme Court as a result of prosecution of sit-in demonstrators in the South.

In three separate appeals the Negroes asked a final ruling by the high tribunal that the arrests violated their constitutional rights.

The appeals said that sit-in demonstrations raised the fundamental issue whether a state may use its power "to compel racial segregation in private establishments which are open to the public—and to stifle protests against such segregation."

# Arrested Negro Sit-Ins Appeal to U.S. Tribunal

The Florida Times-Union
Jacksonville, Fla.

WASHINGTON, Jan. 3 (AP)—Three groups of Negro students arrested at white lunch counters in Baton Rouge, La., today filed the first appeals to reach the Supreme Court as a result of prosecution of "sit-in" demonstrators in the South.

In three separate appeals, the Negroes asked a final ruling by the high tribunal that their arrests violated their constitutional rights.

The appeals said that "sit-in" demonstrations raised the fundamental issue whether a state may use its power "to compel racial segregation in private establishments which are open to the public—and to stifle protests against such segregation."

The arrests and convictions in Baton Rouge, the appeals contended, "if allowed to stand would be completely subversive of the numerous decisions throughout the federal judiciary outlawing state enforced racial distinctions."

The Negroes were arrested at lunch counters in two drug stores, and the Greyhound bus station in Baton Rouge. The appeals were filed by 17 students, each of whom was sentenced to four months in jail. Three months of the sentence might be suspended by payment of a $100 fine.

# High Court Gets First Sit-In Cases

Atlanta Daily World

By CHARLOTTE G. MOULTON

WASHINGTON — (UPI) — The first lunch counter sit-in cases to reach the Supreme Court have been filed by 16 Negro students at Southern University in Baton Rouge, La.

The three appeals related to sit-in demonstrations in the Greyhound bus station, Kress's store and Sitman's drugstore. The students were convicted under a Louisiana law which makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

The outcome of the cases could lay down legal guide lines for handling the sit-in issue throughout the South. But even if the court agrees to hear the appeals, arguments are not likely to be scheduled until next term beginning in October.

Before the high court announces whether it will accept or reject the petitions, Louisiana has 30 days in which to respond. The Louisiana Supreme Court affirmed the convictions Oct. 5.

The students were sentenced to four months in jail with the provision that three months might be suspended upon payment of $100 fines and costs.

In the case of the two students at Sitman's drugstore, the appeal said no one complained of their presence and the manager did not call police. Police Capt. Robert Weiner, who made the arrest, said the officer on the beat informed him of the situation.

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A waitress in the Greyhound station told the students they would have to go "on the other side" to be served.

# First Sit-In Case Reaches High Court

Jackson Daily News
Jackson, Miss.

WASHINGTON (UPI) — The first lunch counter sit-in cases to reach the Supreme Court have been filed by 16 Negro students at Southern University in Baton Rouge, La.

The three appeals related to sit-in demonstrations in the Greyhound bus station, Kress's store and Sitman's drugstore. The students were convicted under a Louisiana law which makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

The outcome of the cases could lay down legal guidelines for handling the sit-in issue throughout the South. But even if the court agrees to hear the appeals, arguments are not likely to be scheduled until the term beginning in October.

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# High Court Gets First Sit-In Cases

Miami Herald

By CHARLOTTE G. MOULTON

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A waitress in the Greyhound station told the students they would have to go "on the other side" to be served.

# Court Kills Louisiana Race Bars

### Tribunal Agrees On Fall Review Of Dixie Sit-Ins

WASHINGTON (AP) — The Supreme Court Monday rejected all efforts to balk or delay public school integration in Louisiana.

It agreed also to hear the appeals of 17 Negro students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge, La. Arguments will not be heard until next fall.

These will be the first appeals to be heard by the high court growing out of a wave of demonstrations and arrests during lunch counter sit-ins in the South.

The court's present actions in Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall integration in public schools were legally worthless.

**DECEMBER COMMENT**

The court made the December comment in refusing to delay effectiveness of a ruling by a special three-judge federal court in New Orleans striking down a spate of anti - integration laws passed by the Louisiana Legislature.

In unanimously affirming this and another decision the Supreme Court Monday merely listed the cases by number and said the lower court was affirmed.

One ruling by the three-judge court was given last Nov. 30. It threw out a package of integration laws.

The other one, handed down last Aug. 29, ordered control of the schools taken out of the hands of Gov. Jimmie H. Davis and given back to the New Orleans Parish School Board. It also directed the board to compy with an order last May 16 by U.S. Dist. Judge J. Skelly Wright to integrate the first grade last fall. That ruling also struck down a dozen Louisiana laws as unconstitutional on their face.

**REQUEST DENIED**

In addition to upholding the two orders of the three-judge court, the Supreme Court turned down a request by the New Orleans school system that it be allowed to operate on a segregated basis until the legal controversy between the federal and state governments was finally settled.

In still another action Monday involving race, the court agreed to review a decision by the Virginia Supreme Court that the National Association for the Advancement of Colored People unlawfully solicited legal business for its attorneys in Virginia.

The law was passed at an extra session of the Virginia General Assembly in 1956 at a time Virginia was committed to "massive resistance" to public school integration.

Only two weeks ago, the Supreme Court refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested during sit-in demonstrations in Tallahassee, Fla. The court gave no explanation but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

**ALARM PUBLIC**

The Baton Rouge Negro students were convicted and given four-month sentences under a Louisiana law which prohibits the commission of "any act in such a manner as to unreasonably disturb or alarm the public." The students denied doing anything to disturb or alarm the public.

But Atty. Gen. Jack P. F. Gremillion of Louisiana, in opposing a Supreme Court review, said the students "deliberately proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations. To uphold their right to do so is to trample the rights of all other citizens."

In other actions Monday, the court:

1. Rejected an appeal by Mrs. Vi Murphy, a reporter for the Colorado Springs (Colo.) Gazette-Telegraph, who received a 30-day contempt sentence for refusing to disclose a news source to the Colorado Supreme Court.

Justice William O. Douglas said he favored reviewing the case.

2. Refused to reconsider its Jan. 23 decision upholding the right of censors to see motion pictures before their public showing.

The ruling was against Times Film Corp., which had refused to submit the film "Don Juan" to Chicago censors.

3. Ruled that state trial courts must determine whether a confession was made voluntarily without regard to truth or falsity of the confession.

The ruling reversed the conviction of Harold D. Rogers, 59, a Negro under death sentence in New Haven, Conn., for a robbery slaying.

# High Court Will Rule On Sit-Ins

By Charlotte G. Moulton

WASHINGTON. — (UPI) — The Supreme Court agreed Monday to hear arguments and decide legal issues surrounding local arrests of sit-in demonstrators in the South.

The court did so by accepting three appeals from 16 Negro students who were arrested and convicted in Baton Rouge, La., a year ago this month. It was the first time the court had agreed to hear arguments about the demonstrations.

The demonstrators were found guilty and given jail sentences for disturbing the peace in demonstrations at three stores. Two weeks ago, the high court refused to accept an appeal by a group of white and Negro sit-in participants who were convicted at Tallahassee, Fla., on local trespassing statutes.

Arguments in the Baton Rouge case will be heard sometime next fall. The resulting opinion is likely to set a legal pattern for sit-in case will be heard sometime next

The Baton Rouge case was brought to the Supreme court by 16 Negro students at Southern university as three separate appeals.

The three appeals accepted by the court related to demonstrations in March, 1960, at the Greyhound bus station, Kress's department store and Sitman's drug store.

The students were arrested by Capt. Robert Wiener of the Baton Rouge city police. They were convicted in the East Baton Rouge parish district court of disturbing the peace.

Louisiana law makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

On Oct. 5, 1960, the state supreme court affirmed the conviction. All 16 students were sentenced to four months in jail, with a proviso that three months of the sentence would be suspended upon payment of a fine of $100 and cost.

The main theme of the legal argument was whether the state may use its police power to enforce racial segregation in a place of business open to the general public.

The Negroes rely on a 1948 Supreme Court decision that racially restrictive real estate covenants are not enforceable in court.

The students were represented in the Supreme Court by lawyers for the National Association for the Advancement of Colored People.

Opposition to Supreme Court review of the case was filed by Louisiana State Attorney General Jack P. F. Gremillion and District Attorney Sargeant Pitcher Jr., of Baton Rouge.

"There can be no doubt in the mind of the court, or anyone else, that the demonstrations involved herein were deliberately planned and organized," the state's brief said. "....Neither can there be any doubt that the manager and owner of the stores in question did not want any such demonstration on their private property

"Furthermore, there can be no doubt that these (students) knew that their unlawfully remaining on private property could foreseeably result in violence and disorder.

"Instead of lawfully and peaceably expressing themselves by picketing, by the use of newspapers, radio and television, or by mass meetings on private property to which they had been invited, (they) deliberately, and as part of a well organized nation-wide plan, proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations. To uphold their right to do so is to trample the rights of all other citizens."

The NAACP lawyers conended:

—The students were denied the "due process of law" guaranteed in the constitution because they were convicted "on a record barren of any evidence of guilt."

—The law is vague and indefinite and does not furnish an adequate standard of guilt.

—The students were unconstitutionally denied liberty of expression.

# AWAIT SIT-IN CASE OUTCOME IN LOUISIANA

WASHINGTON (ANP) —Court observers interested in a Supreme Court reaction to the sit-in demonstrations are anxiously awaiting the outcome of a sit-in case now before the high tribunal involving 17 Louisiana Negroes.

This case, unlike the Florida sit-in appeal denied by the high court last week, has run the full course in state courts. The Supreme Court has not yet said whether it will hear arguments in the Louisiana case.

The two-pronged issue involved — which has been widely debated by lawyers across the nation in addition to those for and against sit-ins — is chiefly this: Does the law dealing with trespass of "private" property outweight the rights of one who enters a "public" facility as an invitee who may make purchases in one department but is denied service in another, in this case at the lunch counter.

Some southern store operators contend their businesses are private. Sit-in supporters, on the other hand, declare that these stores are open to transact business with the public and accept Negro patronage in all departments except the lunch counters

The import of the action by the Supreme Court last week was not made clear. The coure merely said it would not hear the appeal. Observers speculated the refusal may have been based, at least partially on the fact that the case had not gone through Florida's highest courts. The appeal came to Washington from the circuit court for Leon county, which affirmed the municipal court.

JAN.1961
LUNCH COUNTER- Baton Rouge
3 SEPARATE APPEALS (SUPREME COURT)

# High Tribunal Ruling Asked After Sit-Ins

WASHINGTON (AP) — Three groups of Negro students arrested at white lunch counters in Baton Rouge, La., Tuesday filed the first appeals to reach the Supreme Court as a result of prosecution of sit-in demonstrators in the South.

In three separate appeals, the Negroes asked a final ruling by the high tribunal that their arrests violated their constitutional rights.

The appeals said that sit-in demonstrations raised the fundamental issue whether a state may use its power "to compel racial segregation in private establishments which are open to the public—and to stifle protests against such segregation."

The arrests and convictions in Baton Rouge, the appeals contended, "if allowed to stand would be completely subversive of the numerous decisions throughout the federal judiciary outlawing state enforced racial distinctions."

The Negroes were arrested at lunch counters in Sitman's Drug Store, the Kress store and the Greyhound bus station in Baton Rouge. The appeals were filed by 17 students, each of whom was sentenced to four months in jail. Three months of the sentence might be suspended by payment of a $100 fine. All of the groups attended Southern universities.

The students were convicted under a Louisiana law which prohibits the commission of "any act in such a manner as to unreasonably disturb or alarm the public."

# High Court Will Review Louisiana Sit-in Cases

The Supreme Court has agreed to review a group of sit-in cases arising in Louisiana. The hearing, to be held next fall, will be the first in which the Court has considered whether states can use their police powers to enforce a store owner's desire to segregate his customers at lunch counters.

In orders entered yesterday in other civil rights cases, the Court affirmed decisions issued last November and December by a lower court in the New Orleans school desegregation struggle and agreed to review Virginia's barratry law.

The sit-in cases developed in Baton Rouge a year ago this month when students from Southern University there demanded service at white lunch counters in a restaurant, a variety store, and a bus station.

Fifteen were arrested and convicted of disturbing the peace under a law that makes it a crime to act in "such a manner as to unreasonably disturb and alarm the public."

The outcome of these cases will affect dozens of other sit-in cases that are pending on appeal in lower courts across the South, including Maryland and Virginia. It could have a decisive impact on private segregation practices throughout the Nation.

The convictions are being attacked on the grounds that there was no evidence that anyone in Baton Rouge was alarmed by the demonstrations, that the State law is too vague, and that it is unconstitutional for a state to enforce racially discriminatory practices adopted by businesses open for general public use.

It is the tihrd point that carries major importance. The State says it must have power to enforce these practices if the store owner has a constitutional right to serve only those whom he chooses to serve. If it cannot enforce this choice, the State says, the store owner will resort to violence.

The Court has never ruled either on the state's power to enforce or the owner's right to discriminate.

In the New Orleans school case, the Supreme Court summarily affirmed actions of a three-judge court in declaring many acts of the Louisiana Legislature unconstitutional and in enjoining many State officials from interfering with desegregation in the New Orleans schools.

The orders that were upheld also allow the Justice Department to take a broader than normal role in the cases and called interposition and unconstitutional doctrine.

The Supreme Court's action ends any possible doubt that may have hung over the legal end of the New Orleans problem. It opens the door, for example, for the School Board there to pressure local banks to resume their normal practice of lending the Board money. The banks have declined on the ground that there was still a legal question pending in the courts.

**Law Aimed at NCAAP**

The Virginia barratory law, which the Court will also review next fall, is one of a series of 1956 statutes aimed at the National Association for the Advancement of Colored People. The Virginia Supreme Court upheld it as a legitimate measure to strengthen the State's laws on the solicitation of business by attorneys.

The law is aimed, primarily, at keeping the NAACP from encouraging the filing of school-desegregation cases. The NAACP says it is not soliciting business for its attorneys and argues that the law will put it out of business in Virginia.

When the Virginia Court upheld this law, it struck down a companion statute that made it illegal for anyone to advise anyone else about filing a lawsuit. The lower court said that was clearly unconstitutional.

# U.S. Will Hear Sit-In Appeals

## Baton Rouge Case To Come Before Supreme Court For Consideration

From The Commercial Appeal Washington Bureau

WASHINGTON, March 20. — The Supreme Court moved Monday toward a further clarification of laws governing "sit-in" demonstrations by anti-segregationists.

The court agreed to consider appeals by Negro youths who were convicted in Baton Rouge, La., of violating a state law after they staged demonstrations in three public eating places.

Two weeks ago the Supreme Court refused to consider appeals by eight Negro and four white youths convicted of violating a city ordinance during demonstrations at a Woolworth lunch counter in Tallahassee.

**Convictions Stand**

The Supreme Court's refusal to intervene let the Talahassee convictions stand and had the effect of acquiesence in the way the cases were handled by the Tallahassee police and the lower courts.

The court's decision in the Louisiana case will add to the scant and disputed "body of law" that is applicable to "sit-in" demonstrators.

The Louisiana case involves three separate incidents in which Negro students entered public eating places that served both Negroes and whites but in separate sections.

The establishments were a restaurant, a bus station lunch counter, and a variety store lunch counter.

In each instance, the Negroes took seats in the section reserved for whites, refused to move to the Negro section, and were arrested.

They were convicted of violating a Louisiana state law that prohibits various acts as well as "any other act" committed "in such manner as to unreasonably disturb or alarm the public."

**Jail Plus Fines**

The Negro youths were directed to serve four months in jail, or to serve one month and pay $100 fines plus court costs.

Points raised in the appeal include absence of evidence the Negroes disturbed the peace, the "vagueness" of the Louisiana law, and an argument that the state law, as applied in the case, violated the due process and equal protection guaranties of the Fourteenth Amendment.

In the Tallahassee case, the demonstrators took seats at a lunch counter where only whites were served. They refused to leave, even after they were asked to do so by the mayor.

They were arrested and convicted of violating a city ordinance that prohibits acts of disorderly conduct, breaches of the peace, and unlawful assembly.

A decision in the Louisiana case is not expected for several weeks.

# Order, Private Property, Sit-Ins

The caption above lists ingredients to be explored when the Supreme Court hears appeals of three Negro students, and by implication 14 others, arrested in Baton Rouge following a sit-in demonstration.

The students sat down at privately-owned white establishments and sought to be served. They were arrested, convicted, fined and sentenced to 60 days under a Louisiana law prohibiting commission of "any act in such a manner as to unreasonably disturb or alarm the public."

Negro plaintiffs argued, fundamentally, that the state could not enforce segregation, therefore could not criminally penalize them for expression of dissatisfaction at "being relegated to second class status in public establishments." The term "public establishments" also is sure to be at issue.

This case may recall a series of cases culminating in 1948 Supreme Court decisions outlawing state enforcement, through courts, of restrictive covenants involving private housing contracts. Restrictive covenants in these cases embraced agreement among property purchasers and sellers not to transfer property to Negroes or persons other than Caucasians.

The Supreme Court ruled that, under the 14th Amendment, states, courts, couldn't enforce such covenants or contracts. It held they could be entered into privately. In brief, property owners, sellers and/or buyers, could agree in transfer of deeds to bar others than a given race. But if this covenant were broken, those considering themselves at grievance couldn't get remedy in the courts.

In a real sense, the high court is now being asked to determine something akin to this situation. Very roughly, it can be put: Can Louisiana courts, acting under a law governing disturbance, or what it considers disturbance, arrest and convict persons entering a privately-owned commercial establishment generally open to the public, but by custom—not law—barring Negroes, this at the wish of the property owner, whatever his motivation, personal conviction or accession to local attitudes.

If, theoretically, the Negroes' plea that state laws cannot be used to prevent them expressing dissatisfaction by intruding into a privately-owned area, the court, again theoretically, might rule that the lunchroom might bar Negroes, but that state courts or laws couldn't be used to uphold such barring.

If it so held, the court would leave in a vacuum the matter of law and order, for sit-ins have resulted in violence. It could leave the question as to what recourse in law a property owner had to prevent literal trespass.

The case could get the country down to grips with a fundamental issue involving alleged denial of claimed individual rights as against traditionally enforceable property rights of other individuals.

# SIT-INS AWAIT COURT VERDICT

BY THE ASSOCIATED PRESS

The U.S. Supreme Court has agreed for the first time to rule on appeals of Negroes arrested during the wave of sit in demonstrations protesting lunch counter segregation in the South.

Present plans are to hear arguments in the fall on the appeals of 17 college students convicted in connection with sit-ins at Baton Rouge, La.

The students were given four-month sentences under a Louisiana law which prohibits the commission of "any act in such a manner as to unreasonably disturb or alarm the public." The students denied this.

### DELIBERATE INTRUSION

But Atty. Gen. Jack P. F. Gremillion of Louisiana contended the students "deliberately. . . . proceeded to intrude on the private property of other citizens to engage in unwanted demonstrations. To uphold their rights to so do is to trample the rights of all other citizens."

Two weeks ago the high tribunal refused to hear a sit-in case appeal filed by eight Negroes and four white persons arrested in Tallahassee, Fla. The court gave no explanation but some observers speculated it might have been because they had not carried their case through all state courts first.

In another action Monday, the Supreme Court affirmed lower federal court orders striking down Louisiana efforts to balk or delay public school desegregation in that deep South state.

The court also turned down a request by the New Orleans School Board that it be allowed to maintain segregated schools until litigation between the federal government and the state is finally settled.

In Georgia, Negro coed Charlayne Hunter became the first member of her race ever to use the dining facilities at the 175-year old state-supported University of Georgia.

The Negro took advantage of a federal court ruling allowing use of such facilities by eating supper in a student cafeteria in Snelling Hall on the campus at Athens. She was accompanied by two other coeds and a male student. No incidents were reported.

Earlier in the day the Hunter girl and Hamilton Holmes, the other Negro student attending university, completed registration for the second quarter without incident.

### MOB LECTURED

In Savannah, Ga., Judge George E. Oliver told 19 defendants in city police recorder's court that Savannah authorities would not tolerate mob action and violence. The 19 were among 41 persons arrested during racial violence after a St. Patrick's Day parade.

The Rev. L. F. Griffin of Farmville, Va., a member of the NAACP, wrote the Civil Rights Commission that closing of public schools in Prince Edward County, Va., "represents a complete abdication of all that democracy stands for. It is very depressing, to say the least to be constantly aware that we live in the only place in the United States that has no public schools."

Prince Edward public schools were closed two years ago rather than desegregate. White children now attend private segregated schools but no provision was made for Negroes.

# Louisiana Sit-In Case Now Before U.S. Supreme Court

## SU 15 Move To Challenge 'Conviction'

The Louisiana Weekly New Orleans, La

WASHINGTON (ANP) -- The sit-in movement, which was declared by the Associated Negro Press to be the nation's number one story for 1960, has provoked a legal question which was placed before the United States Supreme Court last week.

Attorneys for the NAACP filed three petitions at the court and said the cases in question raise this "fundamental issue:"

"May the State use its power to compel racial segregation in private establishments which are open to the public and to stifle protests against such segregation."

CHALLENGE CONVICTION OF STUDENTS

The lawyers are challenging the conviction of 15 Negro students for sitting at a lunch counter in Baton Rouge, La. This marks the first time legal tests arising from the sit-in campaign in the South have reached the high tribunal.

Counsel, terming the case one "of widespread public importance," said they could set a precedent for pending prosecutions of sit-in demonstrators in eight other states.

The Louisiana students were convicted of "disturbing the peace." Each was sentenced to four months in jail, with the proviso that three months of the sentence would be suspended on payment of a $100 fine and costs. They are free pending appeal.

The Louisiana cases are different from some other sit-in tests - and more favorably situated legally for the Negro students - becuase there is no charge of trespass.

POLICE PRESS CHARGES

That is, the store's management did not ask to have the students prosecuted as trespassers. According to the petition, the arrests were solely a police idea. Thus there is no conflict in the cases between the students' rights and the property rights of the store.

What the students were convicted of violating was a Louisiana statue that makes it a crime to act "in such a manner as to unreasonably disturb or alarm the public." The State courts found that the continued presence of the Negro students at the "white" counter might have caused such alarm.

The petitions in the Supreme Court say the convictions were unconstitutional on any of four grounds as follows:

1. They say there was no evidence of any public disturbance or alarm. The court held just last year in a case involving a Louisville man that convicting a man of loitering and disturbing the peace without any evidence denied him due process of law.

2. The statue is attacked as unconstitutionally vague.

3. The arrests and convictions are said to be unconstitutional restrictions on freedom of expression.

4. The petitions say the arrests were an unconstitutional method of enforcing racial discrimination.

## 1960 Sit-Ins Bring Issue To High Court

The Black Dispatch Oklahoma City, Okla

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**Challenge Convictions**

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**Police Press Charges**

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**Convictions "Unconstitutional"**

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## High Court To Rule On Sit-In Case

The Call K.C., Mo. Fri. 1-13-61

WASHINGTON — (UPI) — The first lunch counter sit-in cases to reach the Supreme Court have been filed by 15 Negro students at Southern University in Baton Rouge, La.

The three appeals are related to sit-in demonstrations in the Greyhound bus station, Kress's store and Sitman's drugstore. The students were convicted under a Louisiana law which makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

The outcome of the cases could lay down legal guidelines for handling the sit-in issue throughout the South. But even if the court agrees to hear the appeals, arguments are not likely to be scheduled until next term beginning in October.

Before the high court announces whether it will accept or reject the petitions, Louisiana has 30 days in which to respond. The Louisiana Supreme court affirmed the convictions Oct. 5.

The students were sentenced to four months in jail with the provision that three months might be suspended upon payment of obtained by the Taylor team in Philadelphia, to prevent the Rev. Leonard C. Carr of Philadelphia, treasurer of the convention, and the Rev. Theodore J. Jemison of Baton Rouge, the secretary, from disbursing any funds of the convention or removing any of its records, was dismissed by the Philadelphia Common Pleas court, Dr. Jackson pointed out.

This act left the Jackson faction in complete control of all convention properties and monies.

Dr. Jackson said that the Taylor faction was operating under the constitution of the National Baptist Convention, USA, and because of this, would have to "absolve" itself before coming back to the convention he presides over. Jackson told the ministers that he would give every ounce of $100 fines and costs.

In the case of the two students at Sitman's drugstore, the appeal said no one complained of their presence and the manager did not call police. Police Capt. Robert Weiner, who made the arrest, said the officer on the beat informed him of the situation.

Kress's store has no signs indicating segregated lunch counters, but the store has a rule in this respect. Police were called after the seven students refused to move to the colored section.

A waitress in the Greyhound station told the students they would have to go "on the other side" to be served.

# U. S. Supreme Court Agrees To Hear Sit-In Case; Backs End Of La. "Package" Laws

## Will Probe Va. Law NAACP Says Is A Destroyer

By CHARLOTTE G. MOULTON

WASHINGTON — (UPI) — The Supreme Court Monday accepted its first sit-in case, paving the way for a precedent-making decision on the anti - segregation lunch counter demonstrations that have been conducted throughout the South.

The test case was brought by 16 Negro students who were convicted of disburbing the peace in Baton Rouge, La., last year. The high court will hear arguments on their appeals sometime next fall and later hand down a ruling that could set a legal pattern in the protests.

The sit-ins first came to public attention in February, 1960, and since then have been carried out in various communities in the North and South by both whites and Negroes, most of them college students.

In some areas, the protesters have won their fight for seating at department store and other eating facilities. In other cities, arrests have been made under local or state ordinances.

After Sit-In Demonstrations in Baton Rouge, the 16 Negro students from Southern universities were arrested after sit-in demonstrations at a Greyhound bus station, Kress' department store and Sitman's drug store.

They were convicted in the East Baton Rouge Parish District Court under a state law which makes it a crime to commit any act" in such a manner as to unreasonably disturb or alarm the public."

All 16 demonstrators were sentenced to four months in jail with a proviso that three months of the sentence would be suspended upon payment of a fine of $100 and costs. The state supreme court affirmed the conviction.

In appealing to the federal supreme court, lawyers for the students contended the state had no right to use police power to enforce racial segregation in a place of business open to the general public. The argument stemmed from a 1948 Supreme Court decision which held that racially restrictive real estate covenants were unenforceable in court.

Louisiana Atty. Gen. Jack P. F. Gremillion and Baton Rouge Dist. Atty. Sargeant Pitcher, Jr., opposed supreme court acceptance of the case.

**ARGUMENTS OUTLINED**

The brief declared that neither the manager nor owners of the stores wanted the demonstrations on their property and that the students had not availed themselves of peaceful picketing, use of news media or mass meetings on private property to which they had been invited.

Gremillion and Pitcher said that to uphold the right of the sit-in demonstrators "is to trample the rights of all citizens."

On the other hand, the lawyers for the students argued they were denied due process of law and liberty of expression because the Louisiana statute is vague and indefinite and does not provide an adequate standard of guilt.

In other actions, the court also:

—Agreed to examine a Virginia law which the National Association for the Advancement of Colored People, NAACP, contends may destroy it in the state. The controversy centers around a Virginia court ruling which held that the NAACP was "engaged in the unlawful solicitation of legal business' when its attorneys participated in anti-segregation legal battles.

—Affirmed a lower federal court ruling which threw out a package of Louisiana state laws aimed at preventing the integration of New Orleans schools. The laws were enacted at a special session of the legislature last year.

— Agreed to look into a copyright dispute between Vice Adm. Hyman G. Rickover and Public Affairs Press which centered around the claim of the famed atomic submarine expert that he is entitled to copyright speeches so that they cannot be quoted or used in a book without his permission.

## Supreme Court To Hear Louisiana Sit-In Case

Washington, D. C. — The U. S. Supreme Court has decided to hear arguments from attorneys representing 17 Negro students of Southern University who have been arrested and sentenced to 4-month terms during sit-in demonstrations in Baton Rouge, Louisiana.

The cases involving the Negro youths will be the first test of the wholesale jailing of Negro and white youths in the South for participating in stand-ins, sit-ins, and anti-segregation picketing. A date for the hearings was not determined by the court.

The high tribunal issued an order directing a hearing on the case Monday afternoon. The court said that 3 hours would be allowed for the attorneys' argument on merits of the case. Three seperate appeals are before the court.

Attorneys for the students contended in the appeals that a state had no power to compel segregation of the races. They argued that Louisiana, therefore, could not impose criminal penalties for anti-segregation against being relegated to the status of second class citizens in public establishments.

**Denied Due Process**

The appeals also asked that the Supreme Court rule that the students were denied their rights as guaranteed by the equal protection and due process amendments of the U. S. Constitution.

The students contended that a State may not use its power to compel racial segregation in private establishments which are open to the public, and has no power "to stifle protests against segregation."

The Negroes were all students at the time of their arrests, at Southern University. They were sentenced o four months imprisonment after being arrested during demonstrations at lunch counters at Stiman's Drugstore, Kress Deparement Store and the Greyhound Bus station, all at Baton Rouge.

# Supreme Court Takes Sit-In Case

The Florida Times-Union

WASHINGTON, March 20 (UPI)—The Supreme Court today accepted its first sit-in case, paving the way for a precedent-making decision on the integration lunch counter demonstrations that have been conducted throughout the South.

The test case was brought by 16 Negro students who were convicted of disturbing the peace in Baton Rouge, La., last year. The high court will hear arguments on their appeals sometime next fall and later hand down a ruling that could set a legal pattern in the protests.

The sit-ins first came to public attention in February 1960, and since then have been carried out in various communities in the North and South by both whites and Negroes, most of them college students.

In some areas, the protesters have won their fight for seating at department store and other eating facilities. In other cities, arrests have been made under local or state ordinances.

In Baton Rouge, the 16 Negro students from Southern universities were arrested after sit-in demonstrations at a Greyhound bus station, Kress's department store and Sitman's drug store.

They were convicted in East Baton Rouge Parish District Court under a state law which makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

All 16 demonstrators were sentenced to four months in jail with a proviso that three months of the sentence would be suspended upon payment of a fine of $100 and costs. The Louisiana Supreme Court affirmed the conviction.

In appealing to the U.S. Supreme Court, lawyers for the students contended the state had no right to use police power to enforce racial segregation in a place of business open to the general public. The argument stemmed from a 1948 U.S. Supreme Court decision which held that racially restrictive real estate covenants were unenforceable in court.

In other actions, the court also:

Agreed to examine a Virginia law which the National Association for the Advancement of Colored People (NAACP) contends may destroy it in the state. The controversy centers around a Virginia court ruling which held that the NAACP was "engaged in the unlawful solicitation of legal business" when its attorneys participated in anti-segregation legal battles.

Affirmed a lower federal court ruling which threw out a package of Louisiana state laws aimed at preventing the integration of New Orleans schools. The laws were enacted at a special session of the legislature last year.

Agreed to look into a copyright dispute between Vice Adm. Hyman G. Rickover and Public Affairs Press which centered around the claim of the famed atomic submarine expert that he is entitled to copyright speeches so that they cannot be quoted or used in a book without his permission.

Decided to hear arguments in a complex legal snarl stemming from Venezuela's attempt to extradite former president and strong man Marcos Perez Jimenez.

Declined to hear an appeal by Mrs. Vi Murphy, a Colorado Springs newspaperwoman, who drew a 30-day contempt of court sentence for refusing to reveal a news source.

## Sit-In Case To Supreme Court

Atlanta Daily World

The sit-in movement which began in Greensboro, N.C. and ignited a protest that has a chain reaction throughout the nation, will be argued before the U.S. Supreme Court next fall.

What is to be determined is a test case involving 16 Negro students who were convicted of disturbing the peace in Baton Rouge, La. They were convicted in East Baton Rouge Parish District Court under a state law which makes it a crime to commit any act "in such a manner as to unreasonably disturb or alarm the public."

The issue before the High Court is far more significant and precedent-making than the legalisms of disturbing the peace, trespassing or the state's using its police power to enforce racial segregation.

More specific is the determination whether a privately owned business is subject to the same interstate regulations that govern public transportation, business, utilities and so forth.

The U.S. Supreme Court will have an opportunity to study these issues in the bold and stark relief of social change and as to whether fortifications of the law have been erected as a barrier against a civil and human right.

With the forum of law and the concept of a changing society, the U.S. Supreme Court has grasped the horns of the sit-in dilemma and will resolutely study the issues, so that a legal pattern will be established.

# Supreme Court to hear three sitdown cases

The Afro-American Baltimore, Md.

WASHINGTON

The Supreme Court Monday decided to review three sitdown cases which arose in Baton Rouge, La. In taking these cases, the court indicated that a substantial Federal question is involved.

Unlike the Tampa, Fla. sitdown cases which the court refused to review two weeks ago, these cases present no precedural questions.

Convictions in the Baton Rouge cases were upheld by the Louisiana Supreme Court. The Tampa cases did not reach the Florida Supreme Court.

In each of the three Baton Rouge cases, students at Southern University were arrested for violating a state law which makes criminal "any other act" committed "in such a manner as to unreasonably disturb or alarm the public."

• • •

THE STUDENTS in each case merely requested non-segregated service at three different public lunch counters in stores which otherwise welcomed them as customers.

No disturbances occurred in any of the cases.

The students in each case were convicted and sentenced to four months in prison, three months of which might be suspended upon payment of a $100 fine and costs.

In the Mary Briscoe case, the students on March 29, 1960 sought service at a lunch counter in the Greyhound bus station. The waitress told them that since they were colored "they would have to go to the other side to be served."

The students staged a sitdown. The police were called. Police Capt. Robert Weiner asked the students to move. They refused and were arrested.

• • •

IN THE JOHN Burrell case, a group of students were seated at the lunch counter in Sitman's Drug Store. One of them ordered coffee. Colored patrons are served in the drug store section but not at the lunch counter.

The manager did not call police and did not know who called them. The police captain who made the arrests was told by the officer on the beat that two colored persons were sitting at the counter.

In the third case, a group of students staged a sitdown at the white lunch counter in Kress' variety store. The store maintains separate lunch counters for white and colored patrons.

The cases are of widespread public interest and many similar cases are pending in state and federal courts.

The NAACP told the high court that: "If the decision of the Louisiana Supreme Court is allowed to stand, it will undermine numerous U.S. Supreme Court decisions striking down enforced racial segregation."

# High Court to Rule on Southern Sit-Ins

## Will Hear 'Sit-in' Cases

WASHINGTON — (UPI) — The Supreme Court agreed Monday to hear arguments and decide legal issues surrounding local arrests of sit-in demonstrators in the South.

The court did so by accepting appeals from 16 Negro students who were arrested and convicted in Baton Rouge, La., a year ago this month. It was the first time the court had agreed to hear arguments about the demonstrations.

The demonstrators were found guilty and given jail sentences for disturbing the peace in demonstrations at three stores. Two weeks ago, the high court refused to accept an appeal by a group of white and Negro sit-in participants who were convicted at Tallahassee, Fla., on local trespassing statutes.

The court gave no explanation but some observers speculated it may have been because the 12 had not carried their case to Florida's highest courts before appealing to the Supreme Court.

Arguments in the Baton Rouge case will be heard next fall. The resulting opinion is likely to set a legal pattern for sit-in cases throughout the South.

The court also:

AGREED to examine a Virginia law which the National Association for the Advancement of Colored People contends may destroy it in the state.

AFFIRMED a lower federal court ruling which threw out a package of Louisiana state laws aimed at preventing the integration of New Orleans schools. The laws, including an "interposition" statute, were enacted at a special session of the legislature last year.

AGREED to look into a copyright dispute between Vice Adm. Hyman G. Rickover and Public Affairs Press which centered around the famed atomic submarine expert's claim that he is entitled to copyright speeches so that they cannot be quoted or used in a book without his permission.

## U. S. Supreme Court Affirms N. O. School Desegregation

WASHINGTON, D. C. — The U. S. Supreme Court, in an 11-word statement rejected all of Louisiana's efforts to balk or delay public school integration.

It agreed also to hear the appeals of 17 Southern University students convicted in connection with sit-in demonstrations at lunch counters in Baton Rouge in March and April, 1960. Arguments will be heard next fall.

The Supreme Court's action, in effect, struck down a sweeping series of acts passed by the Louisiana Legislature designed to prevent integration of the New Orleans public school system.

The court's action of last week in the Louisiana school cases actually were foretold Dec. 12. At that time the court said, in effect, that all Louisiana devices designed to forestall integration in public schools were legally worthless.

■

**THIS COMMENT** was made when the court refused to delay the effectiveness of a ruling by a special three-judge Federal Court in New Orleans knocking down a spate of anti-integration laws passed by the Louisiana Legislature.

Said the Supreme Court last week in the suit originally entitled Oliver B. Bush et al v. the Orleans Parish School Board et al: "The motions to affirm are granted and the judgements are affirmed."

The Bush case was filed in the Federal Court at New Orleans on Sept. 5, 1952 by Atty. A. P. Tureaud.

The lower court tribunal which handed down the decisions in New Orleans last year consisted of Chief Judge Robert T. Rives of the Fifth Circuit Court of Appeals and District Judges Herbert W. Christenberry and J. Skelly Wright.

The Louisiana sit-in convictions

## Supreme Court Action, Shift To Job Emphasis Top News For Week On Sit-In Front

**By Associated Negro Press**

**Biggest news on the sit-in front was the decision last week of the Supreme Court to review a group of Louisiana cases next fall. The outcome could have a decisive impact on segregation practices not only in the South but throughout the country.**

**But while awaiting the court's action of the Baton Rouge cases, students and adults supporting the anti-segregation movement continued demonstrations in various parts of the nation. One noticeable trend was the shift of emphasis from lunch counters to a fight for equal employment in two cities.**

**In Kansas City, Mo., 100 persons from two civic organizations picketed eight retail stores where it was claimed Negroes have been limited to menial jobs.**

**And in Elkhart, Ind., a group of more than 50 Negroes staged a demonstration in front of the offices of Mayor Frank J. Parmater against job discrimination.**

**Lloyd Saville, a professor of economics at Duke university, Durham, N. C., spoke out against job discrimination at a conference on national goals.**

* * *

**GREENVILLE.—(ANP)—A petition requesting the repeal of a section of the City Code regulating serving of meals to whites and Negroes in public places has been preesented to Mayor J. Kenneth Cass, with copies sent to managers which the U. S. Supreme Court has agreed to review involves three cases of 17 students of Southern University.**

**In each case the students sought service at lunch counters designated for whites and were arrested by Baton Rouge police. They were later convicted of disturbing the peace and were sentenced to four months in jail.**

**of three leading variety stores in the city.**

**The petition was prepared by Negro Attorney Donald Sampson and states that one section is a "clear example of police power which may be inconsistent with Constitutional liberties and business ethics.**

* * *

**LOUISVILLE, Ky. — (ANP)— Gov. Bert T. Combs entered recent integration talks at city hall as Negro students and adults substituted prayer for demonstrations. After the meeting, the governor told newsmen, "It was a very informative discussion . . . We're going to play it by ear."**

**In Juvenile Court, Judge Henry Triplett overruled a defense motion that he vacate the bench in trials of 17 youths and one adult arrested in demonstrations and postponed trials of their cases.**

**About 450 Negro students and adults met as usual but instead of marching downtown again, they spent the period singing and praying on the general theme of brotherhood.**

* * *

**CHATTANOOGA, Tenn.—(ANP) A white man slugged a Negro Episcopal priest and an elderly white woman was injured as an aftermath of Chattanooga's latest theatre stand-in demonstration.**

**In addition nine young Negroes who tried to buy tickets to a white movie theatre were arrested on charges of disorderly conduct.**

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SENTENCES

LOUISIANA LUNCH COUNTER- NEW ORLEANS

**Four 'Sit-Ins' Sentenced**

NEW ORLEANS—Four collegians, three Negro and one white, were sentenced last week in Criminal District Court to serve 60 days in jail and pay $350 fines each for participating in a Sept. 17 "sit-in" at the lunch counter of McCrory's Department Store on Canal St. Attorneys for the four say they will appeal the sentence.

# Lunch Counter Protest First in Mississippi

JACKSON, Miss., July 11 (UPI)—Two Negro boys staged Mississippi's first lunch counter "sit-in" today in this deep South city, scene of repeated anti-segregation demonstrations in recent weeks.

The youths took seats at a lunch counter in a downtown drug store shortly after noon. Police arrested them.

Jackson has been the chief target of the "Freedom Riders." In addition, there have been recent demonstrations by Negroes protesting segregation at the city's main library, the zoo, a park and on city buses.

In Little Rock, Ark., four freedom riders remained in jail today while their lawyer prepared a defense to a breach of the peace charge.

Municipal Judge Quinn Glover delayed their trial until Wednesday on motion of Thad Williams, a Negro attorney. The four were arrested last night before a jeering crowd after they entered a white-only intra-state bus waiting room.

## Two Stage Sit-In At Jackson Store

### Youths Quietly Arrested At Noon Hour

JACKSON, Miss., July 11. — (UPI)—Two teenage Negroes staged Mississippi's first lunch counter "sit-in" Tuesday.

The youths walked into the integrated Walgreen's Drug Store during the noon hour and sat at the store's segregated lunch counter.

Waitresses ignored them but a police officer entered the store as a crowd of whites began gathering and ordered the youths to leave.

They refused and were arrested for breaching the peace.

They were identified as Lu[illegible]vaghen Brown, 16, and Jimmy Travis, 18, both of Jackson.

Jackson, chief target of the massive "freedom ride' campaign, has been swept with anti-segregation demonstrations in recent weeks at Parks, swimming pools and other public places but Tuesday's demonstration was the first of its kind.

Earlier Tuesday, 53 convicted "Freedom Riders" were transferred from jails here to the state penitentiary.

Authorities began moving the riders to the penitentiary's maximum security cellblock after the riders' campaign almost filled the jails. The latest tranfer left only 10 riders in jail and boosted the rider population at the penitentiary to 128.

Of the 227 riders arrested here, 84 have been released on bond, one was released as a juvenile and three are held for youth court.

Jackson's newly-formed nonviolent movement issued a statement late Tuesday charging officers refused to let parents of local riders visit them in the Hinds County Jail during visiting hours Sunday.

It said parents asked why they could not see the riders and were told by an officer, "I don't have time to be bothered."

"Some of the parents have taken food and clothing to their sons, but these have not been received," the statement claimed. "In addition, some riders have not received medicine that was left for them."

# STUDENT DENIES SIT-IN CHARGE

## Ole Miss Candidate Hits at Citizens Council

By W. F. MINOR
(Times-Picayune Staff Correspondent)

OXFORD, Miss. — An Ole Miss senior charged Friday the Citizens Council and some state officials circulated a "vicious" report in an attempt to link him with pro-integration forces.

**Billy C. Barton of Pontotoc, said the move was apparently being waged against him to prevent his election as editor of the Mississippian, the Ole Miss student newspaper.**

Barton produced copies of letters originating from the Citizens Council in Jackson and sent out by the state sovereignty commission which accused him of taking part in a sit-in demonstration last summer in Atlanta and of being a member of the NAACP.

The 20-year-old student said he worked on the Atlanta Journal last summer and while there was assigned to assist another reported in covering a sit-in at a downtown store.

**DENIES CHARGE**

"Anybody who has said that I was a participant in any such sit-ins is an outright liar," Barton declared in a statement.

Barton called "preposterous" a charge that he was a member of the NAACP—an accusation which was passed along to Gov. Ross Barnett.

**He said he exchanged correspondence with Gov. Barnett to correct the report, but that he received no satisfaction from the governor.**

In a letter to him, Barnett said the NAACP report was told to "a member of my staff" while he was on the university campus.

Barnett told him to correct the report on the campus and added, "Certainly you realize that I have no control over reports circulated by students."

**REPORT SENT**

The state sovereignty commission, of which Barnett is chairman, earlier sent to the Ole Miss campus, under a covering letter from Albert Jones, commission director, a report from a Citizens Council source that Barton was "very dangerous" and was selected for "advanced training" by integration forces.

The Citizens Council "confidential report" on Barton was based on information which it said was supplied by the executive secretary of the States' Rights Council of Georgia, an affiliated organization of the Citizens' Council.

**It said that the material on Barton was furnished by "an informant planted on the staff" of the Atlanta Journal who "had Barton under observation for some time."**

The Citizens Council letter said that Ralph McGill "editor of the Atlanta Journal," had "taken Barton under his wing and has offered him a permanent position on the Atlanta Jourlay after graduation from Ole Miss."

**NAME BLOCKED OUT**

McGill is not editor of the Atlanta Journal, but was formerly editor of the Atlanta Constitution. Barton said in his statement Friday he never met McGill during his summer work on the Journal.

**The letter from the Citizens Council said that Barton's relation with McGill "means that Barton is well regarded in left-wing circles as a promising young man, and has been selected for advanced training."**

The writer of the Citizens Council leter, whose name was blocked out on a copy sent out by the sovereignty commission, added:

"I regard this information as important, and very releaving. It indicates the painstaking efforts of the pro-integration people to plant sympatthizers in key positions on our college campuses, where they can exert a maximum influence on student opinion."

**'FRIEND OF EAST'**

Previously in the letter, the Citizens Council source said Barton is a "close friend" of P. D. East, publisher of the Petal paper, Petal, Miss., which has lampooned the Citizens Council for several years.

The letter said also that Barnton had the "strong support" of Dr. James Silver and a liberal group of faculty members on the campus.

"During three years at the university," Barnton said Friday, "I have had only one class under Dr. Silver."

Recently, accuations that Barnton took part in three sit-in demonstrations in Atlanta and other charges listed in the Citizens Council letter were contained in a "report" made by Mrs. Sarah McCorkle, director of womens' and youth activities of the Citizens Council, furnished to some legislators and others.

**SUITS POSSIBLE**

Jones, director of the sovereignty commission, refused to confirm for reporters Friday that he received the Citizens Council "confidential report" on Barton and sent it to a source on the Ole Miss campus.

'If I did receive it, I could not say whom it came from," Jones declared. "I guess you 'might just say, no comment."

Barton said Friday he is considering launching libel and slander proceedings against "at least two persons, on the of damaging reports circ against him.

# SAY SOVEREIGNTY COMMISSION TO BLAME FOR SIT-INS HERE

Oxford, Miss., Mar. 27. — The State Sovereignty Commission is squarely and directly to blame for Mississippi's first Negro sit-ins, in Jackson Monday, a member of the State Legislature said here Tuesday.

**Rep. Philip D. Bryant said the commission sends speakers north "and they tell their audiences glowing tales of racial harmony, with no sit-ins, no wal suits pending and the like. What do we expect?"**

**Bryant, of Oxford, called for an urgent reappraisal of the Sovereignty Commission which was set up by the legislature to campaign for racial segregation.**

**He sharply criticized State Sen. Hayden Campbell of Hinds County for advocating more tax money to send segregation boosters to northern cities.**

**"Sen. Campbell, I don't believe, has stopped to think about the far-reaching implications of his statement," the Fayette County representative said.**

**Such speakers are "an open invitation and a challenge" to the National Association for the Advancement of Colored People, said Bryant.**

**"They have to come into Mississippi now and try something just to save face. The best way to handle segregation is to keep our mouth shut. Every speaker who leaves Mississippi is just holding up a target for the NAACP to shoot at."**

**Sen. Campbell said the commission speaker's bureau trips to the north to teach segregation were the "best bargain" in the budget. The bureau has spent more than $10,000 since it was set up last June.**

**Rep. Bryant said the legislature has "created a monster and it's going to be the job of all of us in the next session to put a harness on it."**

# TOUGALOO COLLEGE PLANS NO ACTION AGAINST SIT-IN STUDENTS

Tougaloo, Miss., March 29 — Dr. A. D. Beitell, President of Tougaloo Southern Christian College here, said Tuesday, according to reports that the College plans no disciplinary action against any of the nine students arrested in the sit-in demonstrations at the Jackson Municipal library Monday morning.

Dr. Beitell who was in Atlanta attending a conference when the incident took place returned to the College immediately after being informed of the incident, and the arrest of the nine students by Dr. A. A. Branch, Dean of the College.

**The President visited the students Tuesday while they were being held under arrest in the city jail some hours before they were released on bond later in the afternoon. According to reports, Dr. Beitell said that he visited the students in order to discuss with them an up-coming examination and to make arrangements for their taking the examination at a later date.**

**The nine students were releused on bonds of $1000 each late Tuesday afternoon signed by Rev. R. L. T. Smith, Sr., and his son R. L. T. Smith, Jr., operator of the Valley Street Grocery, and John W. Dixon a retired letter carrier.**

# No integrationist, student plans suit

OXFORD, Miss. (ANP)— Accused by the Citizens Council and State Sovereignty Commission of being an integrationist and leading three Atlanta sitin demonstrations, a University of Mississippi journalism student says he is ready to bring suit for libel and slander against at least two persons.

Bill Barton, 20, of Pontotoc, Miss., declined to name the two but indicated that one was a Citizens Council worker and the other a top State Sovereignty Commission official.

Barton, who is a first semester senior and managing editor of the campus newspaper, said the two persons and legislators and a "high state official" circulated "malicious lies" about his activities as a reporter for the Atlanta Journal last summer, in hopes of blocking his election as editor of the Ole Miss student newspaper.

# FIVE CORE LEADERS ARE UNDER ARREST IN MISSOURI

Columbia, Mo. Dec. 31 — Two University of Missouri Faculty members and three students all members of CORE were arrested this weekend for trespassing at Clark's Luncheonette on complaint of the owner Fred Clark.

The five are out on $10 Bonds and trial has been set for January 10th. The group will be represented by CORE National Chairman Charles R. Lodham.

CORE has been working to integrate Clark's which is located in downtown Columbia since last March. Attempts to negotiate failed—Mr. Clark claiming there was nothing to discuss. Before the sit-ins the CORE group picketed Clark's twice weekly.

Those arrested included John D. Schopp, assistant professor of Astronomy; Edward Tomich, instructor in Sociology; Miss Julia Ann Skinner, 19; Miss Carolyn Blanch Gnojewski, 20; and Malvin Lee West, 22.

Schopp said he, West, and Miss Skinner and Miss Gnojewski went into Clark's about 9:30 a.m. and took a booth. Miss Skinner and West are Negroes. Clark then came up and said, "We are not going to serve you."

Schopp said that he told Clark that they would like service. Clark replied "You can stay or not, but we are not going to serve you."

Clark then went to police headquarters and swore out a complaint. The arrest was made about 10:20 a.m.

No disorder was reported by anyone. Schopp complimented the police on the "eminently fair" treatment the CORE group received.

CORE responded to the arrests with massive testing of ten other discriminatory restaurants in Columbia. Schopp reports: "Some places have been visited eight or ten times by polite but insistent groups of two or three CORE people, each of which left when asked. The implication must be clear that we shall be back, perhaps with a sit-in."

# CORE Members Charged With Trespassing

Columbia, Mo. — Municipal Judge Carl Wheaton took under advisement a case charging five members of CORE with trespassing at Clark's Luncheonette.

Judge Wheaton said: "This is certainly a case of first instance in Missouri, and maybe in the United States. I am going to deliberate slowly in this basic case."

The trial involved two University of Missouri faculty members and three students who staged a CORE sponsored sit-in on December 10. The owner, Fred Clark, signed two separate complaints leading to the arrests.

### Waive Jury Trial

All the defendants waived the right to a jury trial in the packed courtroom. Defense attorney Charles R. Oldham, CORE National Chairman, cited a St. Louis Court of Appeals definition of trespassing which says that there must be willful damage before there is trespassing.

Clark testified that there was "no physical damage to my restaurant, their (the defendants') demeanor was normal for customers of a restaurant and my main complaint was serving an interracial group."

City Attorney Nickolaus attempted to show that even though there was no physical damage, there was still real damage which would support a charge of trespassing. "This is a matter of criminal trespass. It was a well-planned action."

In addition to questioning charge that a trespass had actually been committed, Oldham, in his closing argument, questioned the right of the state to uphold private acts of discrimination.

Judge Wheaton asked for written briefs to be submitted by both attorneys within 15 days. His decision will then follow.

# Mo. Judge Ponders Over Lunch Counter Sit-Ins

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**CRIMINAL TRESPASS**

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**WANT SALES, OFFICE JOBS . . .**

# 600 Urge Boycott of Stores Refusing to Hire Negroes

KANSAS CITY, Mo.—(ANP)—A mass meeting to urge Negroes to stop buying from downtown stores which refused to integrate groups as sales persons and office workers drew 600 here at the Paseo YWCA. Sponsors were the CCSA (Community Committee for Social Action) and the NAACP. All present by voice vote pledged themselves to withhold future business from 12 large department stores including Montgomery Ward and Sears.

Keynote of the session was sounded by the Rev. Arthur Marshall jr., an officer in both groups, who told his listeners: "If Negroes can set up their own stores in Tuskegee, go to jail in Atlanta, in Nashville and all across the South, surely we can stop buying in Kansas City."

The CCSA two years ago picketed five major department stores to gain the right to eat in their restaurant facilities and won their point when a "march" on downtown stores was announced. Three stores gave up their jim crow policy along the line and the march was abandoned. Two others capitulated weeks later.

President of the CCSA is Mrs. Julia Hall, a school teacher. Head of the NAACP is Lee Vertis Swinton, a lawyer.

Both organizations met with heads of the stores and were given a promise that employment of Negroes in better capacities would come in a short time. Passing of seevral weeks and no results is the reason given by the boycott sponsors to take further steps.

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MISSOURI

LUNCH COUNTER

# Freed In Columbia Sit-In Case

COLUMBIA, Mo. (UPI)—Five members of the Congress of Racial Equality who staged a sit-in demonstration at a Columbia lunch counter last December were acquitted Friday of criminal trespassing charges.

The verdict was contained in a written opinion handed down by Municipal Judge Carl Wheaton. The five defendants had waived trial by jury.

The group, including two members of the University of Missouri faculty, was charged in connection with a demonstration at Clark's Luncheonette. Owner Fred Clark told police they refused to leave the place until they were served. The arrests came after Clark swore out trespassing complaints.

Judge Wheaton said he based his innocent verdict on an interpretation of the criminal trespassing law.

"Criminal trespassing," he said, "consists not only of entering upon the property of another without authority but also the doing of damage to his property. In this case there was no damage to property."

Wheaton said the constitutional question of the legality or illegality of sit-ins was not relevant to the case.

The five defendants are John D. Schopp, 33, an assistant professor of astronomy; Edward Tomich, 32, a sociology instructor; and university students Malvin Lee West, 22, of Kirkwood; Julia Ann Skinner, 19, of St. Louis; and Carolyn B. Gnojewski, 20, also of St. Lous.

West and Miss Skinner are Negroes.

City Attorney Carl Nickolaus was given 10 days in which to appeal the verdict.

# Sitting In Is Not Criminal Trespass Mo. Judge Holds

Columbia, Mo. - Asserting that "a criminal trespass in Missouri" must entail "the doing of some damage to property," Municipal Judge Carl Wheaton has ruled that a peaceful sit-in does not constitute criminal trespass.

In so ruling, he acquitted two University of Missouri faculty members and three students, all members of CORE, who were arrested December 10 for sitting-in at Clark's luncheonette, a central downtown eating place.

The faculty members are John Schopp, assistant professor of astronomy and Edward Tomich, instructor of Sociology. The students are Julia Skinner, Carolyn Gnojewski and Malvin West. The were defended by Charles Oldham of St. Louis, who is CORE' national chairman.

Acknowledging that "damage in a trespass case may consist of loss of business," Judge Wheaton held: "There is no evidence that customers in the restaurant left it because of the presence of the defendants. The complainant testified that, while the defendants were in his restaurant on the date, people would not come in because they figured there was something going on. The appears to be merely a conclusion of the witness with no evidence of possible customers to support it and is not valid proof of the mental processes of those people."

The Columbia CORE group is continuing its campaign to integrate down town eating places.

# Max Roach Album Is Boost for 'Sit-Ins'!

(Special to The Courier)

NEW YORK — A jazz record may well provide the nation's sit-in movement with musical impetus in the face of the manner in which it is being welcomed on the market.

"We Insist," an album inspired by drummer Max Roach, has been termed "one of the best jazz sellers to turn up in a long, long while" by Bob Altschuler, general manager of Candid Records.

Mr. Altschuler told The Courier that the disc's brutally frank cover, which depicts three sit-ins at a typical lunch counter scene has been one of the major selling points of the promotion.

**He said, "We've been getting good action from this one. We've received an enormous amount of enthusiastic comments from newspapers all over the country."**

Mr. Altschuler revealed that CORE (Congress for Racial Equality) and the NAACP have also endorsed the record. In fact, plans are afoot to have CORE mail out at least 25,000 copies of the record all over the country.

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**MR. ROACH** is making contacts in an effort to have the performance put on film and hopes to take the entire package which made an auspicious debut in New York City recently on a national tour.

"We Insist," consists of a "Freedom Now Suite" which features the voice of Abbey Iincoln backed by Coleman Hawkins, the Nigerian drummer Michael Olatunji, Walter Benton, Booker Little, Julian Priester, James Schenk, Raymond Mantello, and Tomas DuVall.

One of the highlights of the album is a three-sectioned movement labelled "Prayer, Protest, Peace." Also, one section of the disc is devoted to South Africa with á selection entitled "Tears for Johannesburg."

Basically, "We Insist" is an album of protest music and is bound to have an attraction for jazz-conscious participants in the sit-in movement.

JAZZ FOR SIT-INS

38a 1961

NEW YORK

LUNCH COUNTER

# 'BEATNIKS' STAGE A 'VILLAGE' SIT-IN

N. Y. Times

## More Than 30 Defy an Order by Fire Department to Clear Gaslight Cafe

New York N.Y.

By NAN ROBERTSON

More than thirty Greenwich Village beatniks defied the law yesterday and staged an overnight sit-in andthen shore-in at a Village coffeehouse after it had been ordered closed and evacuated as a fire hazard.

The incident at the Gaslight Poetry Cafe, 116 Macdougal Street, began at about 1 A. M. yesterday when someone telephoned the Fire Department that a blaze had broken out there.

Firemen swarmed into the murky basement premises with axes and flashlights to find poets, patrons and folk singers enjoying themselves.

"Where's the fire?" shouted one of the firemen under Deputy Assistant Chief John J. Browne.

John Mitchell, the cafe's 36-year-old owner, told them there was no fire. Meanwhile Len Chandler, who was singing a Calypso number called "Pay Me My Money Down," strummed his guitar and improvised "Don't be alarmed, it's only a fire drill" for the startled patrons.

### The Beat Are Unbeaten

The firefighters then inspected the premises, ordered the cafe cleared and closed and issued Mr. Mitchell three summonses, one for overcrowding. A Fire Department sign listing the Gaslight as an "eminent fire hazard" was tacked on the door.

The bearded proprietor said many patrons had left, some without paying their bills. But Mr. Mitchell, about two dozen friends and a dozen employees refused to go.

In the commotion that followed, the police were called and issued Mr. Mitchell a fourth summons, for not possessing a cabaret license.

The sit-ins stayed until 11:30 A. M. yesterday, when the Fire Department gave the Gaslight permission to reopen because violations had been "abated."

All night long, Mr. Mitchell and friends sang, sipped espresso coffee, played guitars and denounced "fireniks" and policemen. At the height of the trouble the owner said, three patrol wagons pulled up to the Gaslight and the holdouts were threatend with arrest.

As the darkness became dawn, the groggy sit-ins became sleep-ins, dozing fitfully on tables and benches.

The Fire Department said yesterday that seventy-seven persons had been cleared from the Gaslight. The legal capacity, the department said, is seventy persons. Mr. Mitchell contended that only sixty-five were on hand and that the extras must have been curious bystanders who followed firemen into the basement.

Other summonses alleged a labor law violation and holes in the ceiling where a sprinkler system had been installed. The firefighters also said one front door of the Gaslight was locked when they arrived.

LUNCH COUNTER
NCCC STUDENT GOVERNMENT ASSN.

38a 1961 NORTH CAROLINA

# Rev. Abernathy Urges Intensified Boycotts, Plus More Sit-Ins

The Courier

Pittsburgh, Pa.

DURHAM, N. C.—An Alabama minister, speaking at North Carolina College, urged continued sit-in demonstrations and intensified economic boycotts as weapons by Southern Negroes in the fight for integration.

Rev. Ralph Abernathy, who succeeded Dr. Martin Luther King as president of the Montgomery Improvement Association, spoke before a mixed audience of students and townspeople on behalf of the NCC Student Government Association.

• **"Not only must we sit-in" Abernathy said, "but we must stand-in, wade-in, and kneel-in until we can walk-in as first class American citizens."**

The young minister, who is pastor of Montgomery's First Baptist Church, congratulated the NCC students for their demonstrations of the past year. He said, however, that "the struggle must continue, especially in employment where no dent has been made."

• **"We must launch a nation-wide program of non-cooperation with the evil system of segregation," Abernathy continued. "We must not spend our money in any store where our dollars are respected and our persons disrespected. We must not spend in places where we cannot earn."**

Using as his subject "Building a Democratic Civilization Amidst World Tensions, Frustration, and Fears," the visiting cleric traced the history of racial segregation from the 1850's.

■

**IN THE EARLY** days, he said, Negroes used "deceptive weapons," speaking what they thought others wanted them to say, and in a manner though to be required of them.

As a result, he continued, the Southern politician came to feel that only a few "agitators" were involved in the integration fight.

• **"We must erase this false impression from the mind of the American public. This is the meaning of the sit-ins, which I endorse, approve, and recommend as a weapon in the struggle.**

Abernathy was introduced by Lacy Streeter, president of the NCC Student Government Association.

3Pa 1961

NORTH CAROLINA LUNCH COUNTER

# Sit-In Pupil Reinstated By School

CHARLOTTE (AP) — A Johnson C. Smith University theology student who served 30 days in jail as a result of a sit-in demonstration was reinstated by the school Friday.

College President Dr. Rufus Perry said a board from the theology school "reinstated in good standing" Joseph Charles Jones, 23, who was convicted of breach of peace at Rock Hill, S.C., as the result of sit-in.

Jones was one of 13 Negroes who served 30-day sentences rather than post bond.

Dr. Perry said Jones was enrolled in a "professional" school rather than a graduate school at Johnson C Smith.

Jones did not attend the fall semester but enrolled and attended school one week before his arrest at Rock Hill.

Dr. Perry said Jones was carrying a full 16-hour week college load. "Jones didn't miss much work," Dr. Perry said. "He'll have to make up his back work."

Dr. Perry said Jones received no credit for any work done while serving his sentence in the York County, South Carolina, jail.

Jones' draft board here said last week that Jones passed his physical exam before his arrest and was classified "1-A acceptable." The board said it expected to call Jones either this month or next.

# Upholds Right To Discriminate

RALEIGH, N. C. — (ANP) — The right of a restaurant operator to refuse service to Negroes was upheld by the North Carolina Supreme court again last week in cases growing out of last year's lunch counter sit-in demonstrations.

"The rule is well established," said the court, "that an operator of a privately-owned restaurant, privately operated in a privately owned building, has the right to select the clientele he will serve and to make such selection based on color, race, or white people in company with Negroes, if he so desires."

The court upheld the conviction of seven persons at Durham on trespassing charges.

They were arrested during sit-in demonstrations at the S. H. Kress company store last May 6.

The court also upheld the conviction in Union county of Robert Williams, a Negro integrationist leader, on trespass charges resulting from a demonstration at a Monroe drug store last March 11.

Defendants in the Durham case argued that the indictments should be dismissed because the court was employed to enforce racial segregation.

The state court quoted a decision of the U. S. Supreme court in ruling that rights of the defendants under the 14th amendment had not been violated. In that case, the federal court said the amendment's first section applies only to action by a state "and erects no shield against merely private conduct, however discriminatory or wrongful."

# Sit-In Case Heads For Supreme Court

Attorneys for seven defendants convicted of trespassing during a sit-in demonstration at Durham asked the State Supreme Court for a stay of execution Tuesday so that the case can be appealed to the U. S. Supreme Court.

The high court granted the stay. Five of the seven had been sentenced to 15-30 days in jail and the other two received suspended sentences.

The seven lost their case in Durham County Superior Court and the State Supreme Court ruled last week that the lower court was correct in its action.

Defendants in the case include: John T. Avent, Callis N. Brown, Shirley Mae Brown, Frank McGill Coleman, John Harris Nelson, Donovan Phillips and Lacy Carrole Streeter.

# Sit-In Verdicts Receive Backing Of N. C. Court

(See stories on bakk page)

By GENE ROBERTS JR.

Privately operated restaurants have the right to refuse service to Negroes, the State Supreme Court said Friday in two separate cases.

The high court made the ruling in upholding the trespass conviction of anti-segregation demonstrators sentenced during last year's lunch counter sit-in protests.

"The rule is well established," said the court," that an operator of a privately owned restaurant . . . has the right to select the clientele he will serve and to make such selection based on color, race, or white people in company with Negroes, if he so desires."

This statement was made by the court as it found "no error" in the conviction of five Negro students at North Carolina College and two white Duke University students.

Durham County Superior Court had sentenced the students last May 19 for trespassing at an S. H. Kress & Co. variety store lunch counter in Durham. The lunch counter displayed signs saying "operated for employes and invited guests only."

**Union County Case.**

The court also ruled that "no error" was made in the conviction in Union County of Negro integrationist leader Robert Williams.

Williams, president of the Union County chapter of the National Association for the Advancement of Colored people, was convicted of trespassing at Jones Drug Store in Monroe after he refused to leave the store at the request of the management. He was sentenced to 30 days in jail, suspended upon payment of a $10 fine, court costs and good behavior.

Justice R. Hunt Parker, in writing the court opinion in the Durham case said:

"No statue of North Carolina requires the exclusion of Negroes and of white people in company with Negroes from restaurants and no statute in the State forbids discrimination by the owner of a restaurant. . . ."

Parker added: "The officer of the City of Durham had a right and duty to arrest all seven defendants in the luncheonette department of the Kress store, because all of them were committing misdemeaners (trespassing) in his presence.

"There is no merit to the contention that this constituted State action, denying them rights guaranteed to them by the 14th amendment to the Federal constitution and by Article I, Section 17 of the State constitution."

The justice said the defendants "misconceive the purpose of the judicial processes here. It is to punish defendants for unlawfully and intententionally trespassing upon the land of S. H. Kress and Co. and for unlawful entry thereon, even though it enforces the clear, legal right of racial discrimination of the owner."

In handing down its decision on the Durham case, the State court quoted a decision of the U.S. Supreme Court in ruling that rights of the defendants under the 14th amendment had not been violated. In that case, the federal court had said the amendment's first section applies only to action by a State and erects no shield against merely private conduct, however disciminatory or wrongful."

The constitutional questions presented in the Williams case were the same as those decided in the Durham case, said Parker. But he added that Williams "did not favor us with any discussion as to alleged violation of his rights under the fifth amendment. Unlike the 14th amendment, the fifth has no equal protection clause."

Defendants in the Durham case included Joan Harris Nelson and Frank McGill Coleman of Duke and John Thomas Avent, Shirley Mae Brown, Callis Napolis Brown, Donovan Phillips and Lacy Carrolle Streeter, all of North Carolina College. The sentences ranged from a continued judgment for Miss Nelson and Miss Brown to 15 days for Avent, 20 days for Streeter and 30 days for Coleman, Phillips, and Collis Brown.

The court handed down opinions in 35 cases:

Lane v Drivers Association, Pasquotank new trial.
Lyday v Railway Co., Buncombe, affirmed.
Mattingly v Railroad, Mecklenburg, reversed.
In re Tyson, Edgecombe, reversed.
Benton v Montague, Mecklenburg, as to defendant Montague, reversed; as to defendant company, affirmed.
Clark v Scheld, Caldwell, affirmed.
Boykin v Bennett, Lenoir, reversed.
Power Company v Membership Corporation, Caldwell, error and remanded.
Seaford v Insurance Company, Davie, affirmed.
Baldwin v Cotton Mills, Davidson, affirmed.
Harrell v Harrell, Forsyth, reversed and remanded.
Speas v Ford, Forsyth, affirmed.
State v Williams, Union, no error.
State v Barnes, Wake, assault case, no error; obscenity case, reversed.
Membership Corporation v Light Company, Richmond, error and remanded.
In re annexation ordinances, Wake affirmed.
Arvin v McClintock, Wake, affirmed.
Moody v Moody, Randolph, affirmed.
State v Paschal, Guilford, new trial.
Stanley v Cox, Guilford, affirmed.
Isley v Brown, Guilford, reversed.
Watkins v Murrow, Guilford, modified and affirmed.
Martin v Martin, Cumberland, new trial.
State v Avent et al, Durham, no error.
Gunter v Winders, Durham, reversed.
Schlagel v Schlagel, Durham, affirmed.
Hoyle v Bagby, Durham, reversed.
State v Coleman, Robeson, no error.
State v Hunt, Robeson, reversed.
State v Bullard, Robeson, new trial.
State v Locklear, Robeson, no error.
State v Sealy, Robeson, new trial.
Dixon v Briley, Alamance, error.
Sealey v Insurance Company, Robeson, new trial.
Jackson v Bobbitt, Orange, affirmed.

# Negroes Picket Forsyth Store; Cite Job Rights

WINSTON - SALEM (AP) — Four Negroes picketed the downtown S. H. Kress Co. store here Saturday in what they called "a state-wide movement to gain equal employment rights" in the company's stores.

Only said the demonstrations were backed by the National Association for the Advancement of Colored People and would continue "until we get some action."

Only Kress stores were mentioned by the pickets.

"There will be demonstrations in all the larger cities of the state," a spokesman said. "If they don't start today, they will next week."

There were no reports on picketing elsewhere.

T. S. Bayne, manager of the Kress Store at Fourth and Liberty Streets, had no comment.

One of the demonstrators also walked in front of the nearby Center Theater, scene of other picketing movements in the past month.

Don Bradley, who identified himself as leader of the pickets, said Kress had been made the target because "they only employ Negroes in menial jobs."

"We think Negroes should be hired for some of the better jobs in the store, such as sales clerks . . .something better than the floor - sweeping kind of jobs," he said.

# Durham Police In Rush Act; Pickets Quiet

DURHAM —(UPI) — Special duty policemen were rushed to two Durham theaters Sunday when a report was received of a "rush on the doors" by colored pickets.

But the pickets who have been walking up and down the streets in front of the Carolina and Center theaters did not attempt to flock into the movie houses.

FOR THE first time, however, the pickets went to the ticket windows and asked for admission. All were denied admission to the all - white facilities.

# N. C. Court Says Restaurants Can Keep Out Negroes

RALEIGH, N.C. (AP) — The right of a restaurant operator to refuse service to Negroes was upheld by the North Carolina Supreme Court again Friday in cases growing out of lats year's lunch counter sit-in demonstration.

"The rule is well established," said the court, "that an operator of a privately owned restaurant, privately operated in a privately owned building has the right to select the clientele he will serve and to make such selection based on color, race, or white people in company with Negroes, if he so desires."

The court said this as it found "no error" in the conviction of seven persons at Durham on trespassing charges as the result of sit-in demonstrations at the S. H. Kress & Co. store there last May 6.

The court also found "no error" in the conviction in Union County of a Negro integrationist leader, Robert Williams, on trespass charges resulting from a demonstration at a Monroe drug store last March 11.

Defendants in the Durham case argued that the indictments against them should be dismissed because the court was empowered to enforce racial segregation.

The court said the defendants "misconceive the purpose of the judicial processes here."

"It is to punish defendants for unlawfully and intentionally trespassing upon the lands of S. H. Kress and Co., and for unlawful entry thereon, even though it enforces the clear, legal right of racial discrimination of the owner," the decision held.

The court quoted a decision of the U.S. Supreme Court in ruling that rights of the defendants under the 14th amendment had not been violated. In that case, the federal court said the amendment's first section applies only to action by a state "and erects no shield against merely private conduct, however discriminatory or wrongful."

The court concluded that the defendants "have not shown the violation of any of their rights, or of the rights of any one of them, as guarnateed" by the state and federal constitutions.

The court said the constitutional questions presented in the Monroe case were the same as those decided in the Durham case.

The right of variety stores to enforce segregation at their lunch counters has become something of a moot question in several North Carolina cities because many stores have opened their lunch counters voluntarily to Negroes since last year's demonstrations.

The seven defendants in the Durham case included five Negroes and two whites. The two whites were Joan Harris Nelson and Frank McGill Coleman, both students at Duke University. The five other defendants were John Thomas Avent, Callis Napolis Brown, Shirley Mae Brown, Donovan Phillips and Lacy Carrole Streeter, all students at North Carolina College in Durham.

Coleman, Phillips and Callis Brown received 30-day sentences when they were tried in Superior Court in Durham. Streeter got 20 days, and Avent 15. Miss Nelson and Miss Brown received a continued judgment.

Williams, president of the Union County chapter of the National Association for the Advancement of Colored People, was accused of leading a group of Negro teenagers in a sit-in demonstration at a Monroe drug store. He was sentenced to 30 days, suspended upon payment of a $10 fine, court costs and good behavior.

# Abernathy Urges More Sit-Ins

DURHAM, N. C. — An Alabama minister, speaking at North Carolina college last week, urged continued sit-in demonstrations and intensified economic boycotts as weapons by Southern Negroes in the fight for integration.

Rev. Ralph Abernathy, who succeeded Dr. Martin Luther King as president of the Montgomery Improvement Association, spoke before a mixed audience of students and townspeople on behalf of the NCC Student Government Association.

**'WALK-IN'**

"Not only must we sit-in," Abernothy said, "but we must stand-in, wade-in, and kneel-in until we can walk-in as first class American citizens."

The young minister, who is pastor of Montgomery's First Baptist church congratulated the NCC students for their demonstrations of the past year. He said, however, that "the struggle must continue, especially in employment where no dent has been made."

"We must launch a nationwide program of non-cooperation with the evil system of segregation," Abernathy continued. "We must not spend our money in any store where our dollars are respected and our persons disrespected. We must not spend in places where we cannot earn."

# 6 Negroes Convicted At Greenville

GREENVILLE (AP)—Six Negro youths were found guilty Friday of violation of the trespass-after-notice law and were sentenced following a jury trial in Greenville Recorder's Court.

A six - man jury, which included one Negro man, found the three boys and girls guilty on charges which resulted from a sit-in demonstration at Grant's on N. Main Street Feb. 9.

Fined $100 or 30 days in jail by City Recorder John V. Jester were: Earle Peters, 16, Alfred Odell Leamon, 16, Jimmy N. Moore, 19, Kathleen Duncan, 17, Robbie Jean Young, 17, and Charity Ozell Jones, 17.

Attorney for the six, Donald Sampson, informed the court he would appeal.

Grant's manager, G. W. Hite, told the court he turned off the lunch counter lights, roped off the area and announced twice that the counter was closed after the six made their afternoon appearance.

He said the group refused to leave. City Patrolman W. R. Berry said he placed the six under arrest when they failed to comply with the request of the manager.

The jury trial started at 9:30 a.m. Friday and the case went to the jury just before the luncheon recess. Returning, the jurymen deliberated less than 15 minutes before returning their verdict of guilty.

# Hundreds Join Fight To Break Barriers

**WINSTON-SALEM, N. C. — (ANP) — Instead of dying out, the sit-in movement is preading out.**

**Not only is the movement more effective and the number of people involved greater, but the area of protest has broadened.**

**The demonstrations, at first directed at lunch counters, have spread out to include theatres, libraries, playgrounds, and many other activities restricted by race.**

Just how far the "ins" have gone or can go was pointed out here recently by Rev. Elton B. Cox, of High Point, national field secretary of the youth division of the NAACP.

"There are many things we can do," he said. Among them were:

**SIT-INS:** Continue them where lunch counters have not been desegregated.

**STAND-INS:** Protest against movie theaters.

**WADE-INS:** Go to public tax-supported beaches.

**SWIM-INS:** Go to public tax-supported swimming pools.

**"PRAY-INS"**

Pray-ins: "Prove to man that God created man free. As long as we take segregation they will dish it out. As a minister of God, (he is pastor of High Point's Pilgrim Congregational church) — I don't believe that we can live in segregated homes, go to segregated churches, be buried in segregated cemeteries, then live happily ever after in an integrated heaven . . . I am mad as hell at segregation."

VOTE-INS: Every college student over 21 should register and vote.

DRIVE-INS: Go to roadside snack bars and seek service. "A Negro cannot get a decent meal on the road in this state."

WATCH-INS: Pull up to drive-in theaters; park; stay there; "go to jail if necessary."

MOTOR-INS: Stop at motels. There is no place for you to sleep on the road.

APPLY-INS: Seek non-traditional jobs. "Don't be satisfied with Negro jobs. Confront the man. Let him know segregation is wrong."

WALK-INS: Walk into every tax-supported institution from a library to an art gallery.

BUY-INS: Buy homes in neighborhoods of your choice. "Live wherever you want to live."

STUDY-INS: Apply to colleges and universities that teach subjects you want to study. "Don't limit yourself to a Negro college."

PLAY-INS: Let your children play in all tax-supported playgrounds where they want to play.

BURY-INS: Use all tax-supported graveyards.

38a 1961

OKLAHOMA

LUNCH COUNTER
DESEGREGATED

# 'Longest sitdown' ends in victory

OKLAHOMA CITY, Okla., John A. Brown's so the largest department store here, ended segregation this week, thus bringing to a victorious close the nation's longest single sit-in campaign.

Successful NAACP youth thereby ended bias in the lunchroom, soda fountains and restrooms of the giant store which covers a block and a half.

The Negro youth group started its drive to integrate the store through a series of conferences in May of 1957. Just organized, it had 14 members at the time.

When talks failed, the NAACP youth began active sit-ins in August of 1958 and continued, without letup.

The council's membership jumped to 3,000.

It was not unusual for as many as 1,500 youngsters to be involved in sit-ins and picket lines throughout the city.

The NAACP youth council launched a "witholding of patronage campaign" against Brown's in September, 1960.

Although it got off to a slow start, an estimated 78 per cent of the colored population was participating when the store's owner, Frank Wade, capitiulated on June 23.

All told, 117 stores have been integrated throughout the city by NAACP youth since inception of the sit-ins in 1958.

38a 1961

OKLAHOMA

LUNCH COUNTER

# The Oklahoma City Sit-Ins

By JEAN JOHNSON

**In 1957, the Negroes of Oklahoma City started asking themselves the following questions:**

**If I can go downtown and shop and spend my money in a store, why can't I take that very same dollar and eat in that very same store that I shop in? Is it because I am black? Is it because my skin is a different color and my hair is a different texture? Am I a part of the public? Why discriminate against me? I have been educated in the schools of Oklahoma and I know I am a citizen. I had nothing to do with my color. I was designed by God and He makes no inferior people. I can't change my color and I don't want to. I just want the rights that every other citizen has—no more, no less. I'm tired of promises. I want my rights now!**

**In 1957, one little Negro child went down town to eat. She was immediately refused service and was told to be patient and wait. Things would eventually work out. "But I want to eat now," she said.**

**"You cannot have any food now. I'll put yours in a sack and you can walk up and down the streets and eat it," the manager said. "You see, the good white people will stop eating here if I let you eat here, but I am not like my customers. Some of my best friends are Negroes. But business is business, you know. Go home and we will eventually work out something."**

**The Negro child went home, wrote letters, called, prayed and waited for fifteen long months, and in August of 1958, this Negro child and others decided to wait in a different way. This time in front of the whole world. Thus the Sit-Ins started, and in 1960, the parents decided to get into the picture.**

**"If I can't eat in the same store that I shop in, because I am a Negro, then I'll take my little money somewhere else. I am not going to finance my own embarassment."**

**After 72 years the Negroes started spending their money in places where they could shop in dignity, and protested daily against the injustice that exists in the downtown area. The Negroes walk up and down the streets with posters, saying, "Don't Buy 2nd Class Citizenship With 1st Class Dollars," "Jim Crow Has Got to Go." They began to pray and sing. "Go Down Moses, way down in Egypt land, tell old Pharoah to let my people go," and Freedom became the key word—Thanksgiving, Freedom; Christmas, Freedom; Easter, Freedom; All Veterans Day, Freedom!**

**Thousands of people of all races and religions joined the Freedom cry and asked for freedom, but the restaurant owners said "No!" Whites joined the Freedom line and helped the Negro to carry the cross of America.**

**On Jan. 14, 1961, a group of Negroes and whites marched downtown to the Cravens Building, where the Anna Maude's Cafeteria is located. They couldn't enter the building and they lined up and softly hummed hymns and patriotoic songs, and because of this a Catholic priest, three women, a college girl, two college boys and two high school boys were placed i na paddy wagon and arrested.**

**The jails, cold water, hot water will not stop the Sit-Ins. The Sit-Ins will not stop until the doors are opened in downtown Oklahoma City.**

# Delay Granted in Sit-in Trial of 8 Cityans

The Black Dispatch
Okla. City, Okla.
Fri. 1-27-61

Trial for eight cityans charged with disorderly conduct in the January 14th sit-in demonstration at the entrance to Anni Maude cafeteria in the Cravens building, was postphoned for two weeks by Municipal Judge Hillis Sanford.

The Wednesday delay was granted upon request of Carmon C. Harris, Cravens Building attorney, and over strong objections of E. Melvin Porter, NAACP local head and counsel for the eight defendants.

Harris said his clients asked for the continuance in hopes of a peaceful settlement and Porter argued that postponement of the case would not further serve justice, adding that his clients wanted the matter disposed of "here and now."

**Visit City Hall**

Following the Wednesday hearing, the defendants along with about 40 supporters sought an audience with Mayor Norick at city hall. Finding the mayor out, the group converged on Norick's printing plant where Glend Phillips, secretary, told them Norick had left for California on business.

A member of the group stated that they were told prior to their visit to the plant during a telephone conversation to his office that Norick would be leaving the city for California on a 12 noon flight. However, he added, they were told on their arrival around mid-morning that he had already agone.

Defendants in the case are: Mrs. Clara Luper, 1819 N. E. Park Pl; Mrs. Ella Floyd, 1735 N. E. 14th; Freddy Lee Edwards, 414 N. Laird; Willie Johnson, 2101 Page; Ed Stone, Stephen Edward Wilson, Paula Deen, all Oklahoma City university students; and Mrs. Lu Ann Atkins.

Charges against the Rev. Robert G. McDole, assistant pastor of Corpus Christi Catholic church who was also charged in the Jan. 14th demonstration, were dismissed in an earlier hearing by Judge Sanford who said the priest was "On a frolic of his own and his superiors have far more jurisdiction than I."

All nine were charged with creating a disturbance by singing and by blocking the normal flow of traffic through the Cravens building lobby.

**Continue Sit-ins**

Despite the arrests, demonstrators converged on Anna Maude cafeteria last Saturday in stronger numbers following a morning meeting at Calvary Baptist church, 2nd and Walnut. Present in the Saturday group were those who had been arrested the previous Saturday, besides other city minister and the Rev. I. Burleigh of Guthrie, and the Rev. Shields of Norman.

One Negro demonstrator, Earl Temple, city funeral home director, succeeded in gaining entrance to the cafeteria due to his fair complexion. Other than the penetration into the cafeteria by Temple and some twenty whites who had entered earlier for the purpose of occupying seats, a spokesman for the group said this demonstration was conducted exactly like the one of a week earlier.

# Why I Sit-In

MISS BARBARA POSEY

The Black Dispatch
Okla. City, Okla.
Fri. 2-3-61

"I sit-in because I am able in a non-violent way to remind America of her undemocratic behavior. And as a young person in America, I am willing to sacrifice for the great American dream of liberty, justice and equality."

"I sit-in because I have the backings of freedom-loving people everywhere and the assurance of the ages that God still lives and Justice will finally prevail."

# 50 Picket In Oklahoma City

The Call
Kansas City, Mo.
Fri. 4-7-61

OKLAHOMA CITY, (UPI) — About 50 young racial demonstrators, singing the "Battle Hymn of the Republic," picketed in front of a downtown Oklahoma City department store on April 1.

Ten of the demonstrators were whites.

The picketers, walking back and forth in front of the John A. Brown Co., carried signs which read, "He died to make men free."

The demonstration was to protest whites-only facilities in a lunch room in the basement of the store.

38a 1961

OKLAHOMA

OKLAHOMA CITY- REV. ROBERT McDOLE
CATHOLIC PRIEST

SQUAT- IN- LUNCH COUNTER

The Herald Courier (AP Wirephoto)

## Priest Hauled Off To Jail In Oklahoma City

Oklahoma City police haul the Rev. Robert McDole, Roman Catholic priest, to a waiting paddy wagon during a "squat-in" demonstration by anti-segregationists. Approximately 50 white and Negro demonstrators sat around the entrance to a downtown cafeteria after Negroes in the group were refused admission. When the squatters ignored requests to leave police arrested the priest and 13 other adults on charges of disorderly conduct.

# Eight Face Okla. Sit-In Charge

The Defender
Chicago, Ill.
2-11-61
P. 12

OKLAHOMA CITY, Okla. — Eight adults will appear in court here next week on disorderly conduct charges growing out of their arrests for participating in protest demonstrations against a cafeteria denying service to Negro patrons.

Included is Clara Luper, leader of the demonstration and advisor of the Oklahoma City NAACP Youth council which has conducted a continuous sit-in campaign since 1958. To date it has resulted in 116 varied eating establishments opening their facilities to Negroes.

Charges against Father Robert G. McDole, a white Roman Catholic priest, one of the leaders in the integration movement, were dropped at an earlier Municipal Court hearing.

Judge Hillis Sanford, in dismissing the charge, said that Father McDole was "on a frolic of his own, and his superiors have far more jurisdiction than I However, Bishop Reed, Father McDole's superior, immediately issued a statement backing the priest.

The seven others slated to appear in court include Mrs. Ella L. Floyd, Freddy Lee Edwards, Willie Johnson, Ed Stone, Stephen Edward Wilson, Paula Deen and Mrs. Lu Ann Atkins.

Also participating in the demonstration were 23 youths who followed the adults to jail and sang songs of freedom.

# Area Bishop Backs Priest of Sit-in Case

The Black Dispatch
Oklahoma City, Okla.
Fri. 1-20-61 P. 1

Though a Catholic priest's participation in a Saturday sit-in demonstration which resulted in disorderly conduct charges was described as a "frolic" by Municipal Court Judge Hillis Sanford, Most Rev. Victor J. Reed, bishop of the Catholic diocese of Oklahoma City and Tulsa, strongly defended the priest's action in a lengthy statement released yesterday (Wednesday).

Father Robert G. McDole, assistant pastor at Corpus Christi Catholic church, was arrested Saturday along with eight other cityans who were conducting a sit-in demonstration near the entrance of Anna Maude cafeteria in the Cravens building. All adult leaders of a group of about 23 youths were accused of creating a disturbance by singing and by blocking the normal flow of traffic through the building lobby.

Judge Sanford dismissed charges against Father McDole, stating, "There will be no testimony in the case on the assumption that the defendant was on a frolic of his own and his superiors have far more jurisdiction than I."

# Segregationists Picket Protestors In Norman, Okla.

The News and Courier
Charleston, S.C.
2-13-61 P. 12

NORMAN, Okla (AP) — Anti-segregation pickets found themselves surrounded by opposition pickets in front of a Norman store Saturday.

The first 15 to 20 pickets, a few Negroes accompanied by a large group of whites, marched outside the John A. Brown Department Store in protest against the policy of the firm's main store in Oklaho Camity. The Oklahoma City store has refused to serve Negroes in its luncheonette.

Shortly after the anti-segregation group arrived, they found themselves being picketed by 10 to 12 persons, some carrying signs reading: "'NAACP Unfair" and "Unfair to Fair Business."

An estimated 200 onlookers jammed the sidewalks in the area, across the street from an entrance to the University of Oklahoma campus.

The pickets walked over Ku Klux Klan signs painted on the sidewalk Friday night.

The Oklahoma City chapter of the National Association for the Advancement of Colored People has been conducting sit-in demonstrations in the state's capital city for months.

# Sit-Ins Refused Food; Take Seat On Floor

The Pittsburgh Courier
Pittsburgh, Pa.
2-11-61 P. 5

OKLAHOMA CITY, Okla — An intetrracial group numbering 62 staged a sit-down demonstration at John A. Brown Company.

The police, fire department and other city officials were called. However, no arrests were made. It was reported that if arrests had been made, "each demonstrator would have had to be carried bodily to jail."

The group consisted of tag.....demonstrations .... ..... Mrs Clara Luper's NAACP youth group and others, adults and ministers of both races.

It was reported that the the demonstrations began at the John A. Brown company store and upon their requests they were refused service and the group "sat on the floor." After sitting on the floor for a period of 4-hours and 15 minutes, the demonstrators went to the Forum Cafeteria. They were allowed to help themselves cafeteria style. Upon attempting to pay for the food on their trays, the management refused pay. Nevertheless, the entire group ate the food upon their trays.

# Oklahoma City Negroes Demonstrate

The News and

OKLAHOMA CITY, Okla. (AP) —Demonstrators for racially mixed eating facilities marched, formed a motorcade and prayed here Saturday but made no effort to test a freshly issued court order.

Courier

A 17-car motorcade, headed by a hearse, moved in funeral fashion through the downtown area while marchers passed in front of a department store which bans Negroes from its restaurant.

The marchers—mostly Negroes—hummed hymns. The motorcade carried signs which read "Help Bury Jim Crow," "Segregation is only skin deep." The vehicles were trimmed with black crepe paper.

At one point the march halted, and demonstrators kneeled and prayed.

E. Melvin Porter, president of the Oklahoma City chapter of the National Association for the Advancement of Colored People, warned the group not to block entrances or aisles at any of the establishments.

Judge Glen O. Morris Thursday issued a temporary restraining order barring demonstrators from congregating in the Cravens Buildings at the entrance to a cafeteria.

The order was issued after demonstrations last Saturday which resulted in the arrest of 13 persons on charges of disorderly conduct.

A hearing on the court order is slated March 28—the day after preliminary hearings for the eight whites and five Negroes arrested last Saturday.

By contrast, this Saturday's demonstration was quiet.

Demonstrators moved into the John A. Brown department store and kneeled in front of the restaurant area.

The Rev. William G. Spearman, a Presbyterian minister, led the group in "The Lord's Prayer" inside the store.

Shortly before the demonstrators left the store they were joined by a group of doctors headed by Dr. Louis West, head of the University of Oklahoma Medical Center's department of psychiatry.

## Two Priests Join Sit-Ins

The Montgomery Advertiser

OKLAHOMA CITY (AP) —Negro sit-in demonstrators were joined Saturday by two Catholic priests.

Montgomery, Ala.

A group, including 13 white persons, stopped at a restaurant and then continued to a downtown department store which has declined to serve Negroes in its luncheonette.

3-26-61

The priests are the Rev. Edward Jeep and the Rev. William Skeehan, both of Oklahoma City.

Another Catholic priest, the Rev. Robert G. McDole, took part in past demonstrations, but recently, at his own request, was transferred to Ponca City, Okla.

A hearing against 13 demonstrators, including Father McDole, was set previously for next Monday. They are charged with disorderly conduct after they squatted in the lobby of a downtown building two weeks ago. A cafeteria in the biulding refuses to permit Negroes in its dining room.

## There Is No Violence, Yet, But . . .

Journal & Guide P. 14
Norfolk, Va., Sat 11-21-61

# Sit-Ins Prick Conscience Of South African Whites

**(EDITOR'S NOTE: The sit-in technique revived last year by a group of colored college students is being used in several African countries to break down racial barriers. This article, taken from "Contact" a paper published in Capetown, S. Africa, tells of the public reaction to these demonstrations.)**

CAPETOWN, S. Africa — (ANP) — So far, the anti-apartheid cafe "sit-ins" that a group of Cape Town Liberals are conducting have happily not been visited with the fire-hoses, clubbing, Black Marias, fist-blows and spittle that made the lunch - counter sit-ins in the Southern states so heroic — and so triumphant.

At two I have witnessed there has been scarcely a stir from the surrounding tea-sippers and bun - eaters, though as the campaign develops this may change. If it does, these people will not be provoked by assault: they will not squeal at leagal punish-ments. They are steadfast people.

**MOST WHITES** do not hate Coloured here, and there are not enough Aficans (an eighth of Cape Town's 800,000 people) to produce the fear-crazed atmosphere of White Durban or the Rand.

Most Whites do not fear the "Coloured" vote here, but they may be roused by this far more radical claim: social oneness. Many whites can bear the thought of non-whites next to them on the voters' roll,, but even the Progressives advocate restrictive [illegible]nts on title deeds, to spare them the final "disaster" of non - white neighbors.

**POLITICAL** "new deal" talk and the superficial inter-racial calm may look as if they favour the sit - ins.

But these Liberals are probing, and if they strike a raw nerve in the white's racial consciousness, the reflex may be to their cost. In the long run it will be to South Africa's gain.

**AS JIM CROW** began to die a lingering death in the Southern states, the Dixiecrats turned nastier than ever.

Do you remember the twisted faces of the white school children in the Little Rock news-photos? Then last March four very young Negro students walked quietly up to a lunch-counter. . .

**THE PEOPLE** at sit-ins in South Africa are neither very young, nor students, nor are they of one race or another.

So far they are mostly Liberals, who therefore call themselves South Africans, admitting to no racial classification (as I heard them tell the policemen taking their names at Caledon Square charge - office).

13 Negroes Convicted At Sumter

The News and Courier
Charleston, S.C.
Fri. 3-3-61

# 188 Hymn-Singing Negro Youths Arrested For March On Capitol

BY THE ASSSOCIATED PRESSS

Hymn-singing Negro students from a number of South Carolina cities marched on the state house at Columbia Thursday protesting what one student described as "the indignity and inhumanity of segregation."

Police broke up the demonstration and arrested 188 Negroes—including 65 women — one white youth and an official of the National Association for the Advancement of Colored People. They were charged with breach of the peace and bonds set at $50 each.

One student, identified as Betty Jean Wideman, 18, of Anderson, S.C., fainted and was taken to a hospital. Reports were that she was not seriously ill.

About 150 white persons watched the demonstrators. There were no violent incidents.

The students met at the nearby Zion Baptist church for about an hour and then began walking toward the state house in groups ranging in number from 12 to about 17. This was in keeping with requests of city officials.

At the Capitol, the first group was met by Harry Walker, legal aide to Gov. Ernest F. Hollings. Walker told them they could walk around the state house like anybody else, but said demonstrations would not be tolerated.

One of the arrested Negro youths, David Carter of Benedict College, urged the students to enter the state house grounds.

"We are protesting the indignity and inhumanity of segregation," he called out. "Do you want to go to jail for your rights?" The response was a chorused, "Yes."

The group advanced and arrests were made. Other groups singing the hymn "We Are Not Afraid" moved in and wholesale arrests followed.

Carter said the marching students were from Columbia, Charleston, Greenville, Spartanburg, Florence and Orangeburg.

The white youth was identified as Frederick E. Hart, 17, a [illegible]rsity of South Carolina student, a native of Atlanta and son of Frederick W. Hart of Washington D.C. The NAACP official was the Rev. I. DeQuincey Newman, a field secretary.

Late Thursday night, 31 Negroes were freed on bond of $50 each, posted by E. E. Riley, dean of students at Benedict College.

In Sumter, S.C., 13 Negroes were convicted in City Recorder's Court on charges stemming from antisegregation demonstrations involving mass marches and sit-ins during recent weeks. About 65 arrests were made.

Alma Gregg of Washingtonville, N.Y., a music instructor at nearby Morris College, testified she was grabbed by the hair "and jerked in the air and thrown in a squad car" on Feb. 15, the day about 250 students converged on the downtown area. She said she was not with the students.

Lt. Leon Dollard of the State Law Enforcement Division acknowledged "we had a struggle getting her into the car," but denied excessive roughness. Miss Gregg was convicted of resisting arrest but was found innocent of parading without a permit.

Nine Negroes were convicted of parading without a permit and three others of breach of the peace. Each defendant was sentenced to a $100 fine or 30 days in jail on each charge. All were released under appeal bonds of $200 each.

In Chattanooga, nine Negro stand-in demonstrators were arrested on disorderly conduct charges when, police said, they blocked a sidewalk. The youths rode to jail singing "Onward Christian Soldiers."

At Atlanta, charges of violating Georgia's antitrespass law were filed against 26 Negro college students. They were among more than 80 arrested during sit-in demonstrations last month.

The Alabama Supreme Court at Montgomery refused to review the case of 14 Negroes sentenced to jail for an integration attempt on a Birmingham bus two years ago.

(AP Wirephoto)

YOUNG NEGRO DEMONSTRATORS MARCH TOWARD STATE HOUSE

A University Of South Carolina Student Walked With Them

# 189 ARE ARRESTED IN RACIAL PROTEST

The N.Y. Times

Negroes March on the State House at Columbia, S. C.—White Youth Is Seized

COLUMBIA, S. C., March 2 (AP)—Negro students from a number of South Carolina cities marched on the state house here today, protesting segregation.

The police broke up the demonstration and arrested 188 Negroes, including sixty-five women, and one white youth. All were charged with a breach of the peace and bonds of $50 each were ordered. 3-3-61

About 150 white persons watched the demonstrators. There was no violence.

The students met at the Zion Baptist Church for about an hour and then began walking toward the State House in groups of twelve to seventeen. This was in keeping with requests of city officials.

### Met by Governor's Aide

At the Capitol, the first group was met by Harry Walker, legal aide to Gov. Ernest F. Hollings. Mr. Walker told them they could walk around the State House, but he said demonstrations would not be tolerated.

One of the Negro youths, David Carter of Benedict College, urged the students to enter the State House grounds.

"We are protesting the indignity and inhumanity of segregation," he called out. "Do you want to go to jail for your rights?" The response was a chorused "Yes."

The group advanced and arrests were made. Other groups singing a hymn moved in and other arrests followed.

### Other Incidents

Mr. Carter said the marching students were from Columbia, Charleston, Greenville, Spartanburg, Florence and Orangeburg, S. C. The white youth was identified as Frederick E. Hart, 17, a student at the University of South Carolina and a native of Atlanta.

Meanwhile, at Tallahassee, Fla., the police broke up a brief sit-in demonstration by Negroes at a white lunch counter.

At Lynchburg, Va., six jailed Negro students again refused to

# S. C. Jails 189 For Parading

The Afro-American
Baltimore, Md.
Sat. 3-11-61
pg 1

COLUMBIA, S.C. — Court hearings for 189 students and adults arrested March 3 for marching on the State House grounds are due to begin on Friday of this week.

The defendants include 186 college, and university students and two officials of the NAACP.

There were 85 female and 104 male students. They were from Benedict College, Claflin College South Carolina Sate A. and M. College, the University of South Carolina and high schools in Charleston, Florence, Spartanburg, Greenville and Camden.

The last of the group was released on bail of $50 Friday, or a total of $9,450.

**ALL WERE ARRESTED** by city, county and state officers and crammed into the city and county jails and later charged with demonstrating on the State House grounds.

The arresting officers were under direction of Harry Walker, legal aide to the governor, who was wearing a lieutenant's badge of the State Law Enforcement Agency.

The major function of this agency since the start of the sitdown demonstrations has been to enforce segregation laws throughout the state.

* * *

**THE GOVERNOR'S** aide met the students as they arrived at the entrance of the State House grounds.

He told Charles McDew of Orangeburg, one of a group of 15 students, that walking around the grounds would be "a breach of the peace."

The students listened, asked to be permitted to pass and walked on the State House grounds.

As other groups of students arrived, Walker repeated that they could not march around the grounds.

He also told them they could not sing, "as singing also would be a demonstration."

* * *

**"YOU DO NOT** have the right to demonstrate on this property," he declared.

When arriving groups failed to heed his instructions, Walker ordered their arrest.

Assisting Walker was Irving G. McNayr, city manager.

The students were carried to jail in SLED automobiles and police squad cars.

Arranged before Magistrate Frank Powell, all were charged with "breach of the peace."

The two NAACP officials are the Rev. I. Dequincy Newman, NAACP field secretary, and the Rev. B. J. Glover, president of the Charleston NAACP.

About one of every 10 students carried placards. One of the signs read: "You may jail our bodies, but not our souls."

eat while awaiting a hearing on anti-tresspass charges in a sit-in demonstration. They began the hunger strike Tuesday because they said they were not allowed textbooks.

At Atlanta, charges of violating Georgia's anti-tresspass law were filed against twenty-six Negro collegians. They were among more than eighty arrested during sit-in demonstrations last month.

The Alabama Supreme Court at Montgomery refused to review the case of fourteen Negroes sentenced to jail for an integration attempt on a Birmingham bus two years ago.

In Sumter, S. C., three Negro students were convicted on breach-of-the-peace charges. They were sentenced to thirty days in jail or fines of $100 each. They appealed and appeal bonds were set at $200 each.

### N. A. A. C. P. Protests

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, protested the arrest of the South Carolina demonstrators yesterday in a telegram to Governor Hollings.

## 24 Demonstrators Given Sentences

COLUMBIA (AP) — Twenty-four Negro anti-segregation demonstrators were sentenced here Wednesday to jail terms of 30 days or $100 fines.

Appeals bonds were set at $200 each.

Thirteen were found guilty of violating ordinances against blocking sidewalks and 11 of trespass in lunch counters.

## 24 Sit-Inners Fined

COLUMBIA, S.C. (AP) — Twenty-four Negro students were convicted Wednesday in cases stemming from lunch counter sit-in demonstrations. They were sentenced to 30 days in jail or $100 fines.

SOUTH CARCLINA

LUNCH COUNTER- FINES, CONVICTIONS
ACQUITTALS

## Three Pickets Fined in S. C.

ROCK HILL, S. C.—Three persons drew fines in city court following arrests Feb. 2 while they picket in front of a Rock Hill drug store.

They were: Dr. Cecil A. Ivory, wheel-chair bound Presbyterian pastor who is president of the Rock Hill NAACP branch, Paul David Deitrich, white Washington, D. C. youth, and George A. Hackley of Rockville, Md.

## 3 Girls Acquitted, Mate Sit-In Convicted

ROCK HILL, S. C. — Three girls, all members of Friendship College CORE, were acquitted in Rock Hill Recorder's Court on breach of the peace charges growing out of a picket line demonstration.

Willie Massey, who had just completed a 30-day gang term for sitting-in, was convicted and fined $[illegible] and 30 days. Jacqueline Harry, another CORE member fined $30 and 30 days.

# 600 S.C. Negroes Rally, Seek Bob Kennedy Visit

Chicago Defender Chicago Ill. LA Sent. 25-March 3-61 p1

ROCK HILL, S. C. — (UPI) — President Kennedy was reminded of Negro voting strength in South Carolina and Attorney General Robert Kennedy was urged to come here and observe the "trials and obstacles" facing the Negro population.

Approximately 600 Negroes adopted resolutions for the White House at a mass meeting following a pilgrimage to the York County Prison Farm where 11 Negro sit-in demonstrators are serving 30-day terms.

Local Negro leaders put through a vote to ban further pilgrimages to the prison farm despite some opposition. The ban was a "gesture of good will" to state police who had to contend with a mammoth traffic jam.

More than 100 officers — brown-clad state troopers with help from Rock Hill and county authorities — stopped a caravan of more than 300 Negroes who came to the camp intent on demonstrating to protest the arrest of the "Rock Hill eleven."

**SET 10 CAR RATE**

Negro Leader James McCain and J. B. Strom, chief of the State Law Enforcement Division, negotiated an arrangement to permit the pilgrimage Negroes to enter the prison compound 10 cars at a time. They were allowed to visit for five minutes with the imprisoned sit-inners.

Earlier Sunday, small groups of Negroes successfully integrated three Rock Hill churches — Two Presbyterian and one Lutheran — but were turned away from the Main street Methodist church.

Negroes adopted a resolution asking U. S. Attorney General Robert Kennedy or his representative to come to Rock Hill "to witness trials and obstacles to life, liberty and pursuit of happiness of a vast section of the South Carolina population."

The Negroes emphasized in their action that President Kennedy's platform endorsed the sit-in movement. They claimed this stand "caused the mass of South Carolina Negroes to change their traditionally Republican vote and contribute materially to the Democratic victory in the state" last November.

## Man Stabbed In Carolina Store Sit-in

The Washington Post Washington, D.C.

COLUMBIA, S. C., March 6 (AP)—A leader of Negro sit-down demonstrations in Columbia was stabbed in the side today by a stocky white man.

Tues. 3-7-61 p2

Lenny Glover, 24-year-old Negro theology student from Benedict College, was taken to the Good Samaritan-Waverly Hospital, where attendants said he was not seriously hurt.

Glover said he and David Carter, another Benedict Theology student who has been leading sit-ins and other anti-segregation demonstrations here, were sitting at the lunch counter in Woolworth's variety store about noon today.

Glover said Carter left to make a telephone call and a stockily-built white man came up to the counter and asked, "Are you having any fun?"

Glover said the man stabbed him in the lower left side with a 3- or 4-inch knife. The assailant escaped.

The Negro youth said he did not get a good look at his assailant.

## Man Stabs Negro At Lunch Counter

The News Herald Charleston, S.C.

Tues. 3-7-61

COLUMBIA (AP) — A Negro college student stabbed at a white lunch counter here Monday is in critical condition.

p. 1

His doctor said an exploratory operation revealed some vital organs were punctured, and there was severe loss of blood.

The white man who plunged the knife into the student at Woolworth's disappeared into the downtown crowd and was an object of an immediate and intensive police search.

The Negro youth, Lennie Glover of Benedict College, was slated for an exploratory operation to determine the seriousness of the wound.

The Adah, Pa., student was taken to Good Samaritan-Waverly Hospital, where Dr. C. O. Spann said determination of the youth's condition depended upon the exploratory operation.

Assistant Police Chief Shep A. Griffith said a search was launched for Glover's assailant in the crowded downtown section a few minutes after the knifing.

Glover was with another Benedict College ministerial student David Carter, at the time of the attack.

Carter is free on bond of $50 under a charge of breach of the peace stemming from a Negro march on the Capitol here Thursday. Griffith said Glover was not among the 190 arrested in the aftermath of that anti-segregation demonstration.

Glover told police he and Carter had gone to Silver's variety store to sit at the lunch counter and ask for service. They were refused.

He said that after sitting there for a short time, they went to Woolworth's and sat at the lunch counter there. A white man approached and asked Glover: "Are you having any fun?"

Glover said he did not reply.

Carter left to make a telephone call, and the man walked up to Glover and stabbed him between the ribs.

Police were called immediately and Glover was taken to the hospital.

## Negro Cut As Sit-In Badly Hurt

The Atlanta Constitution Atlanta Ga.

COLUMBIA (AP)—A Negro college student stabbed at a white lunch counter here Monday is in critical condition.

His doctor said an exploratory operation revealed some vital organs were punctured and there was severe loss of blood.

p. 12

The white man who plunged the knife into the student at Woolworth's disappeared into the downtown crowd, and was an object of an intensive police search.

Tues. 3-7-61

Police identified the Negro student as Lennie Glover of Adah, Pa. He was taken to Waverley-Good Samaritan Hospital.

Police gave this account of the stabbing:

Glover and another Benedict student, David Carter, who is free under bond on a breach of peace charge stemming from a march on the State House Thursday, went to Silver's store and took a seat at the lunch counter. They were not served.

After waiting there for a while they went to Woolworth's. There a white man approached Glover and asked him: "Are you having any fun?" Glover said he did not reply.

Carter left to make a telephone call, and the white man stabbed Glover in the ribs, police said, and disappeared into the crowd.

# Sitdowners protest police brutality

The Afro American Baltimore, Md.

SUMTER, S.C. — "We are very disturbed over the brutal treatment some of the students are receiving as a result of their sitdown demonstrations."

Sat. 3-4-61

This declaration was made Saturday by the Rev. F. C. James, director of Social Action for the African Methodist Episcopal Church, and pastor of the local Mount Pisgah of the same denomination.

The minister, who is also chairman of the Sumter County Christian Action Committee, pointed out that two young women who were among 64 arrested, last week, had to be hospitalized as a result of the treatment they received when arrested.

* * *

**THEY ARE** Miss Alma Gregg, Morris College music teacher, and Miss Mae Francis Moultrie, senior at the same institution.

Both had been released from the hospital on Saturday but the minister said Miss Gregg still complained of severe pain about the neck and shoulders.

The students, all of Morris College, were arrested Feb. 21 for protesting segregation at a drug store, a soda shop and a library.

Simultaneous with the arrests, police broke up an attempt of hundreds of students to march on downtown Sumter.

On Saturday 16 of the 64 still remained in jail after refusing to be bailed out. They were 10 girls and 6 boys.

The remaining 48 were bailed out at $100 each.

### *IN A NUTSHELL*

- Crippled minister arrested in Rock Hill, S.C., as authorities seek to crush movement.
- Police tactics protested in Sumter, S.C. as two women sitdowners are hospitalized.
- Six Lynchburg ministers plead with public to not let their going to jail "be in vain."
- Movement in Atlanta switches tactics. Students accept bail.
- "Shopping vacation" move is launched in Louisville, Ky., where groups spends $18,000,000 a year.

**IN ADDITION** to the support from the Christian Action Committee, the sitdown movement is backed by the County Non-Violent Coordinating Committee and the Congress of Racial Equality.

James T. McCain, field representative for CORE, said police would not permit contact with the students immediately following their arrests so bail would be put up for those who wanted to be released.

McCain and the Rev. Mr. James were members of a group of leaders who protested to the Mayor and the chief of police that the students had been "manhandled."

* * *

**IN THIS** connection, Miss Gregg said a policeman pulled her hair, twisted her neck, lifted her off the ground and threw her bodily into a squad car.

p. 12.

**IN ROCK HILL,** S.C., the Rev. C. A. Ivory, president of the local branch of the NAACP, and two other persons are to be tried on Thursday, March 2, on charges of breach of peace.

The minister, pastor of Herman Presbyterian Church, was arrested, Feb. 23, along with two other persons demonstrating against segregation at a mid-town drug store.

Paul Dietrich of Washington, D.C., white, was arrested [illegible] was beaten by seven

...tators. The third ... arrested following the melee was George A. Backley, of Rockville, Md.

The total of persons arrested in Rock Hill for demonstrating against segregation in public places since Jan. 31 now stands at 17.

* * *

... WERE arrested ... on Feb. ... 23.

... convicted to ... 13 chose jail terms rather than pay $100 fines. Two girls are included, students from Fisk University and Spelman College.

A mammoth mass meeting, a reception and two dances are scheduled for March 10 following the release of the 13 now in the York County prison and the county jail.

* * *

IN ...REENVILLE, ..last weeken...1 students were arreste... connection with a demon...ion at a city-owned and ...erated skating rink.

All ...e later released on $100 b...l each, following being charged with violating a city ordinance which forbids assemblage in public parks without special permission from park officials.

Meeting in the city at the time was the southeastern Conference of the NAACP, attended by over 300 delegates.

The meeting adopted a resolution urging withdrawal of buying from firms which refuse to remove racial barriers in both employment and serving the public.

IN WINSTON - Salem, N.C., an unidentified white student from Wake Forrest joined pickets in front of the S. H. Kress dime store.

Asked why he joined the protest demonstration, the student replied: "Because I think the cause is just."

Pickets also marched in front of a mid-town theatre.

They urged that the Center Theatre either desegregate or close its doors to colored altogether.

The picketing at Kress's has been going on for over a week.

**Six Released — 18 Pt. Cent.**

* * *

AMONG LATER developments in the sustained sitdown demonstrations in Lynchburg, Va., for the past three weeks was the release, Saturday of six students.

They had served 19 days of 30-day terms.

Four of the students were from Randolph - Macon Woman's College and Lynchburg College, both attended by only white students.

The remaining two were from Virginia Theological Seminary and College of Lynchburg.

On Thursday the six ministers sentenced Feb. 22 issued a statement from the Lynchburg jail in which they asked the question:

"We are wondering whether you, as citizens of Lynchburg, are going to let our imprisonment be in vain?"

They further stated "We have suffered. We will suffe... — again — to protest the existence of racial segregation."

The ministers are the Revs. James A. Tucker, Elijah ... Regulus, Lanksford Hankin..., W. G. Roberts, Jon E. Cra...ford, and Ralph Reavis.

**ZIn Atlanta, — 18 Century**

* * *

IN ATLANTA, the tactic... in the sitdown mover...ent were shifted on last Thursday when the last of 52 students in jail agreed to be released on bail.

Heretofore the students had refused to be bailed out.

A. T. Walden, attorney for the students, said they left jail because they believed they had achieved their purpose.

* * *

TRIAL IS pending for eight doctors arrested Feb. 20 for seeking to be served in the cafeteria of the Biltmore Hotel here. All were released on $100 bail.

They were attending a meeting of the Atlanta Graduate Medical Assembly. The doctors have paid $15 fee to attend.

**Developments elsewhere:**

HAMPTON, Va. — Trial for 11 Hampton Institute students arrest in a theatre sitdown demonstraion has been set for March 17.

The students were charged with violating the Virginia state law which prohibits mixed seating.

NASHVILLE, Tenn. — Demonstrations continue at four downtown movie houses where racial segregation is being protested.

LAST WEEK as many as 120 students, including Chinese, Mexican and white, marched in protest. Demonstration also were marked by some of the students being attacked by pro-segregation whites.

LOUISVILLE, Ky. — Spearheaded by the NAACP, colored residents here have launched a "Shopping vacation" for the Easter season. The NAACP estimates that there are more than 75,000 colored in Lousiville and that they do about $18,000,000 of business annually.

* * *

THEY MOVE is in protest of downtown stores and theatres refusing to end racial segregation in service and employment.

LEXINGTON, Ky. — The local chapter of CORE and seven of its members were named in an injunction suit filed by operators of the Strand Theatre to prevent stand-ins.

The theatre contends that stand-ins "have created a situation of danger and unrest."

## Negro Stabbed During Sit-In

COLUMBIA, S. C., March 6 (AP) —A Benedict College student who tried to obtain service at an all-white lunch counter at the Woolworth Store was stabbed today by an unidentified white assailant.

Police identified the Negro student as Lennie Glover. He was taken to Waverly-Good Samaritan Hospital where his condition was not determined immediately. However, officers indicated he was not seriously hurt.

Police gave this account:

Glover and another Benedict student, David Carter, who is free under bond on a breach of peace charge stemming from a March on the state house Thursday, went to Silver's store and took a seat at the lunch counter. They were not served.

After waiting there for a while they went to Woolworth's. There a white man approached Glover and asked him: "Are you having any fun?"

Glover said he did not reply.

Carter left to make a telephone call, and the white man stabbed at Glover between the ribs, police said, and disappeared into the crowd.

## Negro on Jury Fining 'Sit-Ins'

GREENVILLE, S. C.—A six-man recorder court jury, including one Negro member, found six high school students guilty of illegal trespassing Friday.

Each was fined $100 or 30 days in jail by City Recorder John V. Jeter. All had been arrested in connection with sit-in protests at the W. T. Grant Company store.

Attorney Donald J. Sampson gave notice of appeal.

## 'Sit-in' Appeals Heard

ORANGEBURG, S. C. — Appeals from convictions for about 38 S. C. State and Claflin College students, jailed March 15, during street protests against segregation, were argued before Circuit Court Judge J. B. Pruitt.

## Fear 'Sit-In' During Civil War Fete

COLUMBIA, S.C.—Jittery less sit-in protests, unscheduled in official agenda, occur during the April 12-19 Centennial observance of the Civil War at Charleston, Rep. George Campsen of that city urgently introduced a bill providing stiffer punishment Wednesday and sought immediate passage.

The bill would provide fines up to $5,000 or imprisonment up to five years in convictions for such activities as sit-ins.

He said he'd withdraw his bill, however, after learning there is statute providing for a $10,000 fine and/or 10 years imprisonment which could be used for the same purpose.

## Hits Dr. Frank Graham

# S. C. Raps U. N. Official For Favoring 'Sit-Ins'

COLUMBIA, S. C. — The state legislature, in concurrent resolutions, assailed U. N. Mediator Dr. Frank P. Graham for his support to "sit-ins," in an address at state-supported Winthrop College, last Tuesday.

A college for white women, Winthrop is located at Rock Hill, near Friendship Junior College, whose students have waged a "sit-in" battle since February, 1960.

Dr. Graham, former president of the University of North Carolina, said:

**"The Southern youth movement in the lawful petitions for the same service for the same price, did not have its democratic origin in Moscow, but in Carpenter's Hall in Philadelphia on the Fourth of July, 1776."**

S. C. legislators demanded that the UN official be censured for the statement, and that those responsible for his appearance at Winthrop also be brought on the carpet.

38a 1961

SOUTH CAROLINA

LUNCH COUNTER

# Police Arrest 188 Mix Demonstrators

Jackson Daily News
Jackson, Miss.
3-3-61

By United Press International

Police in Columbia, S.C., led a group of 188 chanting, hand-clapping Negroes to jail Thursday for holding a anti-segration demonstration within sight of Gov. Ern Hollings' office.

Demonstrators, most of them students from South Carolina Negro colleges, were arrested after ignoring a warning from Harry Walker, a legal aide to the governor, that state law forbids such protests on state property.

E. E. Riley, dean of students at Benedict College, appeared with $1,550 in bond money and obtained the release from jail of 31 female students from the college.

A white youth, Frederic E. Hart of Falls Church, Va., was arrested with the Negros but denied taking part in the demonstration. Hart, a freshman at the University of South Carolina, admitted he shook hands with some of the demonstrators because he was "in sympathy" with them.

After their arrest, the Negroes were lined up three abreast and marched [illegible] blocks down busy Assembly Street to city and county jails. The demonstrators began chanting and clapping their hands.

The law invoked Thursday was put into effect in 1958 by former Gov. George Bell Timmerman Jr. to halt a planned rally by evangelist Billy Graham on the State House steps.

City court hearings were set today for nine young Negroes arrested during a theater stand-in in downtown Chattanooga, Tenn. They were charged with blocking the street.

**HEARS ARGUMENTS**

Federal Judge Frank M. Johnson held a closed session today in Montgomery, Ala., to hear pretrial arguments concerning alleged discrimination against the Negro voters in Bullock County, Ala.

Negroes were served at two Nashville, Tenn., bus station lunch counters Thursday night. A Negro spokesman charged that members of his race were refused service at the counters earlier in the day.

Florida Gov. Farris Bryant gave his approval to a proposed $2.5 million publicity fund aimed at selling the rest of the country on segregation. Bryant said Florida would appropriate $500,000 if four other Southern states match it.

# 188 Arrested In S. Carolina Negro March

The Atlanta Constitution
Atlanta, Ga.
3-3-61

By The Associated Press

Hymn-singing Negro students from a number of South Carolina cities marched on the state house at Columbia Thursday protesting what one student described as "the indignity and inhumanity of segregation."

Police broke up the demonstration and arrested 188 Negroes—including 65 women—one white youth and an official of the National Association for the Advancement of Colored People. They were charged with breach of the peace and bonds set at $50 each.

One student, identified as Betty Jean Wideman, 18, of Anderson, S.C., fainted and was taken to a hospital. Reports were that she was not seriously ill.

The white youth was identified as Frederick E. Hart, Washington, D.C. He is a University of South Carolina student and a native of Atlanta, Ga.

About 150 white persons watched the demonstrators. There were no violent incidents.

# 188 Arrested As Negroes March On Carolina Capitol

The Montgomery Advertiser
Montgomery, Ala.
3-3-61

By THE ASSOCIATED PRESS

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About 150 white persons watched the demonstrators. There were no violent incidents.

One of the arrested Negro youths, David Carter of Benedict College, urged the students to enter the state house grounds.

"We are protesting the indignity and inhumanity of segregation," he called out. "Do you want to go to jail for your rights?" The response was a chorused, "Yes."

The group advanced and arrests were made. Other groups singing the hymn "We Are Not Afraid" moved in and wholesale arrests followed.

The Columbia demonstration occurred on a day marked by a number of other developments including a ruling by the 8th U.S. Circuit Court of Appeals at St. Louis that the Little Rock, Ark., School Board must speed up desegregation of city schools there.

The appeals court, which previously had upheld constitutionality of the Arkansas pupil assignment law, ruled that the school board must make some changes in its application of the act.

At Atlanta, charges of violating Georgia's antitrespass law were filed against 26 Negro college students. They were among more than 80 arrested during sit-in demonstrations last month.

In Sumter, S.C., three Negro students were convicted on breach of the peace charges and sentenced to 30 days in jail or fines of $100 each. They appealed and appeal bonds were set at $200 each. The three were among 65 arrested during antisegregation demonstrations last month.

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# 8 Negroes Convicted In Columbia

The News and Courier
Charleston, S.C.
Wed. 3-8-61

COLUMBIA (AP)— Eight of the 190 students arrested last week in an anti-segregation demonstration at the South Carolina State House were convicted on breach of the peace charges here Tuesday.

In addition, James Edwards, 21, one of the first eight Negroes to face trial, was charged with contributing to the delinquency of a minor. He was jailed in lieu of $5,000 bond.

Edwards, a Benedict College student from Greenwood County, was the only adult in the first group of students appearing before Magistrate Frank Powell. Another group of eight Negroes will be tried next Monday.

Meanwhile, Frederick E. Hart, 17, of Washington, D. C., white student arrested with the 190 Negroes, has left the University of South Carolina. Officials say he w[illegible]ew of his own volition.

The seven juveniles received $100 fines or sentences of 30 days in jail. Powell ordered that the fines be reduced to $50 if payment is made.

Attorneys for the seven juveniles filed notice of appeal and they were released under $100 appeal bonds. The defense offered no witnesses Tuesday o rebut prosecution witnesses.

Edwards also received a $100 fine or 30-day jail sentence on the breach of the peace charge.

No portion of his fine was suspended and Magistrate Powell additionally signed a warrant charging Edwards with contributing to the delinquency of other demonstrators who are minors.

Contributing to the delinquency of a minor is a felony punishable by a maximum of three years in prison and a $3,000 fine. Breach of the peace is a misdemeanor which can carry a maximum $100 fine or 30 days in jail.

Although no defense testimony was offered, defense attorneys questioned the right of city officers to make arrests on state property.

State and city officers arrested 189 Nego demonstrators and one white student when they paraded in groups of a dozen or more on the State House grounds.

Convicted on breach of the peace charges, in addition to Edwards, were:

Alvester Pate Jr., 19, Benedict College; Pinckney Moseley, 18, Benedict; Melvin Brown Jr., 18, Benedict student from Charleston; Harold Eugene Nimmons, 19, a student at Claflin College in Orangeburg; Willie Boykin Jones, 19, a Benedict student from Augusta, Ga.; William Perkins, 20, a Claflin student from St. Stephen; and Bill Alvin Sullivan, 17, a junior at Sterling High School in Greenville.

## Students Jam Cells in Sumter, S. C.

# Jailed 'Sit-Ins' Take Up Criminals' Space

(Courier Press Service)

There will hardly be enough room in the South's jails for bona-fide criminals to be lodged if Sumpter, S. C., is any indication, where 65 Negro college students were arrested in one swoop.

A 66th student was in the hospital. Mae Francis Moultrie said she was beaten and shoved to the street when police tried to prevent the students from marching into the business section. All of the students were from Sumter's Morris College.

James McCain, spokesman for the Congress of Racial Equality, said his group would appear to arrange bail, but "I know some of the students don't want bail."

■

**MEANWHILE IN** York County, S. C. eight CORE members in prison caused National Director James Farmer to wire a protest to President Kennedy.

Farmer said that since Feb. 17 the eight prisoners, including Field Secretary Thomas Gaither, have been in solitary confinement for refusing to stop singing hymns during their morning devotions. The eight were given the choice of solitary or giving up the hymns.

■

**IN ATLANTA** things continued to happen in "eights." Eight preachers were jailed for sitting in at the Terminal Railroad Station restaurant; eight distinguished physicians and surgeons also were thrown into jail because they insisted on service in the cafeteria of Atlanta's Biltmore Hotel where they were attending a meeting sponsored by the Fulton County Medical Society.

■

**IN NEW ORLEANS** the sit-in picture took an old twist when a white man, Walter Beck Orr, a seaman from Texarkana, Ark., was arrested for refusing to vacate a "Negro" lunch counter in the F. W. Woolworth Store on Canal St.

After being jailed Orr said he was paroled. He told the Courier before being hustled off to jail a police sergeant asked him, "would you marry one of them?" pointing to a Negro woman. Orr said, "I would hate for you to tell me I couldn't.

■

In Rock Hill, S. C. eight Negro students jailed after a January sit-in demonstration joined in a hunger strike after being thrown into solitary confinement for the third time.

# Columbia Fines 137 At 'Sit-In' Hearings

**COLUMBIA, S. C.—Fines ranging from $50 to $100 or 30 days in jail were given 137 youths and adults in Magistrate Court, as a total of 190 persons, jailed three weeks before, while marching around the State Capitol Building, were penalized.**

Magistrate Frank Powell levied the sentences in an abbreviated session, in which counsel for the state and defense agreed that testimony would be the same as for some 52 tried earlier.

The lone white youth in the group, Freddie E. Hart, 18, who resigned as a student at the University of South Carolina after the arrests, was fined $50 or 30 days in absentia.

■

**DEFENSE ATTORNEYS** gave verbal notice appeal and the bonds were continued.

The 190 persons were staging a protest against racial segregation at lunch counters and in employment when arrested.

They represented the second largest number of such arrest to occur, the largest occuring a year ago at Orangeburg when 388 S. C. State and Claflin College students were jailed.

The mass sentencing of the 137 is believed the largest number involving thus far in court handling.

# Ask S.C. Unit To End Bias

GREENVILLE, S. C.—(ANP) At least 175 persons, the majority of them Negro, packed Greenville City Council Chambers and heard three spokesmen for the NAACP demand an end to segregated lunch counters.

The matter was on the council's agenda at the request of Horace Nash, listed as president of the Youth Council, a unit sanctioned by the NAACP.

Miss Leola Clements, 17, and a senior at Greenville's Sterling High School, addressed the council and the crowed chambers and said her group wanted council to repeal city ordinances which require eating establishments to not seat and serve persons of both races.

She said it was "humiliating" to trade in downtown stores.

Other spokesmen for the group included Mrs. Juanita Carter, who said she is state secretary of the youth organization; Rev. J. S. Hall, who a year ago led an "emancipation march" against Greenville Municipal Airport, and Donald Sampson, attorney who has represented practically all the Negro youths arrested in connection with sit-in demonstrations.

Greenville Mayor J. Kenneth Cass told the group council he would take the request under advisement.

# Paid Stool-Pigeons Tip Cops on Sit-Ins

(Special to the Courier)

COLUMBIA, S. C.—Warning to sit-in students!

Have you ever wondered why it was that so many police officers were on the scene when you appeared to make a sit-in? This may be the real answer:

Police got the tip-off from stool-pigeons from your own ranks. It works like this: Police, state and local, find somebody in your group, offers them so much money—usually a weekly salary—and assigns them to "stool-pigeon" back names of leaders, what they say, and of all plans the entire student body adopts.

Some times the stool pigeon may be the trusted voice in meetings; at others, he may be someone who picks details from a roommate, classmate or campus buddy.

■

**THE COURIER** learned this week of Negro stool pigeons operating at Rock Hill, Columbia, Sumter and Orangeburg.

All get under-the-table pay from police.

## Negro Students Stage Sit-In

ROCK HILL S.C. (AP) — Ten Negro college students ignored the warning of South Carolina's chief law enforcement officer Tuesday and carried their anti-segregation demonstration to a white lunch counter. The 10, arrested for trespass, entered jail singing hymns and patriotic songs.

The arrests climaxed a series of almost daily demonstrations by Friendship College students here for several weeks.

Chief J. P. Strom of the State Law Enforcement Division (SLED) met the 15 or 20 demonstrators Tuesday as they arrived on Main Street from the campus. He told them of the provisions of the law against trespass.

The students, 13 of them carrying signs against segregated lunch counter service, continued to McCrory's and Woolworth's variety stores. The Woolworth's lunch counter has been closed for several weeks because of the demonstrations. McCrory's has remained open to white customers and some of the demonstrators took seats there.

## Negro Demonstrators Released From Jail

YORK, S.C. (AP)—Four Negro college students, two girls and two young men, were released from jail here Wednesday after serving 30 days on charges growing out of anti-segregation demonstrations at Rock Hill.

Nine others released last week after similar "jail no bail" stands are in New York for appearances. All were convicted of trespass.

The 13 will be honored at a rally in Rock Hill Friday night when James H. Farmer, national director of the Congress of Racial Equality (CORE) will speak.

Released Wednesday were Diane Judith Nash, 22, of Fisk University in Nashville, Tenn.; Ruby Doris Smith, 18, of Spellman College in Atlanta; Charles M. Sherrod, 24, of Surry County, Va., a student at Virginia Union University in Richmond; and Charles C. Jones, 23, of Johnson C. Smith University in his hometown of Charlotte, N.C.

Jones, a leader in sit-ins at Charlotte, was welcomed by about 100 students as he arrrived on the Smith campus. The university administration has not said what action it will take in the case of the young ministerial student, who was absent from the campus for 30 days.

## Boycott talked—

# Negroes begin push in Carolina

By The Associated Press

The hymn-singing Negro march on the State House at Columbia S. C., marked the start of a major push against segregation barriers in that Deep South state, according to the National Association for the Advancement of Colored People.

But the Rev. I. D. Newman of Columbia, field secretary of the state chapter of the NAACP, said future moves would have to be worked out with other officials of the organization.

At the same time, the NAACP called for an economic boycott of white stores in South Carolina during the Easter shopping season.

**In a statement released at a news conference Friday the NAACP also charged that Negroes arrested in the mass march on the Capitol grounds were exposed to a "double standard of justice."**

The statement pointed out no arrests were made last Fall when University of South Carolina students demonstrated against cancellation of a political rally for Richard M. Nixon.

A TOTAL OF 189 Negroes and one white youth were arrested on breach of peace charges during Thursday's demonstration. All were released on bond money supplied by the NAACP.

In Louisiana, the school board of St. Helena Parish (county) near the Mississippi border, voted to call an election on whether to close public schools rather than desegregate under federal court order. It was the first Louisiana school board to take such action.

**At New Orleans, Shelby M. Jackson, Louisiana education superintendent, told a three-judge federal panel he would comply with court injunctions not to interfere with the operation of New Orleans public schools.**

The court dismissed contempt charges against Jackson, Lt. Gov. C. C. Aycock and House Speaker Thomas Jewell after it was informed New Orleans teachers had been paid. The three were cited Dec. 20 for refusing to pay teachers at integrated William Frantz and McDonogh 19 schools.

IN ATLANTA, the Fulton County Grand Jury spoke out against any continuation of Negro sit-in demonstrations.

In term-end presentments the jury said the issue was not segregation or integration but rather concerned "the serious consequences inherent in any flagrant and continued violation of law."

**More than 80 Negroes were arrested during sit-ins last month on charges of violating Georgia's anti-trespass law. All now are free on bond pending trial.**

At Savannah, Ga., the Rev. Oliver W. Holmes, pastor of the First Congregational Church, became the first Negro appointed to the city's Bacon Park Commission. Negroes have been using the municipal golf course at Bacon Park for some time.

# 70 Negroes Demonstrate In Columbia

COLUMBIA (AP) — An estimated 70 Negro college students carried anti-segregation signs and staged sit-in demonstrations at white lunch counters in downtown Columbia Wednesday.

Five of them tried to walk past a "no trespassing" sign toward a lunch counter at Eckerd's Drug Store and were promptly arrested and charged with trespassing.

Jailed while attempts were made to raise bonds of $100 each were Benedict College students Joseph B. Bailey, 20, of Greenville; Joan Brailey, 18, of Newark, N. J.; Carolyn Montgomery, 18, of York; Clifford James Rice, 17, of Union, and David Green Jr., 18, of Charleston.

Seven other Benedict students were arrested Tuesday at Eckerd's on identical charges.

The sign-carrying pickets paraded in front of Eckerd's. Their banners carried such slogans as: "There is no color line in heaven," "Liberty or death," and "Down with segregation."

Meanwhile, other groups of the estimated 70 students who came from the direction of the Benedict campus staged sit-ins at four stores with lunch counters.

About 30 were inside Silvers variety store, 12 at S. H. Kress & Co., 15 at Woolworth's, and 3 in H. L. Green Co.

Three pickets were picked up by police and accused of blocking pedestrian traffic on the sidewalks. But at the police station, they were released without charges being filed.

Lunch counters were closed at all stores where the demonstrators took seats. The first students arrievd downtown at about 11 a.m. They returned to the campus at about 3 p.m.

A student leader, David Cater of Benedict College, has said such demonstrations will occur here "indefinitely."

# Arrest Negroes En Masse In South Carolina

The Defender

By United Press International

Mass arrests of Negro integration demonstrators continued Tuesday in Sumter and Columbia, S. C., as police rounded up about 80 persons in connection with sit-ins and protest rallies.

At Columbia, a young Negro woman was admitted to a hospital in a state of shock. Negro leaders charged the woman, Mae Frances Moultrie, about 25, was knocked down by a police officer. But hospital officials said x-rays showed no injuries and Dr. L. P. Lee said he believed the woman's ailments were "traumatic and psychological."

At Opelika, Ala., the Justice Department indicated that Macon County, Ala., registrars encouraged white persons to register to vote until passage of the 1957 Civil Rights Act, but called a slowdown in following years.

The government, in a hearing brought after charges were made that Macon registrars discriminated against prospective Negro voters, charged that Negroes were forced to use segregated facilities and go through agonizingly slow procedures in their attempts to register.

Elsewhere, there were these developments:

Four persons, including integration leader Rev. Virgil A. Wood, were arrested during a drugstore sit-in at Lynchburg, Va., bringing to 18 the number of persons arrested recently at the drugstore.

In Biloxi, Miss., Federal Judge Sidney C. Mize said he would begin hearings in the government's beach integration suit on March 20. The government is attempting to integrate Mississippi's Gulf Coast beach on grounds that federal funds were used in work on the facility.

In Tallahassee, Fla., a 16-year-old white boy was arrested when he ripped a sign from the back of a Negro girl who was picketing a 5 and 10 cent store with five other Negro girls. The youth was charged with disorderly conduct.

The interracial Macon (Ga.) Council on Human Relations asked Macon and Bibb County, Ga., officials to begin planning an "orderly transition" from segregation to integration in view of federal court rulings.

In Washington, the Civil Rights Commission announced it will meet next weekend with educators in Williamsburg, Va., to learn of problems which must be met in the desegregation of schools.

At Nashville, Tenn., charges against 27 stand-in demonstrators arrested at a downtown movie house Monday were dropped because the law under which the group was arrested had been repealed.

Other demonstrators continued to stand in at the theaters, stopping only long enough to attend the trial.

Two Whites in Demonstration

# 89 Student Protestors Freed From S. C. Jails

The Courier

By JOHN H. McCRAY

COLUMBIA, S. C.—The last of 89 persons, two of them adults, were freed on bond of $50 each by 7 P. M., Friday, on charges of breach of the peace after an NAACP-coordinated attempt to march around the South Carolina State Capitol Building.

The group, composed of Benedict, Claflin and South Carolina State students, approximately 25 high schoolers from Charleston, Greenville and other state cities, and one white University of South Carolina student, had made a pilgrimage to the State capital after a noon meeting in Zion Baptist Church Friday.

**The Rev. I. Dequincey Newman, State NAACP field secretary, one of the two adults arrested with them, told The Courier at a press conference late Friday that the group had city-issued permission to parade in groups of 15 persons.**

City Manager Irvin G. McNyr said, however, that when he gave the permission to Benedict College student leader David Carter, he had the impression that the parade involved only Columbia Sts. He accused Carter of withholding details of the demonstration.

Both sides differ on what actually happened once the marchers, some carrying placards urging an end to racial segregation, reached the capital. Authorities say they allowed the marchers, in groups of 15, to make one circle along walks surrounding the Statehouse.

**Rev. Newman, the Rev. Dr. B. J. Glover, president of the Charleston NAACP branch, and the second adult arrested, vigorously denied this.**

Rev. Glover and Rev. Newman said that after one group made the tour, officers in the State Highway Patrol, the State law Enforcement Division, the Richland County Sheriff's office and City Police, on orders of Harry Walker, legal secretary to Gov. Ernest F. Hollings, arrested the encourage before most of its members ever got onto the sidewalk rounding the Statehouse.

■

**REV. NEWMAN** emphasized that the group carefully and deliberately avoid stepping from the walk onto the grassy ground about the Statehouse.

Just the same, officers loaded the students into nine or 10 available cars and then made the others march to jail, a distance of six or seven blocks.

**The 89 arrests, second largest in student arrests while protesting racial segregation in the South, during the past year, overflowed both the City and County jails. Rev. Newman said that some of those involved were locked up overnight in the Lexington County Jail, one mile west of Columbia.**

■

**THE WHITE STUDENT** is listed as Frederick E. Hart of Virginia. He was further identified by reporters as a page of the South Carolina Legislature, at a weekly pay rate of $42.50. There was speculation at the Friday press conference that he would be quickly fired.

Should this happen, Rev. Newman said, efforts would be made to re-imburse him on the same schedule by public contributions from South Carolina Negroes.

**"We owe him support," Mr. Newman said. Herbert L. Wright, national NAACP Youth secretary, who attended the press conference, indicated his support of aiding Hart. Mrs. Ruby E. Hurtley, NAACP regional secretary, also attended the conference from her Atlanta (Ga.) office.**

A second white University of South Carolina student, reportedly on the editorial staff of "The Gamecock," student publication, was also among the marchers. He escaped arrest, however. "The Gamecock" currently features three anti-segregation articles, one likening the state's stand on segregation to an ostrich with his head stuck in the sand.

# S. C. Holds 150 Negro Protesters

The Washington Post Washington, D.C.

COLUMBIA, S. C., March 2 (AP)—About 150 hymn-singing Negro college youths were arrested here today during anti-segregation demonstrations around the State Capitol.

Some 200 young Negroes met at nearby Zion Baptist Church prior to the march on the State House, then converged on the Capitol in groups of about 12 each.

Harry Walker, legal aid to Gov. Ernest F. Hollings, met the first group and warned that demonstrations would not be permitted. He said they could walk around the State House "like anybody else" if they did so in small groups and kept moving.

When they continued to use the narrow walk immediately adjacent to the State House instead of the public sidewalk as ordered, police began to arrest them for "illegal use of the State House grounds."

The hymn they sang is called "We Are Not Afraid."

Their leader, David Carter of Benedict College, was arrested with the Rev. I. DeQuincey Newman, Field Secretary of the National Association for the Advancement of Colored People.

Neither marched in the demonstration or entered State House property after being warned off.

Among those arrested was one white youth who identified himself as Frederick E. Hart, an Atlanta native and freshman at the University of South Carolina. He said he had lived in Washington for the past eight years, attended segregated schools in Virginia, and is an NAACP member.

## At S.C. Prison Camp

# Negro Pilgrimage Blocked

ROCK HILL, S. C. (UPI) — A cordon of law enforcement officers set up an impregnable barricade Sunday to block a Negro pilgrimage to the York County prison farm where 11 sit-in demonstrators are imprisoned.

A force of more than 100 policemen, mainly brown-clad state troopers, circled the prison farm as a caravan of more than 300 Negroes approached the farm.

The Negroes' first efforts to enter the compound were stymied by stern-looking troopers and the caravan of more than 60 cars was forced to circle back and forth along a 10-mile stretch of highway in front of the prison.

Arrangements were finally made between Negro leader James McCain and Chief J. B. Strom of the state Law Enforcement Division, to permit the Negroes to enter the compound 10 cars at a time, pay a five minute visit to the imprisoned sit-inners and then leave.

The Negroes had spread the word Saturday that they would

## Admitted

ROCK HILL, S. C. (AP)—Negroes were admitted Sunday to at least three Rock Hill churches which have all-white congregations.

Three Negro kneel-ins were admitted to First Presbyterian Church; six others at Oakland Avenue Presbyterian and an undetermined number at Grace Lutheran.

Prospective kneel-ins also were turned away at West Main Street Baptist Church and the Church of the Nazarene.

Later in the day, some 600 demonstrators appeared at the York County jail and prison camp where several Negroes were imprisoned for law violations during anti-segregation protests.

Before the pilgrimage — and the state prepared to meet them with a startling show of force.

State and local authorities, in a joint statement to the press, said they were of the opinion the proposed pilgrimage "would constitute a security problem and could resolve itself into a serious emergency."

For this reason, said the statement, "no large group of unidentified persons will be allowed to congregate on the premises. The state highway patrol will enforce all traffic laws. Each prisoner will be allowed to have only the number of visitors consistent with security of the prison."

Husky, armed state troopers were standing nearly shoulder-to-shoulder along a 500-foot road that runs from the highway to the main prison camp entrance. Road blocks were set up at all of the entrances and the police waved on all cars that attempted to enter.

**Use Cars, Helicopters.**

The state troopers were backed by Rock Hill and York County police and agents of the Law Enforcement Division. About 35 patrol cars were employed and two Law Enforcement Division helicopters kept the police force constantly alerted as to the whereabouts of the Negro caravan.

Earlier in the day, small groups of Negroes attempted to integrate four Rock Hill churches and were successful at three. Only the Main Street Methodist Church turned them away. The other three, two Presbyterian and one Lutheran, seated the Negroes for their services. However, one of the Presbyterian churches seated their three Negro visitors in a balcony which has long been used for Negro servants of church members.

Rock Hill has been a racial hot spot since the 11 Negroes were sentenced to 30 days at the prison camp for sit-in demonstrations at lunch counters.

The pilgrimage was followed by a mass meeting at which some 600 Negroes voted to ask U.S. Atty. Gen. Robert Kennedy or his representative to come to Rock Hill "to witness trials and obstacles to life, liberty and the pursuit of happiness of a vast section of the South Carolina population." The resolution also stated that President Kennedy's platform endorsed the sit-in movement which "caused the mass of South Carolina Negroes to change their traditionally Republican vote and contribute materially to the Democratic victory in the state" in the presidential election.

The mass meeting, over the objections of out-of-state Negro college students, also voted not to conduct further pilgrimages to the prison farm. Local Negro leaders, who urged the action as a "gesture of good will" to state law enforcement officers, said Sunday's pilgrimage had caused traffic tieups and strained the resources of the highway patrol.

## Marchers Hit Negro Jailings

*By United Press International*

More than 100 Negroes marched two abreast down the main street of Rock Hill, S. C., Wednesday in protest against the jailing of 13 Negroes earlier this week for staging anti-segregation demonstrations.

The demonstration apparently was in response to a call by the Congress of Racial Equality (CORE) for outsiders to go to Rock Hill to demonstrate.

Nine students from Rock Hill's Friendship Junior College went to the York county prison farm last week to begin serving 30-day jail terms rather than pay $100 fines for trespassing in connection with lunch counter sit-ins.

**NO VIOLENCE**

The demonstration lasted about one-half hour. There were no arrests and no violence.

The demonstrations Wednesday followed protests on Tuesday in Atlanta, Ga., and Nashville, Tenn., against segregated lunch counters and theaters.

The surprise tactic of showing up announced at movie houses and asking admittance gained at least one Negro girl entry at Nashville on Tuesday before the box office was closed.

Box offices at the four theaters, where the students stood in line, were closed immediately. The fourth continued to sell tickets to white persons.

**REFUSE TO LEAVE**

In Atlanta, 12 of the 17 Negro students arrested on Tuesday when they refused to leave an all-white cafeteria are in jail charged with violating the State's 1960 antitrespass law. Negro student Lonnie King, a leader of the sit-in activity, posted $100 bond.

At Jackson, Miss., a Negro organization, the Jackson Progressive Voters League, said it would begin a drive on Thursday to register 10,000 Negro voters during the next two months.

## A mother says 'these are the hardest things'

ROCK HILL, S.C. — The mother of a six - year-old daughter told the AFRO, last week, that she is stumped by questions her child asked following the arrest of 10 students in the recent sitdown demonstration.

The questions:—

"Mother, why can't we eat in McCrory's? White folk eat there."

The mother, who has considerable knowledge of child psychology, says that while she was fumbling for "a right answer," the child dropped bombshell No. 2.

It was: — "Mother, since they arrest us for sitting in there, are white folk our enemies."

The mother said "these are the hardest things about racial discrimination. You can't answer them without running the risk of damaging your child forever."

## State agents get tag No. of auto in Sitdown Caravan

ROCK HILL, S.C.—Agents from the pro-segregation State Law Enforcement Agency were present last Sunday at the York County prison camp where the Rock Hill Nine are imprisoned.

Two of the agents were seen copying the license numbers of automobiles in the Sit-down Caravan.

Asked by the AFRO why they copied the license, they refused to answer. However, both admitted they were SLED agents.

A contingent of SLED agents participated in the arrest of the 10 students at the McCrory five and dime store on Feb. 1. This was unusual, since local police did not request assistance from the State.

# 100 Protest S.C. Sit-In Jailings

*By United Press International*

More than 100 Negroes marched two abreast down the main street of Rock Hill, S. C., Wednesday in protest against the jailing of 13 Negroes earlier this week for staging anti-segregation demonstrations.

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The demonstration lasted about one-half hour. There were no arrests and no violence.

In Atlanta, 13 Negroes were arrested Wednesday when they tried for the second straight day to get service at a cafeteria, Sprayberry's. The students maintain that since the cafeteria is located in a federally leased building it should come under federal non-discrimination laws.

The demonstrations Wednesday followed protests Tuesday in Atlanta and Nashville against segregated lunch counters and theaters.

The surprise tactic of showing up unannounced at movie houses and asking admittance gained at least one Negro girl entry at Nashville Tuesday before the box office was closed.

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In Atlanta, 12 of the 17 Negro students arrested Tuesday when they refused to leave an all-white cafeteria are in jail charged with violating the state's 1960 anti-trespass law. Negro student leader Lonnie King, who is spokesman for the group coordinating the sit-in activity, posted $100 bond.

SOME OF FEW WHO VISITED JAILED S. C. DEMONSTRATORS.

# Angry Whites Cause Delay Of Negro ally

Jackson Daily News
Jackson, Miss.
2-12-61.

## Only 35 Students Finally Show Up For Protest

ROCK HILL, S. C. (UPI) — Hundreds of angry whites crowded into downtown Rock Hill Saturday morning to head off an anticipated march on the town by Negroes protesting segregation, but the Negroes delayed their demonstration until police had dispersed the crowd.

The demonstration, when it came, was a far cry from the mass protest that Negro leaders had urged.

Only about 35 Negro students showed up. They contented themselves with parading with signs in front of two five-and-dime stores and drugstore with segregated lunch counters.

Police marched virtually side-by-side with the picketers and kept everyone moving along the sidewalk.

**BRIEF FIGHT**

The whites, many of them teen-agers, began streaming into town early Saturday and by noon were packed shoulder-to-shoulder along a three block area that comprises the downtown area of this textile center of 30,000 persons.

A number of whites paraded down main street, waving Confederate flags, and there was a brief fist fight between a Negro and a bearded white youth who claimed the Negro had pushed him.

The crowd, estimated at between 2,000 and 2,500, reached its peak about noon and the town took on the appearance of an armed encampment.

**KEPT MOVING**

City, state and sheriff's patrol cars drifted slowly through the area, and police began breaking up all demonstrations and refusing to let anyone stand still on the sidewalks.

The crowd quickly thinned out thereafter and by the time the Negro demonstrators arrived there was only the normal flow of Saturday afternoon traffic.

Anti-segregation demonstrations have been staged here daily during the past week and integration leaders have urged that Rock Hill be made the next battleground in the fight to break down racial barriers in the South.

Two bus loads of Negroes were reported to have arrived in the early morning from Nashville, Tenn., for the weekend demonstration and Negro famiiles here opened their doors to out-of-town students.

**PLANS FOR SUNDAY**

The city's Negro leaders announced a schedule of demonstrations for Sunday, consisting of a mass pilgrimage to the York county prison farm where 11 of 14 demonstrators arrested last week are imprisoned.

The Negroes also will congregate Sunday for a mass meeting honoring the parents of the imprisoned demonstrators, the announcement said.

The 11 are serving 30-day sentences for trespassing in connection with lunch counter sit-in demonstrations.

A letter from the prison written by Thomas Gaither, National Association for the Advancement of Colored People field secretary, to local Negro leaders, reported all of the prisoners had been well treated.

# Lunch counter fight will be continued

The Afro American
Baltimore Md
2/28/61

By SAMUEL HOSKINS

ROCK HILL, S.C. — "It's no use giving up now."

The girl was talking about the sitdown activities students have carried on for 12 months against lunch counter segregation practiced by local outlets of two variety chain stores — Woolworth and McCrory.

Because of these activities, the lunch counters of both stores are now closed. The space is being used to display artificial flowers.

"We intend to continue our program until they (the stores) serve everybody on a basis of equality," the girl said when asked what it's like to be a "Sitdown fire - baller."

* * *

**SHE IS MISS MARGARET LEWIS**, 19 - year - old sophomore at Frirendship Junior College.

Miss Lewis, a petite, borwn skinned young woman with a ready smile and a manner of speaking which tumbles her words out one over the other, is five feet, three inches tall and would not weigh over 105 pounds soaking wet.

Last February she was one of 72 students arrested during the first wave of sitdown activity here.

Since that time she has participated in 20 additional demonstrations, and is determined to continue "until something gives."

**REMINDED THAT** when the sitdowns first hit South Carolina a high state official attributed them to work of "outsiders," Miss Lewis laughed and said she was born in Rock Hill, the youngest of five brothers and five sisters also born here.

Her parents are Mr. and Mrs. Willie A. Lewis, also native who "have not been influenced by outsiders."

She is a graduate of Emmet Scot High School here After finishing Friendship Junior College, she hopes to enroll at Pennsylvania University and qualify as a speech therapist.

Until then, she says, she has a job to finish at the jim-crow lunch counters. She is secretary of the local branch of the NAACP.

* * *

**CHARLES TAYLOR JR.**, 22, a native of New Jersey, also is a Sitdowner. He was among the 10 arrested here last Tuesday and spent a night and part of a day in the city jail and a similar period at the county prison where he was put on a chain gang.

Does he plan to continue his sitdown activities? "You bet I do," he says.

Asked why he asked to be bailed out, the youngster explained that he is enrolled on a scholarship and felt it necessary to keep up with his studies in order to remain in school.

* * *

**"STUDENTS SHOULD** d what they can to break down the (racial) bars," Taylor declared, vowing "to do all I can to the best of my abili ty."

Taylor is six feet tall and weighs 170 pounds. He is halfback on the football team and hopes to play professional football after graduation.

The Taylor family resides in Rahway, N.J. His father is an employee of General Motors in Clark township and his mother is a union shop stewardress in the Westinghouse plant at Metuchen, N.J.

He has an older brother in the Army.

# Sitdowners in solitary, refuse bread and water

The Afro-American
Baltimore Md
3/4/61

ROCK HILL, S.C. — Before I'd be a slave, I'd be dead and in my grave."

This traditional song, sung at a worship service by 11 sitdowners jailed at York County prison camp, was too militant for the guards. When the students refused to change their tune, nine of them were thrown into solitary confinement.

Refusing the bread-and-water diet, the protestors staged a hunger strike.

This action Friday climaxed a week of reported injustice at the camp, according to information from inside the prison.

The 11 students, working together, were forced one day to load 36 truckloads of dirt. At the same time, 27 other prisoners, working as another unit, were only required to load 21 truckloads.

When the students protested over this treatment, one, John A. Gaines, was transferred to the county jail. J. Ed Allen, camp supervisor, said the students then "struck on the job. They just sat there and refused to work when we moved one off the job back to camp."

He said that Gaines made some kind of motion toward one of the prison officials.

After the nine sit-downers were placed in solitary for the religious service, only two were allowed to receive visitors on Sunday afternoon —they were Joseph C. Jones of Charlotte and Charles M. Sherrod of Richmond. They had been convicted of trespassing while staging a demonstration in sympathy with the Friendship Junior College.

Leading the visitors was the Rev. C. A. Ivory, local NAACP president, who is confined to a wheelchair.

The nine students now in solitary confinement are from Rock Hill: Roett L. McCullough, James F. Wells, Clarence H. Graham, Thomas W. Gaither, Willie E. McClod, David Williamson, Mack C. Workman and Willie T. Massey.

A prison camp official told newsmen: "We will let them out when they show us they are ready to go to work and obey orders."

# Ugliness of jim-crow is shocking

The Afro-American
Baltimore Md
3/11/61

By FRANK HUNT

ROCK HILL, S.C. — Violence visited the languid little town of Rock Hill, S.C. last weekend.

For the first time in a year of sitdown demonstrations, Rock Hill discarded its mask of indifference to fight the white and colored people marching shoulder to shoulder against segregation. It bared its fangs to show the ugliness of its institutions.

**The "nature of the beast" was reflected in the twisted faces of the white hoodlums who again and again attacked Paul Detrich, a white member of the picket line, in front of Goode's Drug Store Saturday while police turned pseudo-concerned faces elsewhere.**

It showed the other side of its much vaunted southern womanhood in the convulsed features of an otherwise pretty young housewife who slammed on brakes inches from the line of pickets crossing the street.

It put sneers on the faces and foul language in the mouths of little boys who squirted the Friendship College students with water pistols filled with a filthy liquid, encouraged by the cheers of their oldsters.

But though it was very real, very tangible, and very much to be felt, you could not have detected the intensity of the change in the pleasant little town of Rock Hill unless you were on the picket line.

**So you do just that. You join the picket line.**

There you are, leaving Friendship Junior College and walking up College Ave., one of a thin line of students embarking on an extra-curricula activity that is something to be marveled at.

You turn up Black St., waving back at the neighbors who peer from doors and windows, watching you; and the grade school kids, who, after a year of observing the daily procession still look on with uncomprehending eyes - shadowed just a little with an unexplained fear.

**But you smile. You don't want them to realize the enormity of what you're doing. You don't really understand it yourself, do you?**

You quell the small spasm of fear in your own heart, and try to hold still the heavy ball of emotion bouncing about in your stomach.

You don't really believe any thing will happen and your grip on a posture of ease and casualness is locked to the thought, "the only thing to fear is fear itself."

You cross over to Trade St., and proceed past the barber-shop where you get your hair clipped twice a month, past the pool room where you once found time to shoot a game or two, past the tavern which has been declared off-limits to you; you laugh and joke, unconsciously cheered by the sight, smell and sound of familiar things.

And then you cross Main St. or rather, you enter that "other world." Here you are also among familiar things, but it's not quite the same, is it? It's more like the familiarity of the explorer who knows his jungle well, and who manages to survive only as long as he can recognize the danger signs.

**Now you're in front of Goode's, one of the drugstores you've been picketing for the past year. Main St. is relatively quiet for a Saturday. But you know it won't be that way for long.**

**First comes the ducktailed white boys in the tight blue jeans. They'll be the last to leave too. Somehow they always seem to know when the picket line is going to start, and carrion-like, they are always there to hasten the decay of human dignity.**

You and your fellow pickets have been confined to marching in a single file within the 15 foot area immediately fronting the store. Not more than ten of you can comfortably pace the area, and it becomes a matter of taking several steps in one direction, turning and retracing your steps.

But in feeling the sensations hidden beneath your carefully controlled expression of calm, you find that boredom is not one of them.

You're an actor, but this isn't Broadway. You're in the lime light of public attention, derogatory, jeering, and abusive perhaps but don't feel too badly, brother. In this show, you're the star.

You're a "sitdowner" now.

**When one of the ducktailed toughs snatches Paul's signs again and again, challenging him to fight, you walk down to the corner and get the traffic cop.**

You tell him there's a fight going on. After all, you think, that's what he'd getting paid for..to protect us citizens as we exercise our rights.. isn't he?

**By the time the local constable gets there, Paul's assailant has disappeared. The cop sees Paul clasping the remains of a placard, so you don't look too foolish.**

**He tells you that you must**

point out the individual who committed the act, and you tell him that all you wish to do is to prevent further incidents and possible violence.

This seems to make sense to him, and in about five minutes there are about seven cops stationed in the block. But there's an odd thing about this police action and about the police force in Rock Hill, S.C. They're "blind."

Or maybe they're just color blind.

At least they didn't seem to notice when Paul was assaulted twice within the succeeding 30 minutes by toughs who would run back in the drug store.

And they don't attempt to disperse the bystanders. "Will you gentlemen move back from the sidewalk?" "We can't have you obstructing traffic . . thank you." "Move back from the door, please . . . that's it thanks."

And so the crowd grows. More storeowners stand in their doorways, and more "concerned" citizens stop and stare.

You see quite a few tan faces across the street among the crowd, and you wonder until you realize with a start that the real brunt of the hate is directed at he white pickets.

Its much easier to call such people "communists," and "nigger lovers," than to try to understand.

You want to tell them that your Caucasian friends are not shouldering your cross, but theirs.

You want to tell them that "the white man's burden" is the black man's cross.

But you don't of course. You don't tell them anything. You just keep walking.

So when the cops come up and threaten to arrest you if you don't get off the streets, you don't really mind, even though you resent the peremptory manner in which it is done. And you know that when the cops say "Don't you see all the trouble you're causin," they are purposely attacking the problem of preventing trouble at the wrong source.

"Why dont you disperse the hecklers," you want to shout back.

You want to remind him that your very own Senator Kennedy had supported the sitdown movement when he said that the chief executive, as center of the moral power in the U.S. must "support the right of every American to stand up for his rights, even if on occasion, he must sit down for them."

But then you remember that PRESIDENT Kennedy never said any such thing. So again you remain silent.

EDWARD HAAN of Chicago and Nashville, bearing "No Color Line in Heaven" sign, joins Negro pickets in anti-segregation demonstration in Rock Hill, S. C. Demonstrators protested jailing of 13 Negroes for staging anti-segregation demonstrations. Nine students went to the York County prison farm to begin serving 30-day jail terms rather than pay $100 fines. UPI

# Rock Hill students defy pressures

ROCK HILL, S. C. — As of April 1, the third straight month of picketing was begun by Friendship College students here.

During this period, over 20 students and four adults have been arrested. Thirteen of the students, including two girls, served 30-day jail sentences.

Despite the prison terms served, all of the convictions are being appealed.

* * *

THE LATEST convictions were those of the Rev. C. A. Ivory, Paul Dietrich, white, of Washington, D.C., and George A. Hackley, Rockville, Md. These convictions, too, are being appealed.

Judge Billy Hayes found the three guilty of breach of the peace, following an all-day trial on March 23.

The Rev. Ivory, president of the local NAACP, was fined $40 and the other two $65 each. All were given 30-day jail sentences on condition they are not arrested again for sitdown demonstrations.

* * *

THE STATE - WIDE youth rally was held at Friendship College on March 26. Approximately 150 youth delegates attended.

The state motor vehicle division withdrew its revocation of the driving license of the Rev. Ivory and gave him 30 days to equip his automobile with extra apparatus to compensate for his being cripple.

When the license was revoked, the Rev. Ivory charged it was due to his participating in anti-segregation activities.

roes.

At an open-air ceremony speakers praised the students and the parents who stood behind them. Friendship College President James H. Goudlock called the students "martyrs" in the cause of justice and equality.

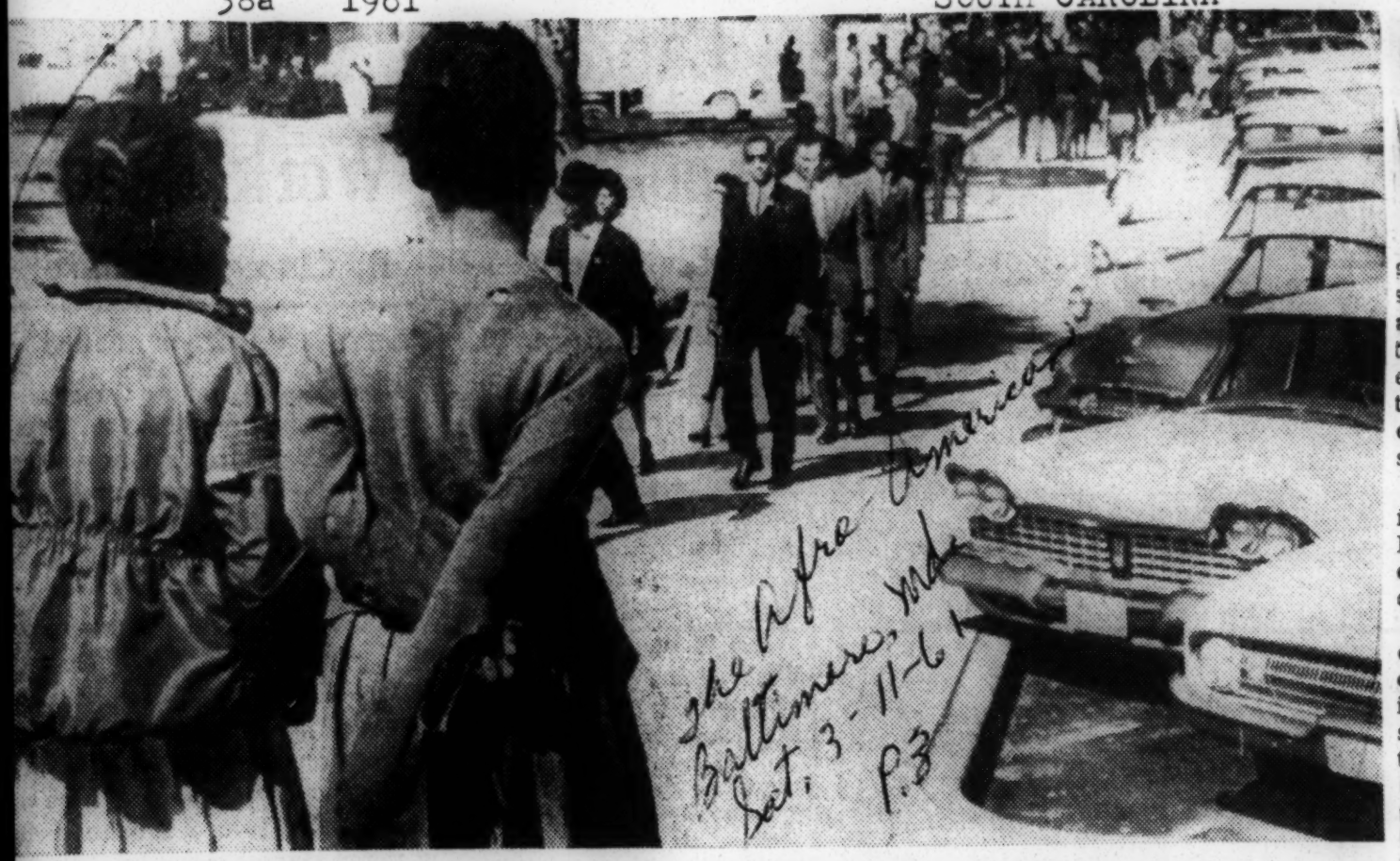
Thomas Gaither, CORE field secretary and one of the nine released from the road gang, urged "liberal Christian-hearted people to come to the forefront with pressure to work out a peaceful and immediate solution to the problem of segregation in Rock Hill community life."

Robert McCullough, speaking for the Friendship students, said "Segregation is evil. I cannot cooperate with it. If it is necessary, I and my fellow CORE members will return to the picket line and to the road gang to continue the struggle."

It was announced at the rally that the nine would go to New York for a week of radio, television and personal appearances. CORE is the sponsor of the trip.

# Praise Sit-In Martyrs

ROCK HILL, S C. — Nine CORE members freed from the York County, S. C., road gang were greeted at Friendship Junior College as returning he-



GETTING AN EYEFUL of the student protests, young girls stand on the Capitol steps at Columbia, South Carolina, Thursday, watching approaching students in a demonstration against segregation. Police later arrested 190 of the students, who were accused of defying orders not to demonstrate on state property. Eighty-five women were among those arrested. One white student from the University of South Carolina was also among them.

# S.C. Governor Blocks 'Sit-In' Settlement

By JOHN H. McCRAY

COLUMBIA, S. C.—Though most Main St. merchants are beginning to feel the pinch from the loss of Negro business and are willing to bow to the inevitable, peaceful lunch counter desegregation is being blocked by Gov. Ernest F. Hollings and his conspirators.

Merchants in Greenville, Rock Hill and other cities are pressuring local governments for a solution to the problem. Negroes are also pressuring the same city officials, all of whom are up for reelection soon. These officials, in many cases, owe their offices to the Negro voting factor.

This reporter learned during the week that several city and local public officials have conferred with Governor Hollings. Most have suggested creating a special bi-racial committee and empowering it to get store operators and Negroes together.

However, a reliable city officer told The Courier, "We're in this position: we cannot afford to act contrarily to the Governor's program. We'd be massacred were we to do so. We believe our merchants would quickly desegregate their counters if he (Mr. Hollings) would permit them to. You know, he's supposed to be running for U. S. Senate next year and he wants to maintain the status quo."

Merchants who would desegregate face another threat: the White Citizens Council, which appears to be "calling the shots" of Governor Hollings on this issue. Chief J. P. Strom of the State Law Enforcement Division, Hollings' personally controlled law arm, declared publicly that the White Citizens Council had admirably handled sit-in matters in Rock Hill.

Meanwhile, with more than 800 Negroes and whites arrested for sit-ins during the past 2 to 14 months, Governor Hollings seems either unaware of, or indifferent to, the seethings of merchants, Negroes and local governmental leaders who want "out" but who are kept "in line."

# Call Sit-In's State 'Grave'

COLUMBIA, S. C. — A Negro theology student who was stabbed Monday while sitting at a variety store lunch counter reserved by white customers is in "grave" condition, the doctor who performed an emergency operation on him said Tuesday.

"His condition is critical. It is grave. It could be fatal," Dr. C. O. Spann said after operating on Lenny Glover, 24, of Columbia.

Glover, a student at Benedict college here, said he and another Negro integration leader identified as David Carter were sitting at the lunch counter at the F. W. Woolworth store on the city's main street when the stabbing occurred.

Glover said a stocky white man came up behind him, muttered, "Are you having fun?" and then stabbed him in the left side with a small knife.

Hospital officials believed at first that Glover was not badly hurt. It was later revealed, however, that his spleen was injured and had to be removed.

The store manager confirmed that "a scuffle" had taken place at the lunch counter.

police search.

Demonstrators have been attacked before but there have been no known reports of weapons being used. However, Miss Mae F. Moultrie, a student at Morris college, Sumter, S. C., was injured in Sumter recently, when a policeman pushed her face down causing injuries to her chest, legs and head.

# Benedict Student Sit-Inner Knifed By White Man

Columbia, S. C.—A Benedict college student, Lennie Glover, was stabbed at a white lunch counter here last week, marking what is apparently the first time a sit-in demonstrator has been injured by a deadly weapon in this state.

The youth's doctor said an exploratory operation revealed some vital organs was punctured, and there was severe loss of blood.

The white man who plunged a knife into the student at a Woolworth's store disappeared into the downtown crowd and was the object of an immediate and intensive

# 'Sit-Ins' Not Stunts, Ruby Says

COLUMBIA, S. C.—One should not speak of displays such as students continue to make against segregated lunch counters, public libraries, public parks, etc., as "demonstrations."

This is the advice of Mrs. Ruby E. Hurley, Southwestern regional secretary for the NAACP.

Mrs. Hurley told newsmen at a press conference here last Friday that the word "demonstration" doesn't convey the spirit and sense behind these protests. A "demonstration," she said, connotes some sort of show or stunt with the resulting publicity being the end sought.

■

WHAT WE'VE been having for more than a year, the NAACP executive said, are protests against discrimination and prejudice, and we might do full justice to the entire cause by applying the best possible descriptive word—"protest."

The newsmen agreed with her point of view.

# Arrest all for march on Capitol

The Afro-American
Baltimore, Md.
Sat. 4-8-61

SPECIAL TO AFRO

COLUMBIA, S.C.— Notice of appeal has been filed in behalf of 189 persons convicted here on breach of the peace charges growing out of sitdown demonstrations.

The defendants are 187 college and high school students and two officials of the NAACP.

The fourth and final of a series of trials was completed March 27, with the conviction of 13 of the defendants. Fifty-two were convicted in three previous trials.

* * *

**ALL OF THE** accused were arrested March 2 for marching on the State House grounds.

The students, 85 females and 102 males, were enrolled at Benedict, Claflin, South Carolina A. and M. Colleges and the University of South Carolina.

The arrests were ordered by Harry Walker, legal aide to the governor, as the students paraded on the grounds of the State Capitol.

* * *

**ABOUT ONE** of every 10 of the students carried placards. One of the signs read: "You may jail our bodies, but not our souls."

The two NAACP officials are the Rev. I. DeQuincy Newman, field secretary, and the Rev. B. J. Glover, local president.

In sentencing the Rev. Newman to pay a fine of $100, or serve 30 days in prison, Magistrate Frank Powell declared: "I have no sympathy for you."

The lone white student among those arrested was Frederick C. Hart, resident of Washington, D.C. He did not appear at the trial, forfeiting $50 bond posted as collateral.

* * *

**THE STUDENTS** were sentenced according to their ages. Those 21 and over, $100 fines or 30-day prison terms; 17 to 21, $50 fines or 30 days; under 17, $10 fines and five days.

"Seven of the defendants were not present at the trial. However, all but one were represented by attorneys. Lanie Lighty, one of those absent, was called to report to his draft board.

Those under 17 were Brenda Janet Burton, Judith Delores Smith (Absent) Emma Jean Jones, Rebecca Williams, Leonard Lewis McCant, James Kenneth Alford, Katherine Duncan, Horace Nash, Carol Edward Brooks, Jessie Alfreda Lockhart; Joe Louis Robinson, Jimmie Norz Moore, Bernard Haire, Leon Bryant, Robert Lee McBeth, Mary Lou Sullivan, Rae L. Jones, Lucy Davis, Jenny Lou Davis, Myrtle L. Walker, Margaret A. McCray, Loretta Gertrude Bush, Bettie Jean Brown, Gloria Jean Jefferson, Rosalee Hines, Judith Jenkins, Florence Smalls, Betty Jean Capers, Minnie Dewitt, Doris D. Wright, Mary Moris, Rhunett Lindsy, Juanita Hall, Bettie Jean King and Benzer Inabinett.

Barbara Ann Cureton, Sarah Ann Wharton, Dianne Gwendolyn Blassingame and Fredrick Padgett.

Twenty-one or over were Barbara Early, Bettye Jean Mashack, Evelyn L. Robinson, John Land, Bobbie Jeane Giles, Albert Orange, Booket T. McLeod, Matthew Williams, Harold Bradonville, Shellie Stroman, Clarence Missour, John Josiah Campbell, I. DeQuincy Newman, Rupert Hickman, Herbert Lawrance Wilson, Donald Jerome Slaters, Patricia Green, John Fredrick and Mattie Thomas.

Those between 17 and 21 were Amanda Towsend, Novel Nowlin, Louvenia Griggs, Gertrude Evans, Shirley A. Green, Annie Mae Ray, Julius Duke Moses, Janet Louise Black, Juanita Waddell and Justine Simons. Mattie M. Giles, Annette Edwards, Betty Jean Wilson, Mary Doe, Albertine Myrtis Coney, Yvonne J. Goodloe, Barbara Ann Mack, Hallain Sizer, Kate Lewis, Willie Evelyn Grant, Frances Eliza Beth Johnson, Evelyn Bing, Shirley Ann King, and Althia Brown.

* * *

**MARIO DAVIS**, Sammie Pringle, Clinton Warren Hazard, Robert McTeer, Gwendolyn Watson, Yvonne Redd, Frances McDaniels, Leola Clements, Gertrude Smith, Jeanette Louise Martwell, Mary Elizabethe Ellison, Junious Leverne Reed, James K. Davis, Chonice Mae Drayton, Ottiel Ruth Jarrott, Dorothy Helen Robinson, Mary Louise English, Willie Oma Jamison, Pelicia Yvonne Young, Carrie Mae Kelly and Queen Ester Rush.

Hazel Yvonne Newberry, Betty Jean Lindsey, Sarah Elizabeth McKenzie, Willie Paul Worthy, Robert Ferguson, John Sawyer, Glenn Manning, Kennedy Claflin, Claude E. Moore, John I. Witherspoon, Travis Simon, John Wesley Miller, Mark A. Williams, Classie R. Walker, Robbie Jean Young, Regina Shirley Ann Caldwell, Sophia Pearl Lester, Leverne Durant, Bettye Jean Widemon, and William T. Robinson.

Incomplete

William Theodore Boggs, Henry Earl Thomas, James Edward Coleman, Bernard Nathaniel Riggins, Floyd Alvin Gilmore, McArthur Jake Bishop, Charlie Flemming.

# Sit-In Trials Ended

The Herald Tribune
Charleston, S.C.
Tues. 3-28-61

## 137 Persons Are Convicted At Columbia

P 6-B

COLUMBIA, S.C. (AP) — Trials on charges of breach of the peace, arising from a Negro anti-segregation demonstration at the State House, were completed Monday with the conviction of 137 persons.

Frederick C. Hart, white former University of South Carolina student from Washington, D.C., was one of six convicted in absentia.

Hart, arrested after shaking hands and sympathizing with Negro demonstrators, forfeited a $50 bond posted by his father.

In previous trials, 52 demonstrators were convicted and fined sums ranging from $10 to $100. Their convictions and those handed down Monday await appeals. Appeal bonds were set in the amount of $100.

The Rev. I. DeQuincey Newman of Columbia, NAACP official, was in the group of 137 tried Monday. Magistrate Frank Powell, in sentencing him, said, "I have no sympathy for you."

Powell handed down sentences of five days in jail or $10 fines for 13 of the Negroes who were under 17 years of age.

He set fines of $100 or 30 days in jail for 20 Negroes above 21, and issued the same sentence in the other 103 cases, with $50 of each fine suspended.

Defense and prosecution attorneys stipulated that testimony and witnesses in Monday's trials would be the same as in two previous trials in which the other 52 demonstrators had been convicted.

Police arrested 189 persons in the March 2 march on the State House.

38a 1961

SOUTH CAROLINA LUNCH COUNTER

# Boycott Set By Negroes At Rock Hill

ROCK HILL, S.C. (AP) — A mass Negro rally voted solidly here Friday night to boycott all stores on Rock Hill's Main Street for a period of 30 days, extending through the Easter shopping season.

The rally, predominantly of adults, also was told that four Negro girls will seek admission to Winthrop College, the South Carolina woman's college, in September.

No details or names were given on the attempt to integrate Winthrop. James Farmer of New York City, national director of the Congress of Racial Equality (Core), said at least four Negroes would apply for admission.

The decision to place an economic boycott on Main Street business houses was adopted by a standing vote of the approximately 400 persons attending.

The boycott is to begin immediately and will include all businesses on the main street. A Negro boycott of the same area has been in effect on Fridays and Saturdays during recent weeks.

The rally, followed by a dance, was staged in honor of 13 students who recently served 30-day jail terms in York County rather than post bond for breach of peace convictions growing out of anti-racial demonstrations.

# Road Gang Sit-Ins Released

ROCK HILL, S. C. — Nine CORE members freed from the York County, South Carolina road gang were greeted at Friendship Junior College as returning heroes.

At an open-air ceremony speakers praised the students and the parents who stood behind them. Friendship College President James H Goudlock called the students "martyrs" in the cause of justice and equality.

# Rock Hill Officials Prohibit Gatherings

ROCK HILL, S.C. (AP) — Officials of this South Carolina industrial city moved Friday to strengthen police efforts to curb violence resulting from racial demonstrations.

Mayor John Hardin, after a two-hour meeting with other municipal officials, announced that all "group concentrations of any sort" would be banned until further notice.

He said, however, that the edict did not mean that no further anti-segregation picketing would be allowed.

"Whenever picketing provokes other groups to gather and causes a buildup of tension that, in the opinion of police, threatens the public peace and good order, we will ask all groups to move in, including the pickets," said Hardin.

He added, "It all boils down to the fact that we will step in more quickly to prevent any violence or disorder. The action of the police will be a matter of judgement of the situation at the moment."

The no-congregation edict "applies to everybody," the mayor said. "We are trying to bring some normalcy back to our city."

In another development, a Washington white man who has particpattd with Negroes in the demonstrations obtained two warrants charging a Rock Hill white man with breach of the peace.

Paul A. Dietrich, 29, claims Clement King, 37, struck him during a demonstration last Saturday and again Thursday when Dietrich was picketing a drug store.

Here is the statement issued after the conference by Hardin:

"All of us were in full agreement that during the past year every effort has been made to enforce the law in a fair and impartial manner, with full recognition of the rights of all citizens and of the need to maintain law and order at all times for all citizens. We also agreed that recent developments in our community and recent increased public tensions require firm action by the city through its Police Department to protect and preserve the public peace for the benefit of all our citizens.

"On my own behalf and in behalf of each member of city council, I appeal to all citizens of all races in this community to recognize their civic responsibility and to cooperate in maintaining law and order in our community and in easing public tensions affecting our community. Unless we join together in this mutual undertaking, the well-being of our community will continue to deteriorate.

"Through our Police Department we must establish a firm policy of preventing continued group concentrations of any sort in our congested areas regardless of their race, color, creed or purpose whenever this threatens the public peace and good order of our community.

"All citizens are urged to cooperate with our Police Department in carrying out this policy or the mutual good of all our citizens."

# 5 Negro Pickets Defy Police and Are Arrested

ROCK HILL, S.C. (AP)—Five Negroes picketing against segregation were arrested here Tuesday when they refused a police order to leave the area.

Police said the five were drawing a large crowd. Police, acting under a recent directive of the Rock Hill City Council, charged the five with breach of peace. The five remained in jail in lieu of payment of $100 bond each.

At Columbia, 75 miles to the south, antisegregation pickets marched on Main Street in front of stores having all-white lunch counters.

They carried signs declaring "If we cook for them, why can't we eat with them?" The young men and women Negro students are from Benedict College. There were no violence or arrests.

# Three Acquitted; Two Convicted In Rock Hill Case

ROCK HILL, S.C. (AP)—Three Negro girls were found innocent Thursday of breach of peace charges stemming from an anti-segregation demonstration. Two other Negroes were convicted in Recorder's court here.

Found guilty were Willie Thomas Massey, 18, of Rock Hill and Jacqueline Horry, 17, of Mount Pleasant. Massey was fined $100 or 30 days, reduced to $93 and 28 days because he had served two days in jail. Miss Horry was given $30 or 30 days. Both indicated they would appeal. Bond of $200 was set for Thomas and $60 for Miss Horry.

Judge Billy D. Hayes found the three girls innocent when they testified they did not hear police tell them to disband a picket line in downtown Rock Hill on Tuesday. City Council recently adopted an ordinance forbidding picketing which attracts large crowds.

Found innocent were Macie Lee Giles, 19, Sharon; Thelma Davis, 21, Andrews, and Patsy Ann Simpson, 18, North Charleston.

# Negro Pastor Arrested In Row At Rock Hill

By The Associated Press

A Negro minister was among three persons arrested at Rock Hill, S. C., yesterday during a disturbance at an antisegregation demonstration in front of a drugstore in the racially tense city near the North Carolina border.

Charged with breach of the peace, police said, were the Rev. C. A. Ivory, pastor of Herman Presbyterian Church and president of the Rock Hill chapter of the N.A.A.C.P.; Paul Dietrich, a white man from Washington, D. C., and George A. Beckley, 26, a Negro from Rockville, Md.

At Columbia, S. C., the State Capital, eight Negro college students staged sit-ins at lunch counters for white persons in the downtown area. No arrests were reported.

In Lynchburg, Va., 16-year-old Negro high-school pupil, Mandaline E. Thompson, was sentenced to 30 days in jail on a charge of violating the State's antitrespass low. She appealed.

# TV Cameraman Convicted for Sit-In Pictures

SUMTER, S.C. (AP) — Television cameraman George Carras Thursday was convicted of trespassing for taking pictures while a Negro sit-in demonstration took place here last month.

Carras, of WSOC-TV, Charlotte, received a $100 fine or 30-day jail sentence from Recorder's Court Judge Ramon Schwartz. A trespass charge against Boyce Stradley, a charter pilot who flew Carras to Sumter Feb. 14, was dismissed.

# Nine S. C. Sit-In Students Freed From Road Gang

ROCK HILL, S. C.—Nine CORE members freed from the York County, South Carolina, road gang were greeted at Friendship Junior College as returning heroes.

At an open-air ceremony speakers praised the students and the parents who stood behind them. Friendship College President Jas. H. Goudlock called the students "martyrs" in the cause of justice and equality.

Thomas Gaither, CORE field secretary and one of the nine released from the road gang, urged "liberal Christian-hearted people to come to the forefront with pressure to work out a peaceful and immediate solution to the problem of segregation in Rock Hill community life.

# Released, jailed students praised

ROCK HILL, S. C. —Approximately 1,250 applauding well - wishers and supporters attended a series of affairs held here March 10 honoring the 13 students who served 30-day jail terms for sitdown demonstrations.

The meetings were a mass rally, a banquet and two dances, one for adults and the other for students.

The 13 students, 11 males and 2 females, appeared as guest of honor at each of the affairs.

Nine of the students were released March 2 and the remaining four on March 8.

* * *

**THE NINE WHO** are students of Friendship Jr. College here were greeted by Dr. James H. Goudlock, president, as "martyrs in the cause of justice and equality."

Speaking for the nine, Robert McCullough said: "Segregation is evil. I cannot cooperate with it. If it is necessary, I and my fellow CORE members will return to the picket line and to the road gang to continue the struggle."

At the mass meeting a resolution was unanimously adopted calling for a "30 - day buying fast on Main St.," the street where the arrests occurred.

* * *

**THE MAIN SPEAKER** at the meeting was James Farmer, national chairman of the Congress of Racial Equality.

Farmer hailed the 13 students as being among the front rank fighter for democracy and equality.

"The biggest lie of temporary times is just a lie — that colored people are satisfied with segregation."

Despite attempts by city and state authorities to stifle the picketing of downtown stores by students, the pickets still appear almost daily.

* * *

**THE TRIAL** of the Rev. C. A. Ivory, president of the local chapter of the NAACP, on last Thursday was postponed indefinitely. He was arrested last month along with two other persons, one white, on charges of inciting to violence.

# Fine 19 for Using Library

SUMTER, S. C. + Nineteen Morris College students were convicted on breach of peace charges in Magistrate Court. Magistrate Ramon Schwartz levied fines of $100 each, or 30 days in prison.

Charges against three students were dropped; one other's case was continued. All were arrested Feb. 21 when they entered the public library and requested use of certain volumes.

One, Martin L. Johnson, testified that he had come to the library after the volume he sought for research wasn't to be found in the Negro portion of the public library.

Atty. E. A. Finney made several motions for dismissal of the charges on grounds that the library is supported by public taxes and that applying for services at it does not constitute violation of any laws.

The magistrate ruled, however, that breach of peace could occur on public, as well as private property. The cases have been placed on appeal.

Librarian C. J. Milling testified that all of the students were orderly at the time he summoned city policemen who made the arrests.

38a 1961 SOUTH CAROLINA LUNCH COUNTER

# Editor Fears 'We're In For It'

The Afro-Amer. Baltimore, Md
Sat. 2-18-61 p. 1

By SAMUEL HOSKINS
AFRO Staff Correspondent

ROCK HILL, S. C. — "Rip" Wilder, managing editor of the Rock Hill Evening Herald, has a reputation among local residents of being a "good guy."

Like many other good Rock Hillians, Wilder is concerned over the probability that "our town" will become a battle-field of the Sitdown War.

"Rip" voiced his fear when I talked with him, last week, He said: "Of all the places in the world, it has to happen here in Rock Hill."

* * *

**MY VISIT** with Wilder occurred a couple of hours after the town's young jurist, City Recorder Billy D. Hayes, convicted four out-of-town youth leaders and sent them to prison for 30 days, in lieu of payment of $100 fines.

Two of the convicted youngsters were girls, one of them only 18 years of age.

The previous week Recorder Hayes sent up 10 local students for similar terms.

All 14 were adjudged guilty of trespassing because they sought to purchase food at lunch counters of two local stores, McCrory's and Good's drug store.

**"WHERE DO** you think it will end?" I asked Wilder, a big, soft-spoken fellow with a pleasant smile and a slight limp on the right side.

He hesitated a long moment, glancing around the city room as if in search of an answer. Finally he said: "I don't know, but it looks like we're in for it." His words dried up into inaudibility.

Then, clamping his teeth until the muscles of his jaws jutted out like rip cords, the managing editor added: "I'm afraid Rock Hill is about to become a battle-field in a test which local people will have very little to do with."

**FOURTEEN IN HERE** — This is the scene inside York County Prison Camp at Rock Hill, S.C., where 14 students are serving 30 days at hard labor. Their crime: they asked for sandwiches

**This was** a reference to the fact that the last four students were from out of town (Nashville, Tenn.; Charlotte, N.C.; Atlanta, Ga., and Petersburg, Va.) and the promise of more to come.

**BEHIND THIS REFERENCE**, too, was an allusion to the Chamber of Commerce image of Rock Hill and the intimation that these "outsiders" are threatening to harm this image by involving this quiet, peaceful community in a sociological and legal struggle not of its own making.

As if thinking out loud, Wilder mused: "Yet, I don't think we can afford to toss out our trespassing laws. If we do, it simply will lead to something else."

For a sadistic moment I was tempted to be mean to this "good guy" and prod him into elaborating on the "something else," but decided against it.

My reason for not pressing the issue was that by "something else" Wilder undoubtedly alluded to such intangibles as "custom," "tradition," "our way of life" and similar cliches which are as false as the Chamber of Commerce image of Rock Hill.

**HERE, IN PART,** is the image:—

A Piedmont paradise of nine square miles, 60 feet above sea level, with a harmonious and happy population of 30,000.

A modest metropolis steeped in historical romance dating from 1852 when the town got its name from a flint-rock hill workers encountered during the construction of the Charlotte, Columbia and Augusta Railroad.

A "city of industry" where the consumer spending income per household is the highest in the state.

A city of 25 beautiful churches which "testify" to a "well rounded religious life."

* * *

**A CITY OF** good government which "shines like a beacon."

A city of one of the finest school systems in the state.

A city of excellent medical, cultural and recreational facilities.

This is the Chamber of Commerce image. The creator of the image is Vernon Grant, the artist who painted the deliciously mouth-watering drawing which graces the sides of millions of Rice Krispies' boxes on grocery shelves throughout the U. S. and numerous countries abroad.

Unfortunately, the quality inside the Rock Hill package falls far short of that found inside the Rice Krispies' boxes.

**THE TRUTH** is Rock Hill is no paradise for the approximately 30 per cent of its population which is colored.

Employment for colored in the industry the Chamber of Commerce boasts of is limited, in the main, to unskilled jobs.

The good government which allegedly "shines like a beacon" does not light up for the non-white element of the population.

The local government has no colored represenation. Only one government sub-division has a colored member—the city planning board.

* * *

**THERE ARE** only three colored officers on the entire police force, and these are assigned —in the main — to duty in non-white areas.

While seven of the city's 23 schools are allotted to colored, in almost every instance the segregated schools prove again the fallacy of the "separate but equal" theory, quantitatively and qualitatively.

As for the "well rounded religious life" of the community not a single white church congregation has dared to raise its voice in protest to the un-Christian and morally indefensible sitdown convictions and imprisonments.

The dividing line runs through the city's medical, cultural, recreational and public accommodation facilities. And always it's the colored citizens who are left holding the inadquate end of the stick.

**IN BRAZEN** defiance of both court rulings and interstate commerce regulations, there is a sign over the entrance of one of the two waiting rooms at the railroad station which reads:—

**"Colored Interstate Passengers Waiting Room"**

There are similar signs at both bus stations of the city.

When colored protested segregated seating on local buses, the city and bus company agreed to discontinue public transportation rather than the jimcrow policy.

* * *

**THE CHAMBER** of Commerce points with pride to the city's higher education facilities.

"In addition to Winthrope College," the chamber states, "two Negro junior colleges are (located) here."

**The boast** is deceiving. The chamber fails to point out that the two junior colleges, supported by private church groups, do not adequately meet the higher educational needs of the colored community.

On the other hand, Winthrope College which is supported by public funds (budget $1,653,000) bars colored students on a basis of race.

* * *

**THE CHAMBER** of Commerce also boasts that Winthrope College, located here in 1895, is a cultural center which enriches the life of the city.

Each year nationally known music personalities, symphonies and operas are presented by the college's music conservatory.

Shortly thereafter the janitor's wife to work with him and recalling an experince of her to watch the performance from backstage. I asked a local matron if colored persons may attend these events. She answered: "I think that answers your question." It did. The man was required to work nights events were held.

* * *

**FOLLOWING** A gale of humorless laughter, the matron said: "good guys" did. things that the "good guys" relating of this incident did more than answer my question. It explains some of the heretofore unanswered questions about the young-sters in the Sitdown Crusade. The inci-dent ought to know. It explains the letter young

Frank Graham wrote his mother prior to going on the dime store demonstration which resulted in his being sent to the county chaingang.

Frank wrote: "I want you to know that this is something that I really and truly want to do. I just have to. . .We're going (to jail) for the betterment of all colored people."

* * *

VISITING YORK County Prison Camp, Mrs. Mary Gill, 95-year-old great-grandmother of John Gaines, pleaded with the boy to permit himself to be bailed out. Give up this foolish idea," she begged.

"I can't do that grandma," the boy said. "There's more to it than that."

Mrs. Gill cried, but I don't think she was surprised by Gaines' refusal.

Earlier she had told me in the presence of a local school teacher: "I don't want to die for nobody but myself, but then he'd rather die than to go through with what we did."

THOMAS W. GAITHER, who has been arrested several times for sitdown demonstrations, shouted through the prison camp bars to visiting students, saying: "We can't win except by using ourselves as weapons in this struggle for freedom."

Miss Diane J. Nash, the Fisk University student arrested here, voiced a similar dedication from the witness stand.

City Attorney C. W. F. Spenser asked her if it were not true that she came to Rock Hill to be arrested.

She said she did not come to be arrested, but was not surprised that she was.

But I'm willing to be arrested, even sent to prison if it will make things better in Rock Hill and consequently, in the South and the country as a whole," the student declared.

* * *

A BALANCE for benefit of confused "Good guys" everywhere, a few observations are in order.

The Sitdown Crusade (and it's just that) is an assault on codified community irrationality mistakenly labeled custom" and/or "tradition," backed by public police power and compounded by judicial authority.

It is a protest to public law being twisted and distorted to make a criminal action of a mere request for service in a place of public accommodations.

It is a fight against public law being used as an instrument to perpetuate private customs rooted in racial bigotry.

* * *

TO THE EXTENT that these practices occur and are upheld here, Rock Hill is responsible for making of itself a battle ground.

So are all the Rock Hills everywhere in the South.

To say that the Sitdowners are coming is to err. They are here, and always were, and they are not trespassers.

# Negroes Keep Up Pressure In Carolina

ROCK HILL, S.C. (AP) — One thousand Negroes from many cities supported the "jail, no bail" stand of 13 imprisoned college students by gathering here Sunday—Emancipator Abraham Lincoln's birthday—for a triple protest against segregation.

A few tried to get into Sunday services at white churches, being admitted to three and turned away from two.

Six hundred then proceeded by motorcade to jails at the York County seat of York, 15 miles away, where the 11 men and two women Negro students have chosen to spend 30 days. They are in their second week of imprisonment rather than post bonds to appeal their convictions of trespassing by refusing to leave the segregated lunch counter of a Rock Hill variety store.

After the motorcade, about 1,000 Negroes gathered for a 2½-hour rally at the new Mt. Olivet African Methodist Episcopal AME Zion Church, here.

**PROTEST JAIL SENTENCES** — Pickets demonstrate at McCrory's store in NYC protesting jail sentences imposed on nine youths for their sit-in demonstration in a southern store of the company. The youths were sentenced to jail terms in Rock Hill, S.C., for refusing to leave a segregated lunch counter. The pickets, from the Congress of Racial Equality, wear striped prison costumes and carry sledge hammers. CORE said the nine jailed youths were sentenced to labor on a chain gang.

# *Police Meet Negro Motorcade*

## Split Up Group Visiting Prison

Rock Hill, S. C., Feb. 12 (AP) —A cordon of law-enforcement officers set up a barricade Sunday to block a Negro pilgrimage to York County Farm, where 11 sit-in demonstrators are imprisoned.

A ring of more than 100 policemen, mainly State Troopers, circled the farm as a caravan of more than 300 Negroes approached.

The Negroes first efforts to enter the compound were stymied by troopers and the caravan of more than 60 cars was forced to circle back and forth along a 10-mile stretch of highway in front of the prison.

**5-Minute Visit Allowed**

Arrangements were finally made between Negro leader James McCain and Chief J. P. Strom of the State Law Enforcement Division to permit the Negroes to enter the compound 10 cars at a time, pay a 5-minute visit to the imprisoned demonstrators, and leave.

The Negroes had spread the word Saturday that they would stage the pilgrimage—and the State prepared to meet them with a show of force.

State and local authorities said they were of the opinion the proposed pilgrimage "would constitute a security problem and could resolve itself into a serious emergency."

**Mass Meeting Follows**

The pilgrimage was followed by a mass meeting at which some 600 Negroes voted to ask United States Attorney General Kennedy or his representative to come to Rock Hill "to witness trials and obstacles to life, liberty, and the pursuit of happiness of a vast section of the South Carolina population."

38a 1961

SOUTH CAROLINA

LUNCH COUNTER

# Negroes On Bread, Water, In Solitary In York Jail

The News & Courier Charleston S.C.

Mon. 2-20-61

ROCK HILL, S.C. (AP)—A Negro minister disclosed Sunday that eight of the 11 Negro students jailed at York County Prison Camp after being convicted of charges stemming from anti-segregation demonstrations are in solitary confinement.

A ninth student, said the Rev. C. A. Ivory, has been transferred to the York County Jail, where two Negro coeds are imprisoned, also for anti-segregation offenses.

Charles C. Maloney, superintendent of the prison camp, said the eight were placed on bread and water in solitary confinement Friday for sitting down and refusing to obey orders.

"We will let them out," Maloney continued, "when they show us they are ready to go to work and obey orders."

The Rev. Mr. Ivory, who is president of the Rock Hill chapter of the National Association for the Advancement of Colored People, said that visitors were permitted Sunday at the prison camp for only Joseph Charles Jones and Charles Melvin Sherrod. Jones, of Johnson C. Smith University in Charlotte, N.C., and Sherrod, of Virginia Union University in Richmond, were convicted of trespassing during a sympathy demonstration for the nine Friendship College students jailed at the camp for an earlier demonstration.

The minister said that John Alexander Gaines of Rock Hill had been transferred from the prison camp to the York County jail for making some type of motion toward a prison official. He said the eight students began a fast in protest against the transfer of Gaines and in protest against what they termed overwork.

The minister said he was told that on one day, the 11 students working as one gang, loaded 36 truckloads of dirt while 27 other prisoners, working in another detail, loaded only 21 trucks.

J. Ed Allen, supervisor of the prison camp, declined to comment on the reason for Gaines' removal.

But Allen said the eight "struck on the job. They just sat down and refused to work when we moved one (Gaines) off the job back to camp."

When they were returned to the camp, Allen continued, "they began a hunger strike."

The eight are: Robert Lewis McCullough, James Frank Wells, Clarence H. Graham, Thomas Walter Gaither, Willie Edward McCleod, David Williamson, Mack Cartier Workman and Willie Thomas Massey. All are from Friendship College at Rock Hill and they chose to serve 30 days in prison rather than post $100 appeal bond each on their conviction of trespassing at a white lunch counter. They are due to be released March 2.

Jones, Sherrod and the two coeds in jail—Diane Judith Nash of Fisk University, Nashville, Tenn., and Ruby Doris Smith of Spelman College, Atlanta, Ga.—are due to be released March 8.

Meanwhile, a white man and a Negro newspaper reporter from Washington chose to stay in jail at Rock Hill Sunday awaiting their trial for breach of the peace during a sympathy demonstration Saturday.

## 8 in Sit-ins Put In Solitary

The Atlanta Constitution

ROCK HILL, S. C. (AP)—Eight of 11 Negro students jailed at York County Prison Camp after recent antisegregation demonstrations are in solitary confinement.

This was confirmed Sunday by prison camp Superintendent Charles C. Maloney, who said the eight were placed on bread and water in solitary confinement Friday for sitting down and refusing to obey orders.

Mon. 2-20-61

"We will let them out when they show us they are ready to go to work and obey orders," Maloney said.

## Says Sit-Ins Given Solitary For Singing

Atlanta Daily World

By United Press International

A national Negro leader wired Kennedy Monday that eight Negro inmates of a South Carolina prison camp were thrown into solitary confinement for "singing hymns." The charge was sharply denied by prison officials.

"We put them in solitary when they threw down their shovels and quit work Friday," said J. Ed Allen, superintendent of the York County prison camp at Rock Hill, S. C.

James Farmer of New York, national director of Congress of Racial Equality CORE, told Kennedy in his telegram the Negroes were penalized for singing hymns during morning devotions, "this interference with the personal and religious freedom of these young Americans piles one illegality on another," he said.

Allen said the group received solitary confinement originally "for their interference with the rights of others.

"During the night of Feb. 14 and the following morning they started caterwauling and set up such a disturbance that other prisoners couldn't sleep," he said.

Allen said the Negroes, serving 30-day terms for staging sit-in demonstrations at segregated lunch counters, had drawn solitary confinement since Friday for refusing to join prison work gangs.

## Arrests Made In Sit-Ins

The News & Courier Charleston, S.C.

### 3 Are Held In Rock Hill; Columbia Hit

Fri. 2-24-61

BY THE ASSOCIATED PRESS

Three arrests in Rock Hill marked anti-segregation sit-in demonstrations in South Carolina Thursday.

A handful of Negro college students staged sit-ins at white lunch counters in downtown Columbia.

At Rock Hill, the three arrested declined to post $100 bonds each on cahrges on breach of the peace. They were arrested in front of a drug store.

They were the Rev. C. A. Ivory Negro minister and head of the Rock Hill Chapter of the National Association for the Advancement of Colored People; Paul Dietrich, 29, a white man from Washington, active in integration work there, and George A. Beckley, 26, a Negro, of Rockville, Md.

Thirteen young Negroes, most of them college students, already are serving time at Rock Hill in previous demonstrations.

The Columbia sit-ins marked the third day in a row of such demonstrations at the state capital. There were five arrests of students in Columbia Wednesday on trespass charges, and seven Tuesday. All are free on bond.

A march of Morris College students at Sumter Tuesday marked a heavy demonstration there. Sixty-five arrests were made. Bonds of $100 were posted.

## Eight Demonstrators Enjoy Meal In Jail

The News & Courier

ROCK HILL, S.C. (AP) — Eight Negro demonstrators in a disciplinary cell at the York County Prison Camp accepted and ate second helpings Monday of the full meal given every third day to prisoners on bread and water.

Prison Superintendent Charles C. Maloney disclosed that it was the second tour of disciplinary confinement for the eight, the first for a "sing-in" refusal to work and the second for a sit-down refusal.

It was learned that some of the Negroes previously identified as students after their arrests for sit-in demonstrations hardly qualified as students. At least two are employes of oragnizations seeking racial goals.

All told, 11 young Negro men chose confinment, "Jail - No Bail," at the prison camp rather than post appeals bonds of $100 on their convictions of trespassing at white lunch counters in downtown Rock Hill. Of the 11, one has been transferred to the York County Jail, two were on the camp sick list and eight are in the disciplinary cell.

In addition, two Negro coeds, also convicted of trespassing, are confined in the York County Prison.

Prison authorities said that the eight showed no indication Monday of giving up their sit-down protest against what they termed overwork and the transfer of one of their companions, John Alexander Gaines, to the jail.

They will be released, Maloney has said, "when they show us they are ready to go to work and obey orders."

York County Supervisor J. Ed Allen said the eight consumed second helpings of the meal offered them Monday: cabbage, peas, beans, bread and meat. Bread-and-water prisoners get a full meal every third day and this was the third day of their disciplinary confinement. The eight are in one cell, rather than in solitary cells.

Meanwhile, three men arrested on breach of the peace charges after a scuffle Saturday following a "sympathy" demonstration for the jailed students withdrew the charges they had brought against each other. In Rock Hill Recorder's Court, Paul David Dietrich, 29, white, of Washington and Franklyn Hunt, 21, Negro reporter for the Baltimore Afro-American, of Washington, dropped their charges against George Morgan, 22, of Rock Hill. Morgan, a white spectator at the demonstration, in turn, dropped the charges he had filed against Dietrich and Hunt.

The Congress on Racial Equality (CORE), in New York, telegraphed President Kennedy protesting the disciplinary action against the Negroes in the prison camp and identifying one of them as a full-time field secretary for CORE.

## 2 Area Men, Pastor Held In Race Case

The Washington Post

ROCK HILL, S. C., Feb. 23 (AP)—A Negro minister and two other persons were arrested here today and charged with breach of the peace during an anti-segregation demonstration.

They were identified as Rev. C. A. Ivory, a local Presbyterian minister; Paul Dietrich, 29, of 2928 Porter st., Washington, and George A. Hackley, 26, of Rockville, Md.

The three were demonstrating in front of a drug store when they were arrested. They were jailed in lieu of $100 bond each. This makes a total of 16 persons, including two girls, imprisoned after demonstrations here this month.

Demonstrating Negroes Stage Anti-Segregation March In Rain at Greenville, S. C.

*Refuse To Obey Orders*

# Convicted Students In Solitary Confinement at Rock Hill, S. C.

By JOHN H. McCRAY

ROCK HILL, S. C.—An estimated 1,500 persons met and marched in protest of the imprisonment of 13 Negro students in York County.

Later, some 300 others marched against arrests of three students and two white newsman in Sumter. Another 200 made sit-ins of Columbia, Thursday.

About 1,000 of those in Rock Hill met in Mt. Olivet AME Zion Church, and heard Atty. F. A. Finney Jr., charge that officers had arrested ten male students "within 18 seconds" after they entered McCrorey's Variety Store and put nine of them on the chain-gang.

It was the first anniversary of Rock Hill sit-ins. Some 500 others formed a motorcade to the county's stockade for brief visits in groups of ten with the jailed students. Some 100 state and county officers were on hand for the occasion.

■

**SOME 50** students using a bus from Nashville, Tenn., made sit-ins in the Rock Hill bus terminal. None were arrested. They made the test while preparing to leave Rock Hill, which they'd visited for the nation-wide rally.

At Sumter, police arrested three Morris College students as they attempted sit-ins on Main St.

Two Charlotte, N. C. white men, one George Carras, 36, a WSOC-TV news cameraman, the other, a chartered pilot hired to fly him to Sumter, Boyce Stradley, 46, were also jailed. All five were charged with disorderly conduct and held under $100 bond for magistrate's court.

The students were: Herman K. Harris, Lancaster, S. C.; Ivor G. Moore, Bronx, N. Y., and Eddie Drummond, Greenville, S. C.

ROCK HILL, S.C. (AP)—A Negro minister disclosed Sunday that eight of the 11 Negro students jailed at York County Prison Camp after being convicted of charges stemming from anti-segregation demonstrations are in solitary confinement.

A ninth student, said the Rev. C. A. Ivory, has been transferred to the York County Jail, where two Negro coeds are imprisoned, also for anti-segregation offenses.

Charles C. Maloney, superintendent of the prison camp, said the eight were placed on bread and water in solitary confinement Friday for sitting down and refusing to obey orders.

"We will let them out," Maloney continued, "when they show us they are ready to go to work and obey orders."

The Rev. Mr. Ivory, who is president of the Rock Hill chapter of the National Association for the Advancement of Colored People, said that visitors were permitted Sunday at the prison camp for only Joseph Charles Jones and Charles Melvin Sherrod. Jones, of Johnson C. Smith University in Charlotte, N.C., and Sherrod, of Virginia Union University in Richmond, were convicted of trespassing during a sympathy demonstration for the nine Friendship College students jailed at the camp for an earlier demonstration.

The minister said that John Alexander Gaines of Rock Hill had been transferred from the prison camp to the York County jail for making some type of motion toward a prison official. He said the eight students began a fast in protest against the transfer of Gaines and in protest against what they termed overwork.

The minister said he was told that on one day, the 11 students working as one gang, loaded 36 truckloads of dirt while 27 other prisoners, working in another detail, loaded only 21 trucks.

J. Ed Allen, supervisor of the prison camp, declined to comment on the reason for Gaines' removal.

**Refused To Work.**

But Allen said the eight "struck on the job. They just sat down and refused to work when we moved one (Gaines) off the job back to camp."

When they were returned to the camp, Allen continued, "they began a hunger strike."

The eight are Charles Taylor of Rahway, N.J., and these Rock Hill area students: Robert Lewis McCullough, James Frank Wells, Clarence H. Graham, Thomas Walter Gaither, Willie Edward McCleod, David Williamson, Mack Cartier Workman and Willie Thomas Massey. All are from Friendship College at Rock Hill and they chose to serve 30 days in prison rather than post $100 appeal bond each on their conviction of trespassing at a white lunch counter. They are due to be released March 2.

Jones, Sherrod and the two coeds in jail—Diane Judith Nash of Fisk University, Nashville, Tenn., and Ruby Doris Smith of Spelman College, Atlanta, Ga.—are due to be released March 8.

Meanwhile, a white man and a Negro newspaper reporter from Washington chose to stay in jail at Rock Hill Sunday awaiting their trial for breach of the peace during a sympathy demonstraton Saturday.

Paul David Dietrich, 29, the white man, and Franklyn Hunt, 21, Negro reporter for the Baltimore Afro-American, chose the "Jail-No Bail" policy of other demonstrators for racial equality in the South. They did not post the $100 bond set for each.

A white sectator, also charged with breach of the peace after a brief fist fight Saturday, George Morgan, 22, of Rock Hill, was free under $100 bond.

## 2,000 March In Protest Of Jailings

# 4 more college stud

The Afro-American
Baltimore, Md.

# 30 days in Rock Hil

By SAMUEL HOSKINS

ROCK HILL, S.C. — Four college students, including two coeds, from as many states on Tuesday were sentenced to prison terms after being arrested here Monday when they sought service at a drug store lunch counter.

Convicted on charges of trespassing, the students refused to post bail pending appeal of the conviction and were sent to county prisons where they began serving 30-day terms.

The students are Misses Diane J. Nash, Fisk University; and Ruby D. Jones, Spelman College; Joseph C. Jones, Johnson C. Smith University, and Melvin M. Sherrod, Virginia Union University.

The Rev. Mr. Sherrod is a theological student from Richmond, Virginia, and one of the two students who led the eventally successful demonstrations in Richmond last Spring.

* * *

**THEY WERE** adjudged guilty of violating the state trespassing law following a two - hour hearing before Judge Billy Hayes.

Defense Counsel was Ernest A. Finney of Sumter, S.C., who argued the constitutional rights of the students are being violated when public police power is used to enforce private discrimination.

In convicting the students, Judge Hayes upheld the contention of City Attorney C. W. F. Spencer, who prosecuted the case, that the four were guilty of trespassing when they refused to leave the lunch counter when asked to do so by the owner, Dr. Faye Good.

* * *

**DR. GOOD** was one of the three witnesses who testified. The other were Miss Nash, a student leader in the sitdown movement, and the arresting officer.

The store owner admitted on cross - examination that he asked the four to leave the lunch counter because colored are not served in the store's eating facilities.

Among spectators at the trial were Mrs. Ella Baker of Atlanta, an adviser of the Students Non - Violent Coordinating Committee; Miss Connie Curry, Philadelphia, representing the students' group; James T. McCain, Sumter, CORE field secretary; and the Rev. C. A. Ivory, president of the Rock Hill NAACP.

* * *

**FOLLOWING THE** trial, Mrs. Baker said the decision to come to Rock Hill was made by the students at a regional meeting held last week in Atlanta.

"This is their way of supporting the 10 Friendship College students arrested last week at the local McCrory five and dime store."

Mrs. Baker also stated that other students may make similar decisions. If this should occur, she declared, Rock Hill may become the focal point of a southwide student protest against segregated lunch counters.

* * *

**TUESDAY AFTERNOON,** the two male students were transferred to the York County Prison Camp and the two girls to the County Prison for Women here in the city.

Expressing the sentiment of a large segment of the local population, the Rev. R. G. Toatley, Sunday School Missionary for Fairfield-McClelland Presbyteria, termed the conviction and sentencing "another miscarriage of justice."

# 36 Negroes Are Convicted In March On State House

The News and Courier
Charleston, S.C.

COLUMBIA (AP) — Thirty-six Negroes, including a minister and a 24-year-old student who was knifed by a white man, were convicted here Thursday on breach of the peace charges.

The trials of all including the injured student, Lennie Glover of Adah, Pa., stemmed from an anti-segregation march on the State House March 2. Glover attends Benedict College here.

He is still in Good Samaritan-Waverly Hospital, recovering from surgical removal of his spleen, necessitated by the knifing. His assailant has not been captured. The knifing occurred several days after the big demonstration while Glover and another student were attempting to obtain service at an all-white lunch counter at Woolworth's.

The minister convicted along with Glover was the Rev. Benjamin Glover, no relation, of Charleston. Both were given fines of $100 or 30 days in jail.

Rev. Glover is president of the Charleston Chapter of the National Association for the Advancement of Colored People.

The Glovers were among 10 adults who received the maximum sentence permitted by Magistrate Frank Powell.

Eight Negroes under 17 years old received minimum sentences of five days in jail or a $10 fine.

Thirteen Negro students over 17 but under 21 received the $100 or 30-day sentence, but Powell suspended half the fine if $50 of it is paid.

The three Negro defense attorneys immediately announced their intentions to appeal and all 36 defendants were released under $100 appeal bonds.

Powell told the eight defendants under 17:

"I have given considerable thought to young people who violate the law. The court takes notice of the fact that you are not just minors but are really just children.

"I just hope when you become a man you won't use children to fight your battles as you have been used."

He also warned them that if they should appear before him in the future their age would not be a consideration for a reduced sentence.

The magistrate then told the eight adults:

"For you I have absolutely no sympathy because each of you is a grown man. You used children to the point where they now have a police record. You've got children to fight your battle and my battle."

Powell fixed March 27 as the date for the trial of the remaining 137 persons, including one white youth, arrested in the State House demonstration. Sixteen were convicted in two previous trials.

Pickets walked outside the Richland County Courthouse as the trials were being held.

Four pickets walked quietly outside, bearing signs reading "We want justice" and "Government without justice is unconstitutional."

The prosecution put on the same witnesses it has used in previous trials — Columbia City Manager Irving G. McNayr and various law officers.

In previous trials March 7 and 13, 16 students were convicted. They gave notice of appeals. Police arrested 189 Negroes and one white youth in the big State House march.

McNayr related how the students were told as they approached the State House in downtown Columbia that they could enter the grounds as "ordinary citizens," but no demonstrations would be allowed.

He said leaders of various sections of the Negro group acknowledged that the purpose of the march was to demonstrate against segregation.

The city manager said he asked the leader of the group, ministerial student David Carter of Benedict College, to urge them to disperse.

Said McNayr, "Carter used the occasion to harangue them, using a religious type chant to arouse them to fever pitch. They began shouting, became boisterous, stamped their feet and sang loudly to the point where a dangerous situation existed."

McNayr said he then told police to begin making arrests.

Some of the youths sang a hymn entitled "We Are Not Afraid" as they returned to statehouse property after being ordered off and warned reëntry would mean arrest.

**Leader Exhorts Group**

Their leader, David Carter of Benedict college, exhorted the students in small groups.

He asked rhetorically, "Do you want to be free?" He also called out to them, "Do you want to go to jail for your rights?"

Carter told the sthdents, "We are protesting the indignities and inhumanity of segregation."

Carter was arrested with the Rev. I. DeQuincef Newman, field secretary of the National Association for the Advancement of Colored People.

Neither marched in the demonstration or entered statehouse property after being warned off. It was not known what charge was filed against them.

**Taken to Station**

The arrested students were taken to the police station in cars or were marched the four blocks in groups by police.

At the jail, Carter told 116 of the arrested youths they were arrested unjustly.

Irving G. McNayr, Columbia city manager, told the youths they were arrested only after being warned that this would happen if they continued to demonstrate. He noted that this warning was issued last year and repeated prior to the arresting of each group.

**Asks About Whites**

Carter asked why clusters of white persons were not arrested. He said McNayr and Gov. Hollings both said any such gatherings would result in arrests.

About 150 white persons watched the demonstration. Among those arrested was one white youth who identified himself as Frederick E. Hart, an Atlanta native and freshman at the University of South Carolina. He said he lived in Washington for the last eight years and attended segregated schools inplied, "I just joined."

# SEIZE NEGROES FOR MARCHING ON STATEHOUSE

Chicago Daily Tribune
Chicago, Ill.

## 150 Students Arrested in Columbia, S. C.

Columbia, S. C., March 2 (AP)—About 150 hymn-singing Negro college students were arrested here today during anti-segregation demonstrations around the state capitol.

About 200 Negroes met in the nearby Zion Baptist church prior to the march, then converged on the capitol in groups of about 12 each.

Harry Walker, legal aid to Gov. Ernest F. Hollings, met the first group and warned that demonstrations would not be permitted.

**Asked to Keep Moving**

He said they could walk around the statehouse like anybody else if they did so in small groups and kept moving.

When they continued to use the narrow walk immediately adjacent to the statehouse instead of the public sidewalk as ordered, police began to make arrests.

Walker said the charge would be illegal use of the statehouse grounds.

# NAACP pledges aid in S.C. crisis

COLUMBIA, S. C.—NAACP Executive Secretary Roy Wilkins this week pledged the "full resources" of the Association to its South Carolina state conference.

Mass arrests (192), the stabbing of an NAACP student leader during a sit-in, exorbitant bonds and unusual legal charges have made it plain that this state is becoming a civil rights storm center.

Mr. Wilkins told J. Arthur Brown, state conference president and David Carter, NAACP youth leader, that "South Carolina's unwarranted arrest of peaceful demonstrators once more gives world "round documentation to painful indignities visited on its colored citizens."

**CARTER WAS** arrested and placed under $50,000 bond, which was later reduced to $3,000, NAACP youth leader James Edwards Jr., was placed under $5,000 bond, later reduced to $2,500.

"Not only is the amount of bond uprecedented for cases of this kind, but the local authorities have introduced a new legal theory in order to thwart demonstrations," Mr. Wilkins said.

"They have charged Carter and Edwards with contributing to the delinquency of a minor," Mr. Wilkins added.

In Washington, the director of the NAACP Washington Bureau, Clarence Mitchell, conferred with Justice Department officials on the new threat to civil liberties in South Carolina.

## Columbia sitdowners defy pressure

COLUMBIA, S. C.—Despite mass arrests, alleged police brutality, court convictions and the stabbing of a student, sitdown demonstrations continue here.

The stabbing victim, Lenny Glover, pre-theology student at Benedict College, is reported improving following an emergency operation.

Stabbed March 6 by an "unknown" white assailant, Glover was treated by Dr. C. O. Spann, who said the knife wound could have been fatal.

The stabbing occurred four days after police arrest 189 students for marching on the capitol grounds.

* * *

**TWO YOUNG WOMEN** arrested at the time charged they were manhandled by police. One was hospitalized.

The cases of 21 students arrested on various charges resulting from the sitdown demonstrations are being appealed, defense counsel Lincoln G. Jenkins Jr. told the AFRO.

Associated with Attorney Jenkins in the cases are Donald J. Sampson of Greenville, S.C., and Matthew J. Perry, both members of the law firm of Jenkins, Sampson and Perry.

The students were tried Wednesday before Magistrate Frank Powell. Eight accused of demonstrating in violation of a state law were fined $100 or 30 days in jail.

* * *

**THIRTEEN ARRESTED** Feb. 22 on charges of obstructing traffic on the sidewalk were fined $100 or 30 days in jail.

The maximum fine which may be levied under the anti-sidewalk blocking ordinance is $10.

All of the convictions are being appealed.

Two students of 21 years of age also are charged with contributing to the delinquency of minors. They were said to have been the leaders in the sitdown demonstrations in which a number of minors participated.

The two accused students are James Edwards Jr. and David Carter, both students at Benedict.

**BAIL FOR** Edwards originally was set at $5,000, but later reduced to $2,500. Bail for Carter is $3,000.

Excepting the stabbed youth, trials for the other defendants are scheduled to be held this week, with groups of 8 to 16 being tried together.

## Protest Spreading In South

### Students Opposing Every Form Of Race Segregation

By United Press International

Police in Columbia, S. C. led a group of 188 chanting, hand clapping students to jail Thursday for holding an anti-segregation demonstration within sight of Gov. Ernest Hollings, office. One white youth and an NAACP official were also arrested.

Demonstrators, most of them students from South Carolina colleges, were arrested after ignoring a warning from Harry Walker, a legal aide to the governor, that state law forbids such protests on state property.

**E. E. RILEY,** dean of students at Benedict College, appeared with $1,550 in bond money and obtained the release from jail of 31 female students from the college.

A white youth, Frederick E. Hart of Falls Church, Va., was arrested with the colored marchers, but denied taking part in the demonstration. Hart, a freshman at the University of South Carolina, admitted he shook hands with some of the demonstrators because he was "in sympathy" with them.

The NAACP official arrested was the Rev. I. DeQuincey Newman, a field secretary.

**AFTER THEIR** arrest, the students were lined up three abreast and marched 10 blocks down busy Assembly street to city and county jails. The demonstrators began chanting and clapping their hands.

The law invoked Thursday was put into effect in 1958 by former Gov. George Bell Timmerman Jr. to halt a planned rally by evangelist Billy Graham on the State House steps.

**CITY COURT** hearings were set for nine youths arrested during a theater stand-in in downtown Chattanogga, Tenn. They were charged with blocking the street.

Federal Judge Frank M. Johnson held a closed session Friday in Montgomery, Ala., to hear pre-trial arguments concerning alleged discrimination against the colored voters in Bullock county, Ala.

**NEGROES** were served at two Nashville, Tenn., bus station lunch counters Thursday night. A spokesman charged that members of his race were refused service at the counters earlier in the day.

Florida Gov. Farris Bryant gave his approval, to a proposed $2.5 million publicity fund aimed at selling the rest of the country on segregation. Bryant said Florida would appropriate 500,000 of four other southern states match it.

**MEANWHILE,** sentiment in favor of mass action against all forms of segregation has been spreading throughout the South. One of the arrested youths was David Carter of Benedict College at Columbia,, S. C. He said the marching students were from Columbia, Charleston, Greenville, Spartanburg, Florence and Orangeburg, S. C.

Tallahassee, Fla., police broke up a brief sit-in demonstration by students at a white lunch counter.

At Lynchburg, Va., six jailed colored students refused again to eat while awaiting a hearing on anti trespass charges in a sit-in demonstration. They began the hunger strike Tuesday because they said they were not allowed textbooks.

**AT ATLANTA,** charges of violating Georgia's anti-trespass law were filed against 26 college students. They were among more than 80 arrested during sit-in demonstrations last month.

The Alabama Supreme Court at Montgomery refused to review the case of 14 Negroes sentenced to jail for an integration attempt on a Birmingham bus two years ago.

# 8 Students End Solitary Confinement In S.C. Prison

The Louisiana Weekly

New Orleans La.

Feb 25 1961

ROCK HILL, S. C. -- Solitary confinement with only "bread and water" was given to eight of 11 Negro students jailed at York County prison camp last Friday following their "sit down and refusal to obey orders" in the camp last week.

## BULLETIN

Tuesday the students abandoned the bread and water diet and returned to their work assignments.

Supt. Charles C. Maloney confirmed the report that the eight students were put in solitary after last week's demonstration in the prison camp.

Maloney delcared "We will let them out when they show us they are ready to go to work and obey orders."

The eight students placed in solitary confinement included: Charles Taylor of Rahway, N. J., and Rock Hill area students: Robert Lewis McCullough, James Frank Wells, Clarence H. Graham, Thomas Walter Gaither, Willie Edward McCleod, David Williamson, Mack Cartier Workman and Willie Thomas Massey.

The eight in solitary confinement, along with Joseph Charles Jones, Melvin Sherrod and John Alexander Gaines chose to serve 30 days in prison rather than post $100 appeal bonds each on their conviction of trespassing at a white lunch counter. They are due to be released March 2.

The eight students were placed in solitary confinement following their protest against the transfer of Gaines and in protest against what they termed "overwork."

According to Rev. C. A. Ivory, president of the Rock Hill chapter of the NAACP, who said "has been in jail several times in jail several times herself" brought greetings from the Negroes still behind bars. Miss Sullivan said the students are being well treated, and "are getting fat and look healthy." She added, "They are determined to stay in jail if necessary to win equal rights at lunch counters and restaurants.

Johnson, pastor of Mount Calvary Baptist Church said "even Georgia's most notorious race baiter, Roy Harris, paid tribute to the jailed sit-in demonstrators when he said "these students have guts."

visited Sherrod and Jones on Sunday, he was told that on one day the 11 students working as one gang, loaded 36 truckloads of dirt while 27 other priseners working in another detail, loaded only 21 trucks.

J. Ed. Allen, supervisor of the prison camp pointed out that the eight "struck on the job. They just sat down and refused to work when we moved one Gaines - off the job back to camp."

According to Allen, when they returned to camp, "they began a hunger strike."

In the meantime, hundreds of Negroes in Atlanta, warned not to gather around the county jail, staged a foot-stomping church prayer meeting instead last Sunday in sympathy for the jailed sit-in demonstrators.

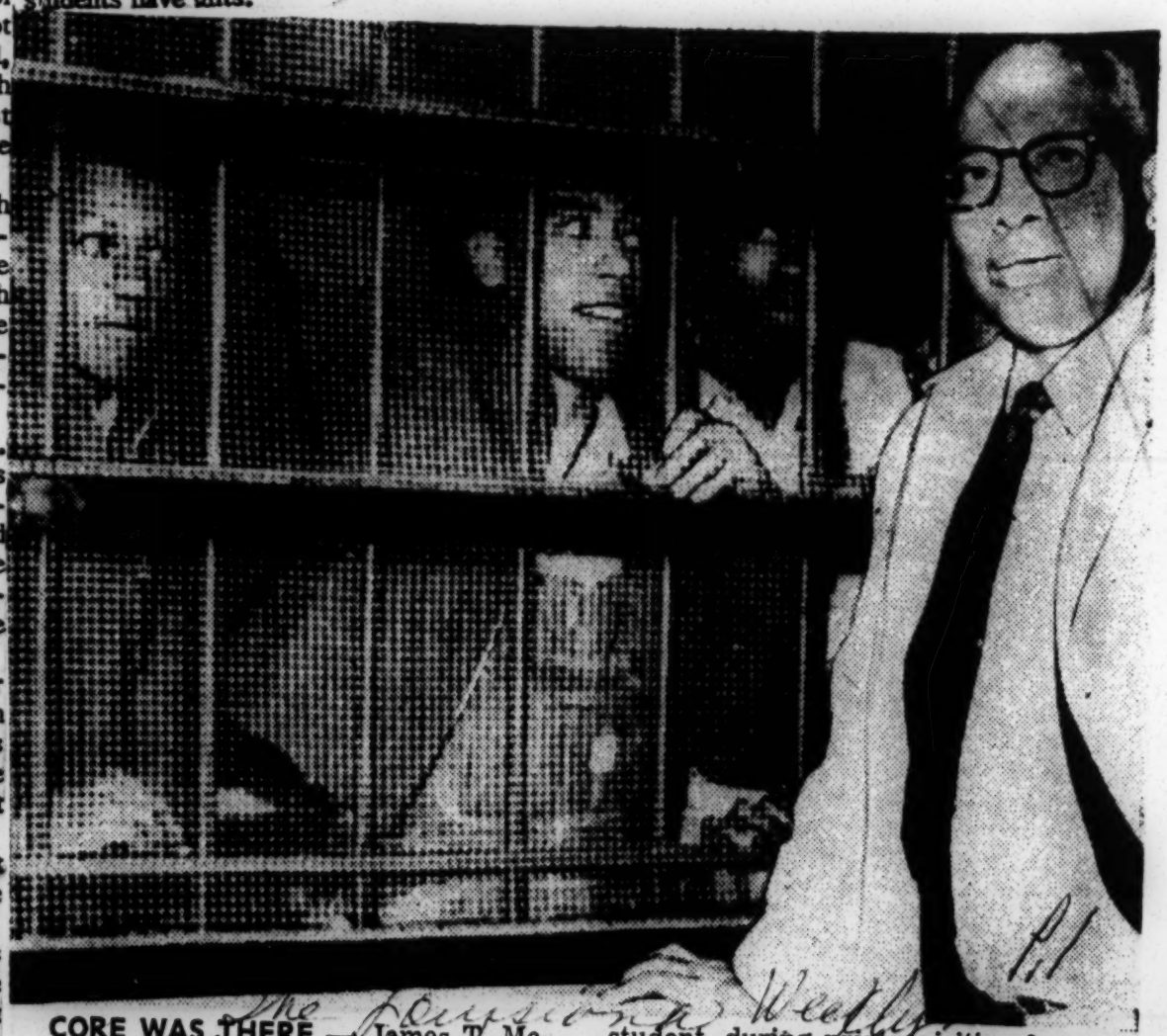
Speaking before the church gathering, Rev. William Holmes Borders called the state anti-trespass law under which 80 Negro students were arrested recently, "unconstitutional, undemocratic and unchristian."

Another speaker, the Rev. B. Joseph Johnson, who was released on bail after the series of sit-ins last week and the week before, declared "The current philosophy of the Southern white man is to keep the Negro down."

Borders later stated "After the Negro grows the food in the field, harvests it, prepares it and serves it, some white folk want to sit down and eat it all by themselves."

I'd be ashamed to look that white and act that black, he added.

During the meeting, it was revealed that 78 students are still in jail, refusing to post bond. According to Herschelle Sullivan, Spellman College student, who Borders, pastor of the Wheat Street Baptist Church



**CORE WAS THERE** — James T. McCain, field secretary of the Congress of Racial Equality, talks with Thomas Gaither, former Friendship College student, during prison visiting hours. Gaither also is a CORE field worker in South Carolina.

The Louisiana Weekly

New Orleans La.

Feb 25 1961

# 8 Jailed Sit-in Students Are Placed in Solitary

By the Associated Press

Eight Negro students jailed in a Rock Hill, S. C., sit-in demonstration have been placed on bread and water in solitary confinement for what prison officials called a sit-down and refusal to work.

Charles C. Maloney, superintendent of the York County prison camp near Rock Hill, said, "We will let them out when they show us they are ready to go to work and obey orders."

Mr. Maloney confirmed yesterday the students from Friendshop College at Rock Hill had been in solitary since Friday. They were among 11 jailed recently when they refused to post $100 bail each pending appeal on conviction of trespass during a variety store sit-in.

**Sent to County Jail**

The Rev. C. A. Ivory, president of the York County Chapter of the National Association for the Advancement of Colored People, said one student was transferred to the York County Jail for making a motion toward a prison official. The others began a fast and also protested what they called overwork.

J. Ed. Allen, supervisor of the prison camp, said the eight "struck on the job. They just sat down and refused to work when we moved one off the job back to camp." He declined comment on the reason for the removal.

**Washingtonians Named**

A white man and a Negro, both from Washington, D. C., remained in jail over the weekend at Rock Hill after arrest on breach of the peace charges during a brief scuffle at a Saturday demonstration. Both chose the "jail, no bail" of other demonstrators for racial equality in the South.

The two from Washingtoon are Paul David Dietrich, 29, white, and Franklin Hunt, 21, Negro reporter for the Baltimore Afro-American.

Mr. Ivory said Mr. Dietrich and Mr. Hunt were members of the Washington chapter of the Student Non-Violent Coordinating Committee. He said they were accompanied to Rock Hill by two other members, one a Negro man and one a white woman, Joan Trumpower.

At Greenville, S. C., 11 young Negroes, four of them women, faced trial for assembling in a city park Saturday without a permit in an unsuccessful attempt to get into a skating rink for white persons.

In another development at Greenville, Southeastern regional NAACP leaders completed a four-day meeting by calling on Negroes to stop buying from those who don't give them equal job opportunities.

In addition, Clarence Mitchell, Washington director, told the closing session the NAACP is considering whether to establish a $10 million fund through private and group contributions to meet the economic challenges of discrimination.

In Atlanta, hundreds of adult Negroes staged a rally in the Wheat Street Baptist Church in support of about 78 students arrested in sit-in demonstrations. The students are remaining in jail rather than post bond.

The meeting originally was scheduled to be held around the county jail, but was shifted to the church when city officials said it might upset prisoners.

## In South Carolina Jail

# Chicago Girl Feels Freedom as 'Sit-In'

**By TED WATSON**
**(Chicago Courier Editor)**

**CHICAGO—Arrested within a minute and a half after arriving on the scene of the Good Drug store in downtown York, S. C., to participate in a "sit-in" gesture, pretty Diane Judith Nash, a student of Fisk University, has concluded that she has been "denied the dignity of being a person."**

**This revelation was evidenced as she and her friends from Charlotte, N. C., pondered over their fate in the Rock Hill City jail after being charged with "trespassing."**

Miss Nash, who keeps in constant contact with her parents, Mr. and Mrs. John Baker of Chicago, expounded upon what would be termed by many as a harrowing experience in the land of "freedom", in a letter to her parents.

On Sunday, Feb. 5, Miss Nash was present at a meeting of the Student Non-Violent Coordinating Committee where she learned of 10 students being arrested in Rock Hill, S. C., in a "sit-in" demonstration.

**BURDENED** with the feeling that these students should not sacrifice alone while fighting for the rights of the race as a whole, she asked herself, "I wonder when this society will mature to the point of ceasing to treat students petitioning for the same things everyone else has, as criminals."

She opined that if a race member can absorb the humiliation and all allied problems of bias, and deal with it, yet emerge with a real love for white and Negro and a concern for everyone's best interest, the coveted answer to the complex equation will be achieved.

**AMAZING** is the fact that Miss Nash says: "I'm very content and I feel freer than you can imagine," despite having been sentenced to 30 days in prison or a $100 fine with an attached appeal of $200, as were the others.

In a lighter vein, Miss Nash comments on the "excellent" menu served at the prison where she has been confined with Ruby Smith from Spellman College and five other women.

**DIANE NASH**
**. . . contented**

She said: "For dinner last night and every night we have buttermilk and cornbread. Not terribly appetizing but clean and edible. For breakfast we had black coffee, a piece of salty meat and thick syrup. Lunch was good. Corn niblets, string beans and biscuits."

# 300 Negroes Demonstrate In Sumter; 5 Are Arrested

The News and Courier
Charleston S.C.

SUMTER, S.C. (AP) — Negro demonstrators and police scuffled on Sumter's main street Wednesday before a parade of 300 anti-segregationists was disbanded.

The Negro students stormed on the Morris College campus about six blocks from the heart of Sumter's business district and then began their march to town using sidewalks on both sides of the street.

Police Chief E. E. McIntosh advised the students over a loud speaker to disband and return to their campus. Several of the students in the vanguard ignored the advice and police moved forward to arrest them.

Robert Berryhill, reporter for the Sumter Item, said he saw no blows struck, but that police were forced to wrestle the five, including a female teacher from the college, into waiting patrol cars.

The demonstration heightened tension in this city of 20,000 which had its second serious demonstration within two days. Three Morris College students were arrested during sit-in demonstrations Tuesday. A television cameraman who filmed the bodily ejection of two of the demonstrators from a drug store, and his charter pilot were charged with breach of the peace and will face trial Monday.

Morris College, a four-year Baptist-supported school, is located on U.S. 15, six blocks from town. The students formed for their march shortly after noon, but had moved only two blocks when Chief McIntosh advised them to return.

Several in the front ranks refused the warning, but with the arrest of those in the front, the others disbanded.

Arrested were Clifford Grady Sumner of Waycross, Ga., charged with breach of the peace; David Rayon Jr. of Marion, charged with breach of the peace; Joshua Prieleau of Russellville, charged with breach of the peace and resisting arrest; Abraham Kennedy of Sumter, charged with breach of the peace; and Alma Gregg of Washingtonville, N.Y., charged with breach of the peace and resisting arrest. Bond was set at $100 for each charge.

Officers said Sumner had been arrested previously in a lunch counter sit-in. Miss Gregg was described as a young teacher at the college.

A. F. Finney, a Sumter Negro lawyer, posted bond for Miss Gregg. Bond for the others was expected to be posted later Wednesday.

This is contrary to recent practices of Negro demonstrators who have a "jail, no bail" slogan and remain in jail by choice rather than post bond.

Trial for the three arrested Tuesday and the five arrested today was set for 2:30 p.m. Feb. 21. The two white men arrested Tuesday will be tried Feb. 20.

George Carras, camerman for station WSOC-TV in Charlotte, N. C., said his station was tipped by telephone of Tuesday's demonstration. Carras and his pilot were arrested when they photographed the demonstration.

Berryhill said there were television cameramen on hand Wednesday who apparently had been tipped to the demonstration.

Seven other Negro students, from Benedict College, were arrested in a demonstration at Columbia, S. C.

One of several white teen-agers who snatched anti-segregation signs from Negro pickets at Tallahassee, Fla., was taken into custody by a juvenile officer. He was released on indefinite probation.

At Opelika, Ala., the United States Justice Department sought to prove in a Federal court trial that Negroes were systematically kept from voting in Macon County. The county has a ratio of six Negro residents to each white person, but registered white voters outnumber Negro voters 2 to 1.

**Minister Arrested**

In Atlanta, a Negro minister was arrested for refusing to leave a railroad station restaurant for white persons. At Nashville, Tenn., twenty-seven college students—including one white girl—won dismissal on a technicality after their arrest for a theatre demonstration.

In the Sumter demonstrations, Negro leaders charged that a Negro girl had been knocked down by a policeman and injured. But a doctor who examined her said he had found no evidence of any injury. The girl was identified as Mae Frances Moultrie, 24 years of, of Atlanta.

Forty young Negroes took part in three lunch-counter sit-ins during the demonstration in Columbia. A student leader said anti-segregation protests there would continue indefinitely.

At Rock Hill, S. C., eight Negroes jailed in earlier demonstrations were taken off their bread-and-water diet in solitary confinement after they agreed to return to work in the York County prison camp.

At Lynchburg, Va., four Negroes were arrested and charged with trespassing after a sit-in demonstration at a drug store lunch counter. Among the four was the Rev. Virgil Wood, 29, pastor of a Baptist church.

The pickets in the Tallahassee incident were identified as students from Florida A. and M. University for Negroes. The white youths took away their signs, bearing such slogans as "Don't Shop Here," and ripped them apart.

## DOZENS ARRESTED IN NEGRO PROTEST

The N.Y. Times

**Sumter, S. C., Police Seize Student Marchers—Other Sit-In Efforts Balked**

New York N.Y.
Feb 23 1961

SUMTER, S. C., Feb. 21 (AP) —Dozens of Negro students, singing hymns, were jailed today for protesting segregation in a drug store, soda shop and library in this community.

"I'm not sure how many we have," a police sergeant said after about fifty demonstrators had been arrested for breach of the peace. "They're still bringing them in."

Some of those arrested were among hundreds of students from Morris College who had tried to march on downtown Sumter.

## AFTER MASS SEGREGATION PROTEST

The Montgomery Advertiser

# Dozens Of Negro Students Jailed

Montgomery Ala.

By THE ASSOCIATED PRESS

Dozens of Negro students, singing hymns, went to jail Tuesday for protesting segregation in a drug store, soda shop and city library in Sumter, S. C.

"I'm not sure how many we have," a police sergeant said after about 50 demonstrators had been arrested for breach of the peace. "They're still bringing them in."

Feb 22-61

Some of those arrested were among hundreds of students from Morris College who tried to march on downtown Sumter.

Seven other Negro students, from Benedict College, were arrested in a demonstration at Columbia, S. C., and one of several white teen-agers who snatched antisegregation signs from Negro pickets at Tallahassee, Fla., was taken in custody by a juvenile officer. The white boy was released on indefinite probation.

**MINISTER ARRESTED**

A Negro minister was arrested for refusing to leave a railroad station restaurant for white people in Atlanta and at Nashville, Tenn., 27 college students—including one white girl—won dismissal on a technicality after their arrest for a theater stand-in demonstration.

In the Sumter demonstrations, Negro leaders charged that a Negro girl was knocked down by a policeman and injured, but a doctor who examined her said he found no evidence of any injury. The girl was identified as Mae Frances Moultrie, 24, of Atlanta.

Forty young Negroes took part in three lunch counter sit-ins during the Columbia demonstration. A student leader said antisegregation protests there would continue indefinitely.

At Rock Hill, S. C., eight Negroes jailed in earlier demonstrations were taken off their bread and water diet in solitary confinement after agreeing to return to work in the York County prison camp.

At Lynchburg, Va., four Negroes were arrested and charged with trespassing after a sit-in demonstration at a drug store lunch counter. Among the four was the Rev. Virgil Wood, 29, pastor of a Baptist church.

"We are in sympathy with the student movement and want the world to know that the students are morally right," the ministers said in a prepared statement.

The jailed students passed up an opportunity to post bond, declaring that they intend to remain behind bars to dramatize their cause.

On Tuesday five Negro high school seniors completed the first step toward seeking admission to Georgia Tech, bringing to nine the number of Negroes who have announced intentions to try to register at the segregated engineering school.

# Fight On Dixie Bias Continues

Chicago Defender
Chicago Ill.
Feb 25-Mar 3 1961

By United Press International

An estimated 300 Negro students attempted a mass march on downtown Sumter, S. C., to protest racial segregation Wednesday, but were turned back by police and several Negroes were arrested.

In Atlanta, eight Negro ministers were arrested for saging a sit-in demonstration and joined 76 student demonstrators aldeady behind bars.

Students from Morris college at Sumter gathered on the campus about noon and started the five-block route to the heart of the city. Police let them go about two blocks but they stopped them and arrested several.

Sumter has been the scene of numerous sit-in demonstrations in the past year, mostly by Morris students.

The eight arrested in Atlanta were taken in when they refused to leave a railroad station restaurant.

Along Racial Front

# More Arrests In S. C.

BY THE ASSOCIATED PRESS

Fourteen persons were arrested in South Carolina Saturday as new anti-segregation demonstrations broke out in Rock Hill and Greenville. One of the demonstrations ended in a brief fist fight between pickets and spectators.

The fight occurred at Rock Hill, scene of many recent demonstrations, after police broke up a picket line of four Negro men, a white man and a white woman, four of them from Washington, D.C.

Officers arrested the white male picket and one of his Negro companions, identified as a reporter from a Baltimore Negro newspaper, and a white spectator on charges of breach of the peace.

**At Greenville.**

At Greenville, 11 Negro students were jailed briefly then released under $100 bond each after demonstrating at a roller skating rink in city - owned Cleveland public park. They were charged with violating a city ordinance which forbids assemblege in public parks without special permission of park officials.

The students went to jail shouting, "Freedom! Freedom!' Freedom!"

At the time of their arrest, some 300 Southern leaders of the National Association for the Advancement of Colored People were meeting at Greenville to plan further thrusts at the racial barrier.

Booked for breach of the peace at Rock Hill were demonstrators Paul David Dietrich, 29, white, Washington and Franklyn Hunt, 21, Negro, also of Washington, on charges filed by George Morgan, 22, of Rock Hill. Dietrich and Hunt also charged Morgan with breach of the peace. They were placed under bond of $100 each.

Police Chief W. S. Rhodes identified Hunt as a reporter for the Baltimore Afro-American.

The demonstrators marched in front of the Good and Tollison-Neal drug stores, sites of earlier anti-segregation protests.

Deitrich carried a sign which said, "Not food, but freedom."

The white woman, who identified herself as Joan Timpower of Washington, an employe of the Department of Agriculture, bore a sign referring to the jailing of Negro demonstrators at Rock Hill 10 days ago.

# 300 Negroes March; 5 Seized in Scuffle

SUMTER, S. C., Feb. 15 (AP) — About 300 Negro college students marched on downtown Sumter in an antisegregation demonstration today. Five of them scuffled with police, who turned back the marchers.

The five students from Morris College here were arrested and charged with breach of the peace. Reporters said the scuffling was restricted to pushing.

Arrested were Clifford G. Sumner, 21, of Waycross, Ga.; David Rayon Jr., 20, Marion; Joshua Prieleau, 21, Russellville; Alma Gregg, 26, Washingtonville, N. Y., and Abraham Kennedy, 29, of Sumter.

The 300 students marched for two blocks before being met by police, who advised them over a public address system to disband. The five leading the column continued marching and were arrested. The others disbanded and returned to the college campus.

The demonstration came on the heels of the arrest yesterday of three Negroes who were participating in lunch-counter sit-ins.

## 'Turkish' Children Gain Entry to White Schools

SUMTER, S. C., Feb. 15 (AP) —The Sumter County School Board announced today that segregated "Turkish" children will be admitted to white schools in the fall of 1961.

Superintendent Hugh Stoddard said the Board acted Jan. 31 on requests by Turkish parents for transfers of their children to white schools. He said the Board voted to transfer all 36 of the children and notification was sent out quietly Tuesday.

The Turks apparently are descendents of Turkish sailors who came to South Carolina during the 1700s. Most of them are olive skinned and have dark hair. The children attended the Dalzell Elementary School, for Turkish children only, but were enrolled in white schools upon reaching junior high school.

# Demonstrating Negroes Jailed At Atlanta, Sumter

Sumter, S.C., Feb. 15 (AP) — An estimated 300 Negro students attempted a mass march on downtown Sumter to protest racial segregation today but were turned back by police. Several Negroes were arrested.

In Atlanta, eight Negro ministers were arrested for staging a sit-in demonstration. They joined 76 student demonstrators already behind bars.

Negro students from Morris College at Sumter gathered on the campus about noon and started the five-block route to the heart of the city. Police stopped them after two blocks.

Sumter has been the scene of numerous sit - in demonstrations in the past year, mostly by Morris students.

The eight ministers were arrested for sitdown demonstrations at downtown stores.

# S.C. exonerates three

SUMTER, S. C. — The conviction of 19 college students who were arrested for going to the public library are being appealed, defense counsel Ernest A. Finney has announced.

Tried before Recorder Ramon Schwartz, the students, all enrolled at Morris College, were sentenced to 30 days in jail or fines of $100 each.

For the first time in the states history, however, three sitdowners were exonerated of trespassing charges.

They were Misses Clara Prilou and Eva McGill and John Singleterry.

The 19 convicted were among the 23 arrested at the library Feb. 21. Charges against three were dropped and the case of another continued.

CHARGES AGAINST the students were filed by C. J. Milling, library director.

Milling admitted under cross - examination that the library is supported by tax funds, that library rules are not posted and colored were not notified the library is segregated.

On the same day the students were arrested in the library, 44 others were arrested for sitdown demonstrations at downtown stores.

38a 1961

SOUTH CAROLINA

REV. C.A. IVORY
ROCK HILL, S.C. - LUNCH COUNTER

# Crippled minister gets police warning

The Afro-American
Baltimore Md

By
STAFF CORRESPONDENT

ROCK HILL, S.C. — A minister who has been told by the best medical authorities in the country that he will never walk again was threatened, last Saturday, with arrest for his role in sitdown activities here.

The Rev. C. A. Ivory, pastor of Herman Presbyterian Church and president of the local branch of the NAACP, was told by Police W. S. Rhodes that if violence occurs in connection with the demonstrations he would be arrested.

The minister told the AFRO that his reply to the police chief was "I don't think you will do that. If violence occurs we will not be responsible for it."

The Rev. Mr. Ivory picketed from his wheelchair, Thursday, when he and three other ministers joined students in midtown demonstrations.

The other ministers were the Revs. J. C. Tate, Iday Watson, W. R. Jones and R. G. Coatley.

The demonstrations have occurred daily since the arrest of 10 Friendship College students on Jan 31.

* * *

**FOLLOWING** the arrest of four out-of-town students for sitdown demonstrations on Feb. 6, the police chief stated he intended to uphold the trespass law.

"We will enforce the law we have as we have," he declared.

Four Friendship College students reported that they were threatened by a man with a gun inside the Good drug store. This store was where the four out-of-town students were refused service at the lunch counter because of their race and color.

"I can refuse to serve anyone I want to. I own and operate the business," he told the court.

A group of four students, last week, attempted to be served at the lunch counter in Tollison-Neal drug store.

They were ordered out, but not arrested.

* * *

**A NEW DEVELOPMENT** to the protest movement occurred on Friday when 19 Friendship students went to state support Winthrope College in an effort to obtain enrollment applications.

Headed by Miss Allidease James, the students were met at the gate, which had been chained shut. They were told by police officers that they would not be permitted to enter because "This is private property."

The Rev. Ivory, who also was present in his wheelchair, was denied admittance. He protested that the school is a public institution since it is supported by state funds.

# 10 Students Arrested In S. C. Sit-In

The News
Raleigh, N.C.
Sat 2-4-61
Page 1

ROCK HILL, S. C. (AP)—Ten Negro college students ignored the warning of South Carolina's chief law enforcement officer Tuesday and carried their anti-segregation demonstration to a white lunch counter. The 10, arrested for trespass, entered jail singing hymns and patriotic songs.

The arrests climaxed a series of almost daily demonstrations by Friendship College students here for several weeks.

Chief J. P. Strom of the State Law Enforcement Division met the 15 or 20 demonstrators as they arrived on Main Street from the campus. He told them of the provisions of the law against trespass.

The students, 13 of them carrying signs against segregated lunch counter service, continued to McCrory's and Woolworth's variety stores. The Woolworth's lunch counter has been closed for several weeks because of the demonstrations, McCrory's has remained open to white customers and some of the demonstrators took seats there.

McCrory's Manager H. C. Whiteaker, in the presence of officers, asked the students to leave. When they did not, SLED agents assisted city police in arresting the 10 Negro males.

At police headquarters, nine of the 10 were first booked for investigation — a technical procedure that enables police to hold suspects for a time without formal charge. Later, the 10 were charged with trespass and placed under $100 bond apiece.

They were still in jail three hours after the arrests.

Five Negro coeds did not take seats and were not arrested.

There was no immediate indication of why Chief Strom and a group of his agents were present for the demonstration. SLED, however, does not generally enter into the affairs of a city's police work unless invited.

Police identified the defendants as Charles Edward Taylor, Rahway, N. J.; James Frank Wells, who gave his address only as Friendship College; and these students from Rock Hill; Clarence Hener Graham, Thomas Walter Gaither, Willie Edward McCelon, David Wilkinson, Robert Lewis McCullough, Mack Cartier Workman, Willie Thomas Massey and John Alexander Gaines.

## 10 Negroes Sent To Prison Farm

The Atlanta Constitution
Atlanta, Ga.
Fri 2-3-61
Page 13

ROCK HILL, S.C. (AP)—Ten Negro college students convicted in connection with a lunch counter sit-in were sent to a prison farm Thursday when they failed to post their appeal bonds.

The Friendship Junior College students were convicted Tuesday of trespassing at McCrory's lunch counter. They were sentenced to 30 days in jail or $100 fines each.

The students appealed, but when they failed to post an appeal bond of $200 each they were sent to the York County Prison Farm.

The 10 were among a group that marched into Rock Hill Tuesday. They were stopped by J. P. Strom, head of the State Law Enforcement Division, who advised them not to attempt a sit-in.

The group continued to the variety store and were arrested when they failed to heed the manager's warning to leave.

The store, which had been the scene of almost daily demonstrations for several weeks, closed its lunch counter Thursday. Woolworth's, which is next door, closed its lunch counter several days ago.

## Negroes March In Chapel Hill

The Raleigh Observer
Raleigh, N.C.
Mon 2-13-61
Page 3

CHAPEL HILL—A procession of 60 Negroes marched from the First Baptist Church here Sunday down Franklin Street and converged on the Town Hall singing hymns.

A brief prayer meeting asking for an end to segregation in movie houses and other public places was held in front of the Town Hall.

The march was undertaken in observance of Brotherhood Sunday and in support of picketing conducted during the past week at the two downtown theatres here.

Police escorted the group down one side of Franklin Street and up the other, stopping traffic to aid the march. There were no incidents and only a few spectators watched.

# Dixie Negroes Stage Rally in Rock Hill

The Atlanta Constitution
Atlanta, Ga.
Mon 2-13-61
Page 1, 12

ROCK HILL, S.C. (AP)—Negroes from across the South gathered here on the anniversary of Lincoln's birth and staged protests against segregation Sunday.

They conducted kneel-ins at three white churches and were turned away from two others, they proceeded by motorcade to the York County Prison near York to hearten Negro students imprisoned for law violations during anti-segregation activity, and they held a mass rally.

The activity was an effort to focus attention on segregation. Rock Hill was chosen, apparently, because 13 Negro students are serving jail sentences, by choice, rather than post appeal bonds for trespassing at white lunch counters.

State and county officials took some of the steam out of the demonstration by meeting the Negroes as they arrived at the prison camp and also at the county jail, laying down a set of ground rules and declaring in a prepared statement:

"The security of the county jail and county prison will be maintained."

Authorities permitted only a few of the group to visit the 11 male students imprisoned at the camp and the two co-eds in the county jail.

Earlier, Negroes had been admitted to the worship services at three white churches—First Presbyterian, Grace Lutheran and Oakland Avenue Presbyterian — in Rock Hill, but were turned away from two others, the West Main Baptist and the Church of the Nazarene.

### 1,000 AT RALLY

Following the prison motorcade, about 1,000 Negroes gathered for a 2½-hour mass rally in Rock Hill at the new Mt. Olivet AME Zion Church. Ernest A. Finney Jr., a Negr attorney from Sumter, who represented the jailed students, told the rally:

"The Negro can fully realize his true self only when he becomes fully integrated into America's economic, social, intellectual and political life."

The rally was read a letter from the two imprisoned co-eds, Diane Judith Nash of Fisk University, Nashville, Tenn., and Ruby Doris Smith of Spelman College, Atlanta.

### GROUP FROM ATLANTA

"We don't feel confined," the girls wrote. "We fell more free here than when we're depressed by discrimination."

Among the Negroes participating in the day's activities were delegations from Atlanta, Nashville and Charlotte and from several South Carolina locations, including Orangeburg and Sumter.

The Negroes began to disperse for the return home after the mass meeting.

## Rock Hill 9 visited by caravan

The Afro-Am.
Baltimore, Md
Sat 2-11-61
Page 1

By SAMUEL HOSKINS
AFRO Staff Correspondent

ROCK HILL, S.C. — Adding a new twist to the student sitdown movement, a sitdown caravan journeyed to the York County prison camp on Sunday afternoon carrying visitors to give moral support to the Rock Hill nine.

The Rock Hill nine are the nine Friendship College students who are serving 30-day terms resulting from conviction last week on trespassing charges growing out of a sitdown demonstration in the local McCrory five and dime store.

The caravan transported the parents and relatives of the defendants to the prison, as well as hundreds of fellow students, friends and well wishers.

* * *

**THE GROUP** left the college campus at 2 p.m. The demonstration was directed by the Rev. C. A. Ivory, president of the Rock Hill NAACP and a group of ministerial and civic leaders.

All of the parents, including two ministers, expressed approval of the sitdown demonstration.

The lone relative who disapproved of the action is the 95-year-old grandmother of one of the jailed youngsters.

The mother of one of the youngsters, Mrs. Clarence H. Graham, 416 Bynum Ave., revealed a touching letter her son wrote prior to his arrest.

**THE LETTER** follows:

"Dear Mom and Dad:—

"By the time you read this, I suppose you both will be upset and probably angry, but I hope not. I couldn't tell you this morning I wanted to, but just didn't know how.

"I want you to know that this is something that I really and truly want to do. I just have to. I want you both to be proud of me, not angry. Try to understand that what I'm doing is right. It's not like going to jail for a crime like stealing, killing, etc. but we're going for the betterment of all colored people.

"You must realize it's time. I made some decisions for myself now. After all, I'm almost grown and I do want you both to try and understand this is something that I've thought about ver seriously.

"Really, I just couldn't be at ease with the rest of my friends and classmates up there and my knowing I should be there too. So try to see things my way and give us, the younger generation, a chance to prove ourselves, please. And most of all, don't worry. Pray for us."

The letter was signed "Your son, Clarence."

# Whites Leave; Negroes March On Rock Hill

The Atlanta Constitution
Atlanta, Ga.
Sun 2-12-61
Page 13

ROCK HILL, S.C., Feb. 11 (UPI)—Hundreds of angry whites crowded into downtown Rock Hill Saturday to head off an anticipated march on the town by Negroes protesting segregation, but the Negroes delayed their demonstration until police had dispersed the crowd.

Only about 35 Negro students showed up. They paraded with signs in front of two five-and-dime stores and a drugstore with segregated lunch counters.

Police marched virtually side by side with the picketers and kept everyone moving along the sidewalks.

The whites, many of them teenagers, began streaming into town early and by noon were packed shoulder to shoulder along a three-block area that comprises the downtown area of this textile center of 30,000 persons.

A number of whites paraded down main street, waving Confederate flags, and there was a brief fist fight between a Negro and a bearded white youth who claimed the Negro had pushed him.

* * *

**THE CROWD**, estimated at between 2,000 and 2,500, reached its peak about noon.

City, state and sheriff's patrol cars drifted slowly through the area, and police began breaking up all demonstrations and refused to let anyone stand still on the sidewalks.

The crowd quickly thinned out thereafter and by the time the

Negro demonstrators arrived there was only the normal flow of Saturday afternoon traffic.

Anti-segregation demonstrations have been staged here daily during the past week and integration leaders have urged that Rock Hill be made the next battleground in the fight to break down racial barriers in the South.

* * *

**THE CITY'S** Negro leaders announced a schedule of demonstrations for Sunday, consisting of a mass pilgrimage to the York County prison farm where 11 of 14 demonstrators arrested last week are imprisoned.

The Negroes also will congregate Sunday for a mass meeting honoring the parents of the imprisoned demonstrators, the announcement said.

## 3 Negroes Say Police Hit Them

SUMTER, S.C. (UPI) — Three Negro students released on bond Thursday after spending the night in jail in connection with a segregation demonstration charged they were slugged by police officers.

One of the three—Clifford Sumner, 21, of Waycross, Ga. — claimed he was slugged so hard in the stomach he required medical attention.

All three said they had no bruises or other marks to show for the beatings and all said they did not know the names or the badge numbers of the officers that slugged them.

Sumner said a police officer hit him with his fist as the student was being put into a police car Wednesday. The three were among five Negroes arrested in connection with an attempted mass march through downtown Sumner by some 300 Negroes, mostly Morris College students.

Two students who claimed they were beaten by policemen are Joshua Prioleau, 21, a Morris College sophomore from Russellville, S.C., and David Rayon Jr., 22, a student from Marion, S.C.

## At Rock Hill, S. C.:

# Mass Segregation Protest

ROCK HILL, S.C. (AP) — A mass protest against segregation was staged here Wednesday by 150 Negroes and a white man. The demonstration came on the heels of a call by a Negro group to make Rock Hill a focal point in its desegregation attempts.

The orderly demonstration was staged in front of two variety stores, Woolworth's and McCrory's, both of which have closed their lunch counters, and Good's Drug Store, another frequent target of demonstrations.

The white man identified himself as Edward Haan of Nashville, Tenn., a recent graduate of Vanderbilt University. He said he now is associated with an Atlanta racial movement.

Fourteen Negroes have been arrested here within a week as a result of lunch counter demonstrations. All but one refused to post bond or pay fines. Eleven men are serving time at the York County prison farm and two women are serving time in York County jail at York.

The Student Nonviolent Coordinating Committee (SNCC) with headquarters in Atlanta has issued a call for Negro students throughout the South to come to Rock Hill, stage sit-ins, go to jail if arrested and refuse to post bond.

Of this "Jail, no bail" drive by the Negroes, Rock Hill Mayor John A. Hardin said the city will "enforce the law as advised by our attorneys and interpreted by the courts, treating everyone alike."

# Chaingang terms for students hit

By SAMUEL HOSKINS
AFRO Staff Writer

ROCK HILL S.C. — "It's a sin and a shame for them to send those boys out here. They didn't have to do it."

This was how a prison-hardened trusty at York County Prison Camp reacted to the nine Friendship College students and a former student being sentenced to 30 days at the penal institution. The man had tears in his eyes.

The prisoner, a long-termer, made the statement to this AFRO reporter last Thursday noon in the presence of Dr. James Gouldlouge, college president, when we went to the institution in an effort to talk with the students.

We were not permitted to see them as visitors are allowed only on Sundays.

* * *

**THE 10 WERE** convicted Wednesday on charges of trespassing and fined $100 each or 30 days in prison.

Following the pattern established in other sitdown cases, the students decided to spend the time in jail rather than pay fines.

Instead of being confined to the jail in Rock Hill, they were sent to the county prison, 14 miles south of here, where they were put on work gangs.

They are Robert McCollough, Frank H. Graham, Mark C. Workman, Willie E. McCleod, David Williamson, Willie T. Massey, John Gaines, all of Rock Hill; James F. Wells, Mill Village, S.C., and Charles Taylor, Rahway, N.J. The tenth person was the former student, Thomas W. Gaither.

**THE DEFENSE COUNSEL** Ernest A. Finney, attorney of Sumter, S.C., contended in court that the students were arrested within 18 seconds after they had been asked by the manager to leave a McCrory five and dime store.

The lawyer also told the court that the arrests were in violation of the students' constitutional rights and that the state laws upon which the arrests were made were discriminatorily applied.

After City Recorder Billy D. Hayes, who was acting as judge, convicted the students and sentenced them, Finney filed notice of appeal. Appeal bond was placed at $200 each.

* * *

**AFTER SPENDING** a night in the city jail, a night at the prison camp and part of a day on a chain gang, one of the students, Taylor, asked that bond be posted for his release.

The bail money was posted by the Rev. C. A. Ivory, rector of Herman Presbyterian Church and president of the Rock Hill NAACP.

Following his release, Taylor, an honor student, told the AFRO, that he intended to continue in the demonstrations.

"Sooner or later, we're going to end racial segregation in public places," he said, adding: "But we're going to keep at it."

Taylor also said he was composing a letter, on behalf of the jailed students, to the President to help them.

Taylor said that jail and prison officials treated them polite, but that conditions within the institutions were bad.

**THE CITY JAIL**, he said, is without mattresses, or any type of bedding. "We slept on steel," he stated.

The youngster declared that physical conditions at the prison camp were not as bad as at the jail, but the food was horrible.

The menu for the day he was there was recalled as follows:

Breakfast, grits, eggs, coffee; Lunch, black-eyed peas, redbeans, cornbread, tea.

Taylor reported that the other students sent word that they were determined to "stick it out." He said all they asked was that fellow students visit them when permitted, that people support the sitdown movement.

# Allen University Group Denies Part In Sit-Ins

COLUMBIA (AP) — Allen University's Student Committee on Human Rights declared Friday that it had not taken part in Thursday's sit-in demonstrations involving about 150 Negro college students.

Those who staged the demonstration were Benedict College students led by David Carter, a Benedict student.

Simon Bouie, president of the Student Committee on Human Rights at Allen, said Friday that some news media had incorrectly reported that Allen students were in the demonstration.

He said the Allen student group he heads "provided leadership for the first student sit-in in Columbia last year," and continues its "deep interest in the problem attacked through sit-ins."

But he added that Allen students feel such demonstrations should be "conceived, planned and led by students in the immediate community."

Bouie added that Allen students "deplore the lack of leadership our students have received thus far from Columbia Negro adults, none of whom has yet had the courage to fight this battle they urge us young people to fight."

## Injured By Police

Sumter, S.C.—Mae Frances Moultrie, Morris College CORE leader, sips liquids through straw in Community Hospital in Sumter. Miss Moultrie was injured by police during CORE demonstration on February 21. She has been unable to raise her head since. The photo was smuggled out of the hospital. Core photo

## Negro Youths Went to Jail as Protest

# 9 Sit-Ins Tell of 30 Days on a Road Gang

Nine young Negroes, who last month served thirty-day jail terms on a South Carolina road gang, agreed yesterday they gladly would go back to the gang if doing so hurried the end of the "segregation evil."

The young men deliberately chose to work on the gang rather than pay the $100 fines levied against them for sitting at a lunch counter for whites in Rock Hill, S. C.

John A. Gaines, one of the nine, said of his internment at the York County Prison Farm that he had "felt proud to be behind bars."

**8 Are Students**

Robert McCullough, eighteen, another member of the group, said the jail sentence had strengthened his conviction "human suffering can promote social change."

The group told of their hardships yesterday in the offices of the Congress of Racial Equality, 38 Park Row. Of the nine who accepted imprisonment, eight are students at Friendship Junior College in Rock Hill. The ninth, Thomas Gaither, is a CORE secretary.

All had been charged with trespassing at a McCrory's department store lunch counter. Mr. Gaither said the police "roughed them up" while arresting them.

**Put in Solitary**

Later ,in the stockade at the prison, they began singing hymns. Prison officials, Mr. Gaither said. told them to "cut out that racket." They refused and consequently were placed in solitary confinement for half a day.

James Wells, another of the students, said he and his "colleagues" were again placed in solitary confinement, this time for three days, when they laid down their shovels on the road as a protest against the days, when they laid down their shovels on the road as a protest against hte disappearance of Mr. Gaines.

Mr. Gaines had been taken to the New York County Jail. His comrades, not informed of the reasons for his removal, were concerned for his safety. They said they were not treated roughly at the prison farm, although Willie Massey, another student, described the life there as being "generally unpleasant."

**Books Taken Away**

Mr. Wells said the guards took books away from the boys on the ground that "this is a prison, not a school . . . you came here to be punished, not to study."

The young men got out of jail Thursday and came to New York over the week end to address congregations of various churches and to speak on several radio programs.

The lunch counters of all chain stores in Rock Hill, Mr. Gaither said, are presently closed. The counter in Woolworth's, which the group also picketed before their arrest, is now given over to the sale of artificial flowers.

38a 1961

ATTY. GEN. ROBERT KENNEDY

SOUTH CAROLINA

LUNCH COUNTER

300 Visit Chain Gang

Journal & Guide

# Robert Kennedy Urged To Check SC Negroes' Plight

Norfolk Va.

Sat. 2-18-61

ROCK HILL, S. C.—(UPI)—Atty. Gen. Robert Kennedy has been urged to come to South Carolina to observe the "trials and obstacles" facing the Negro population.

Approximately 600 Negroes adopted resolutions for the White House at a Mass meeting Sunday following a pilgrimage to the York cunty Prison farm where 11 sit - in demonstrators are serving 30 - day terms.

LOCAL COLORED leaders put through a vote to ban further pilgrimages to the prison farm despite some oppostion. The ban was a "gesture of good will" to state police who had to contend with a mammoth traffic jam.

More than 100 officers — brown -clad state troopers with help from Rock Hill and county authorities — stopped a caravan of more than 300 colored citizens who came to the camp to protest the arrest of the "Rock Hill eleven."

A COLORED leader, James McCain, and J. B. Strom, chief of the State Law Enforcement Division, negotiated an arrangement to permit the pilgrimage to enter the prison compound 10 cars at a time. They were allowed to visit for five minutes with the imprisoned sit - inners.

Earlier Sunday, small groups of successfully desegregated three Rock Hill churches - two Presbyterian and one Lutheran but were turned away from the Main Street Mthhodist Church.

# FOUR CHOOSE JAIL IN CAROLINA SIT-IN

The N.Y. Times

## Refuse to Pay Fine of $100 —Join Others in Prison in a New Movement

New York

By CLAUDE SITTON

Special to The New York Times.

ROCK HILL, S. C., Feb. 7— Four regional leaders in the student anti-segregation movement chose today to go to jail rather than pay fines on trespassing convictions. 2-8-61

The Negroes were arrested here yesterday after having refused to leave seats at a drug-store lunch counter when requested to do so by the manager. They did not post bond and spent the night in jail.

The two women and two men pleaded not guilty at a hearing this morning in Municipal Court. Recorder Billy D. Hayes found them guilty and ordered them to pay $100 fines or serve thirty days in the York County jails.

All four said they would join nine local Negro students sent to jail last week on similar charges stemming from a sit-in at a variety store. The men will serve their terms at the county prison farm and the two women will be lodged in the county jail.

P 154

Other Southern students are expected to join the movement to go to jail rather than pay fines here. The Student Non-violent Coordinating Committee, a group of representatives from local college organizations, called for this action in a statement issued yesterday at Atlanta. The movement is being referred to as "jail-ins."

A highly placed source said that the committee would probably ask students to come here in groups and that it might be more than a week before the first of them arrived.

The four committee leaders convicted today were Joseph Charles Jones, 23 years old, of Johnson C. Smith University in near-by Charlotte, N. C.; Charles Melvin Sherrod, 23, of Virginia-Union University, Richmond; Diane Judith Nash, 22, of Fisk University, Nashville, Tenn., and Ruby Doris Smith, 18, of Spelman College in Atlanta.

All four have been arrested in other cities for taking part in sit-in demonstrations. All but Miss Nash, who is from Chicago, are Southerners. The two men are theology students.

## PARADE FOR RIGHTS

The Commercial Appeal

### Negroes Protest Jailing 13 Demonstrators

By United Press International

Negroes marching two abreast paraded through downtown Rock Hill, S. C., yesterday to protest the jailing of 13 lunch counter demonstrators and police in Atlanta arrested 20 Negroes at two white eating places.

Memphis, Tenn.

More than 100 persons took part in the demonstrations at Rock Hill. Student leader Edward King of Atlanta has urged that the South Carolina city be made the next battleground in the fight for integration.

The Atlanta sit-ins were the second such protests in Georgia's capital city in as many days. Yesterday's targets were a cafeteria and a downtown grill. Seventeen were taken into custody Tuesday and 12 of them were charged under the state's new anti-trespass law and jailed.

## Rockhill Center Of Integration Push

2-7-61

Atlanta World-Telegram

United Press International

ROCK HILL, S. C., Feb. 7.— Southern Negro students campaigning against lunch counter and movie house segregation are aiming their weapons at this textile mill city.

Gene Sherrod

New York Herald Tribune

2-8-61

A total of 13 Negroes have been arrested on trespassing charges for refusing to leave the segregated lunch counter of a drug store here.

P 13

Four were arrested yesterday. Nine were arrested last week and are serving 30-day prison sentences at the York County Prison Farm.

# Riot Averted As Negro Sit-Ins Hit S. C. Town

The Defender

Chicago, Ill.

By CHARLES WALTER

ROCK HILL, S. C. — (UPI) — Hundreds of angry whites crowded into downtown Rock Hill Saturday to head off an anticipated march of the town by Negroes protesting segregation, but the Negroes delayed their demonstration until police had dispersed the crowd.

The demonstration, when it came, was a far cry from the mass protest that Negro leaders had urged.

Only about 35 Negro students showed up. They contented themselves with parading with signs in front of two five-and-dimes stores and a drugstore with segregated lunch counters.

Police marched virtually side-by-side with the picketers and kept everyone moving along the sidewalks.

The whites, many of them teenagers, began streaming into town early Saturday and by noon were packed shoulder-to-shoulder along a three black area that comprises the downtown area of this textile center of 30,000 persons.

A number of whites paraded down main street, waving confederate flags, and there was a brief fist fight between a Negro and a bearded white youth who claimed the Negro hda pushed him.

The crowd, estimated at between 2,000 and 2,500 reached its peak about noon and the town took on the appearance of an armed encampment.

City, state and shefiff's patrol cars drifted slowly through the area, and police began breaking up all demonstrations and refusing to let anyone stand still on the sidewalks.

The crowd quickly thinned out thereafter and by the time the Negro demonstrators arrived there was only the normal flow of Saturday afternoon traffic.

One sign carried by a Negro student head: "Prisoners released in Russia, students jailed in Rock Hill."

Anti-segregation demonstrations have been staged here daily during the past week and integration leaders have urged that Rock Hill be made the next battleground in the fight to break down racial barriers in the south.

Two busloads of Negroes were reported to have arrived in the early morning from Nashville, Tenn., for the weekend domonstration and Negro families here opened their doors to out-of-town students.

One merchant said he hadn't seen so many people in the town, situated about 27 miles south of Charlotte, N. C., on the North Carolina-South Carolina line, since the Christmas rush.

A car parked along main street bore a banner reading: "There may not be any color line in heaven but there is in good old Rock Hill." This was in answer to the integration slogan that "There is no color line in heaven."

The city's Negro leaders announced a schedule of demonstrations for Sunday, consisting of a mass pilgrimage to the York County prison farm where 11 of 14 demonstrators arrested last week are imprisoned.

The Negroes also congregated Sunday for a mass meeting honoring the parents of the imprisoned demonstrators, the announcement said.

A national television network camera crew (CBS) was reportedly turned away from York County prison farm when it attempted to secure interviews sith the imprisoned Negroes. The 11 are serving 30-day sentences for trespassing in connection with lunch counter sitin demonstrations.

A letter from the prison written by Thomas Gaither, National Association for the Advancement of Colored People field secretary, to local Negro leaders, reported all of the prisoners had been well treated.

# College president supports students

The Afro-American

Baltimore, Md.

Special To AFRO

ROCK HILL, S.C. —When desegregated public facilities come to South Carolina, part of the credit will be due Friendship Junior College, an institution sponsored by Baptist Churches of two South Carolina counties.

Feb 2 1961

The president of the college is Dr. James A. Goudlock, who says of the sitdown movement: The students are doing what they ought to do."

Regarding the position of the college, Dr. Goudlock says: "The school isn't sponsoring the demonstrations, but the school isn't taking any steps to curb the action."

* * *

HE HAS BEEN president of the institution for approximately 23 years.

While the faculty has taken no official position regarding he demonstrations. Dr. Groudlock feels that most of the teachers are sympathetic toward the students' program.

Friendship College was founded in 1891 by the Rev. M. P. Hall, and was known as Friendship Normal and Industrial Institute. There were only 11 charter students.

* * *

THE INITIAL purpose was to train teachers and ministers. In 1906, the school was chartered as Friendship Normal and Industrial College. In 1935, it was reorganized as a junior college.

The school is operated by a convention of 72 churches in Chester and York counties, with the income supplemented by private donations.

It also receives support from the general board of the Baptist Denomination of South Carolina and the Home Mission Board of the Southern Baptist Convention.

Approximately 175 stu-

# Sit-In Problem Solution Is Proposed

ROCK HILL (Special) — The Citizens Council here has been told that the answer to the sit-in problem is to fire all Negro employes aiding the demonstrators.

Some 450 council members at a rally Monday night were also given credit for preventing "an extremely serious race riot" Saturday.

Farley Smith, retiring executive secretary of the State Association of Citizens Councils, commended the organization for the restraint it succeeded in organizing over the weekend among citizens of the community.

An outbreak of racial agitation began several weeks ago, with the National Association for the Advancement of Colored People announcing that Rock Hill would be the focal point for such demonstrations.

The NAACP and other integrationist groups Sunday organized a motorcade to the prison farm at York, where nine demonstrators are being held. They went to jail, refusing to post bonds or pay fines.

Also appearing at the York County rally was the Rev. L. B. McCord of Manning, who is the newly named Citizens Councils' executive, succeeding Mr. Smith, of Lynchburg.

The advice to fire all Negroes connected with the sit-ins and other demonstrations and boycotts came from Morrison Shaw of Rock Hill, president of the Council.

Mr. Smith told the group that before accepting the invitation to come to speak in Rock Hill he had called State Law Enforcement Division Chief J. P. Strom to determine whether his presence in the city would disrupt efforts to keep the peace.

"Strom assured me that it was all right for me to come to Rock Hill and said, 'We have a very bad situation here and we could never have coped with it if it had not been for the Citizens Council of Rock Hill.'"

Chief Strom was in Rock Hill at the time dealing with the sit-in demonstration Saturday which threatened to touch off violence.

The usual Saturday crowd had been swelled by many people of both races from outside the community.

Mr. McCord asked the group: "When will we wake up to the fact that we are fighting a war? Unless we have conviction and courage to stand up for that conviction, we are going to lose. There is no place for neutrality. Segregation is either right or wrong. A great many preachers do not have the courage to say what they believe.

"Segregation is morally right and theologically right," said the man who was introduced to the group as "a Presbyterian preacher who preaches in a segregated church."

This was in reference to the attendance of some Negroes at several white churches in this community Sunday.

Mr. McCord quoted J. Edgar Hoover as saying the Communists are picking out the pulpit to accomplish their ends and they are making considerable headway. "Why should the pulpit be shaking at the knees at a time like this?" he asked.

Mr. Shaw then introduced Mr. Smith, saying, "He came up here before, the day we had pistols on our hips and blood in our eyes, and I'm sometimes sorry that he came. I wonder if we couldn't have straightened it out right then."

Mr. Smith came to Rock Hill last year and calmed down an integration crisis arising over sit-ins.

Mr. Smith opened his remarks by denying that there was any friction in the State Citizen's Council, then told the group that "they were leading the fight for a free America. These young Negroes coming from outside are not young Americans, standing up for American rights. They are disciples of Martin Luther King.

"I do not know why they have made Rock Hill the focal point for their agitation, but I do know that if you give one inch, they will run over you.

"The question is whether our laws are going to be trodden under by trained lawbreakers. That's what they are, and if you give in, the entire country will suffer. If you turn and run, they will stomp you to death."

Mr. Smith then criticized the ministers who lead in the integration struggle, saying, "Any minister who leads a sit-in, kneel-in wade-in, or any other kind of an 'in' is a sinner before God.

"How a minister can lead people to break the last commandment I do not understand. That last commandment is 'Thou shalt not covet,' and when they are leading these people in these kinds of acts, they are teaching them to covet."

Commending Council members for their restraint in recent days, Mr. Smith said that they were responsible for maintaining order and averting a riot.

"That is the debt these mealy-mouthed cowards who are afraid to stand and be counted owe to you."

The local chapter president, Mr. Shaw, also added his commendations.

"These Negro organizations don't care if you kill every Negro in Rock Hill, so long as they get their picture taken and publicity in the New York papers. We don't want to give them that kind of publicity. That's why we have been working as we have."

He urged the members of the Council to be active in PTA and "get those teachers out of South Carolina" who are teaching integration.

He criticized some local organization for sponsoring a high school dance at which a Negro band was playing and ended by saying, "We have merchants up town who are like jellyfish. They have taken their tags off the water coolers in the last two weeks because they don't want these outside Negroes to see them."

# 300 citizens visit prison camp to encourage Friendship Nine

By SAMUEL HOSKINS

ROCK HILL, S.C. — For the greater part of two hours Sunday afternoon, I had a ringside seat to the dramatic and emotional intensity of approximately 300 concerned citizens literally storming a prison camp.

The even twas the historic sitdown caravan's visit to the York County Prison Camp, 14 miles south of here, where nine students (The Rock Hill Nine) are serving 30-day terms for demonstrating at the lunch counter of a McCrory Five and Dime Store.

The 300 visitors included parents and relatives of the imprisoned youngsters, as well as most of the town's leading ministers, and teachrs, plus a number of high school and college students, friends and well wishers.

The mile-long caravan of 53 automobiles left from the campus of Friendship College shortly after 2 p.m. and arrived at the prison camp about 25 minutes later.

The caravan was organized and led by the Rev. C. A. Ivory, pastor of historic Herman Presbyterian Church. The ministers, and teachers, plus walk, was pushed into the prison in his wheel-chair.

Another visitor who entered the prison in a wheel chair was Mrs. Mary Gill, 95-year-old great - grandmother of one of the sit-down prisoners, John A. Gaines, 18, freshman at Friendship college. She was weeping as she was pushed through the prison gate.

* * *

NONE OF the others cried. Although some later admitted they were "On the verge of booing."

Mrs. Clarence H. Graham, mother of Clarence Jr., asked him if he would permit bail to be posted for his release.

The son's answer was "I can't do that, mother. We have to see this thing through."

Clarence wrote his mother a letter prior to his arrest, explaining why the students chose to serve the prison term, in event they were arrested and convicted.

"We're going (to prison) for the betterment of all colored people," he wrote.

Admitted inside the prison with the others, I asked the leader of the group, Thomas W. Gaither, 18, if he had a message for the people on the outside.

"Tell them," he shouted through the bars, "to support the sitdown movement. If they do this, then we'll know we were not sent to prison in vain."

Gaither, whose father, mother, a brother and a sister were among the visitors, made a special appeal to South Carolina students to participate in sitdown demonstrations and, if arrested, to go to jail rather than pay fines.

"Money won't win for us," he said. "The most important instruments we have in this fight are ourselves."

Also among the visitors was James T. McCain, field secretary of the Congress of Racial Equality. "We're here to do what we can to support the students," McCain declared.

Following the visit, a number of the parents attended a tea in their honor at Friendship College.

Mrs. Doris G. Lee, who sponsored the gathering, said the purpose was to "get the parents acquainted with each other."

38a 1961

TENNESSEE

LUNCH COUNTER- SIT-IN
TORCHLIGHT FREEDOM MARCH

# Negroes Hold 'Torchlight' Freedom Walk

MEMPHIS (AP) — About 150 Negroes staged what they termed a "Torchlight Freedom March" along downtown sidewalks Thursday night, backed up by lunch counter sit-ins.

The torches were small lanterns or flashlights. Some of the marchers — protesting racial segregation — were children of about 8 to 12 years of age.

They walked single file along the crowded sidewalks, wearing or carrying signs urging Negroes to boycott stores with segregated facilities and handing out leaflets.

A large drugstore closed down completely when several Negroes took seats at the restaurant booths and lunch counter. Two Negroes were arrested when they snapped photographs despite the manager's objection.

**STORE REOPENS**

The store later reopened but Manager M. G. Wester said the restaurant section would remain closed for the night.

In these affairs, police policy is that arrests will only be made in cases where management will press charges — except in extraordinary cases.

Wester swore warrants of disorderly conduct against the men who snapped pictures. They were booked as E. C. Withers, 39, a professional photographer, and G. E. Hardin, 27, unemployed, both of Memphis.

It was the fourth "Freedom March" organized by the Memphis chapter of the National Association for the Advancement of Colored People. There have been no incidents at any of them.

Capt. J. W. Slaughter said the marches were carefully plotted, with sit-in personnel moving either just ahead or just behind the column.

Thursday, as in the other demonstrations, police emergency squad was standing by watchfully.

# Lane Students Renew Sit-In Demonstrations

(Courier Press Service)

JACKSON, Tenn. — Despite what they call a lack of proper police protection in student demonstrations in this city, students of Lane College renewed their sit-ins immediately after resuming classes after the holidays. A massive protest took place last Wednesday at two downtown stores—Woolworth's and McClellan's.

■

**BOTH STORES CLOSED** their lunch counters, which had been opened the day before after being closed during two weeks of holiday shopping. There were no incidents, such as took place prior to the holidays when Negro students demonstrated.

In city court, a white man and a Negro picket were both fined $25 each on charges of assault and battery. The white man admitted hitting the Negro with a walking stick. He said the Negro bumped into him. Mass arrests of Negro students took place here before the holidays. The students say the police made no efforts to protect them from white molesters.

INSTITUTE SPEAKER—The Rev. James Lawson, (right), leader of Nashville, Tenn., sit-in demonstrations talks informally with a group prior to last night's Institute of Religion. With him here (left to right) are Q. W. Lindsey, member of the Institute Committee; the Rev. S. Collins Kilbourne, pastor of The United Church, and Dr. Grady Davis, pastor of the Oberlin Road Baptist Church and member of the Shaw University faculty.

# Sit-In Move Is Discussed At Institute

Desegregation is proceeding in Nashville, Tenn., but a push to speed the process there will begin this week, the Rev. James Lawson said in an interview here Monday.

The Rev. Mr. Lawson, leader of Nashville's sit-in movement last spring, spoke Monday night at the Institute of Religion, sponsored by the United Church. "The Sit-Ins: The Effect Abroad," was his topic.

Because of his participation in the sit-in movement, Lawson was expelled from the divinity school at Vanderbilt University. He was later reinstated but by that time he had entered Boston University where he ultimately got his degree. He is now pastor of Scott Chapel Methodist Church in Shelbyville, Tenn.

**Hard Core of Opposition.**

"There is still a hard core of stores that refuse to negotiate with us," he said during the interview. "We expect to start another drive this week."

Reporting on the Nashville scene, he continued, "We have had a number of people hired in downtown Nashville as clerks and cashiers. Some rest rooms signs have been voluntarily removed. Courtesy is now evident in some stores.

"Recently, the president of our group had a phone call from the owner of two big supermarkets. He said he wanted to hire two Negroes and train them as cashiers, and he did."

Speaking of the non-violent racial struggle in the South in his address to the Institute, Lawson said that people everywhere look upon it as a major opportunity for the renewal of western democracy and Christianity.

Lawson said the sit-ins attempt to apply Christian love, integrity and decency to the problem of desegregation.

He suggested that non-violence is "an invitation to dialogue between persons, a moment of trying to encounter people with the reality of racial alienation and separation."

"Every man, woman and child has a role to play," he said. "It is mass action and mass commitment."

ouster of the Rev. Robert Lawson, a Negro student in the divinity school.

**THE REV. LAWSON,** who later completed his studies at Boston University, was let out because of his connection with Negro sit-in demonstrations here.

Twelve faculty members, including Nelson, resigned in connection with the ouster, virtually depleting the faculty staff. However, with the exception of Nelson and one member who had already accepted another job, all withdrew their resignations.

Dr. Finch earned degrees at Hampden Sydney College, Va., the Biblical Seminary in New York, Union Theological Seminary in Richmond, Va., Drew University in Madison, N.J., and also studied at Oxford University in England and the University of Zurich in Switzerland.

# Dean Named After Sit-in Row at Vandy

NASHVILLE, Tenn., Feb. 4 (AP)—Dr. William C. Finch, president of Southwestern University, Georgetown, Texas, will become dean of the Vanderbilt University Divinity School here, it was announced Saturday.

Chancellor Harvie Branscomb of Vanderbilt said Dr. Finch will take over the position next September. Dr. Finch, 51, a Methodist minister, has served 12 years as president of Southwestern.

He succeeds Dr. J. Robert Nelson who resigned last summer climaxing a controversy over the

# Whites rough up Negroes in Nashville

By The Associated Press

A Negro minister was roughed up as white youths used force in attempting to break up theater stand-ins by Nashville Negro students.

The number of demonstrators seeking entrance to four downtown, all-white theaters grew to 120 last night as Negroes were joined by Chinese and Mexican boys and several white coeds.

This group was attacked by the white youths in the same manner as the previous night. The police had dispersed the mob of white youths, but they gathered again to beat and kick the demonstrators as they headed for their church meeting place.

THREE DEMONSTRATORS were treated for minor injuries. The minister manhandled by the white boys was the Rev. Metz Collins of the United Presbyterian Church.

Police made no arrests in either of the Nashville affrays.

**Elsewhere in the South, Negro students in Columbia, S. C., picketed at the state capitol and in front of a drug store where five Benedict College students had been arrested and charged with trespassing for attempting to enter despite a "No trespassing" sign.**

In Sumter, S. C., where police arrested 65 Negroes Tuesday during a mass march and numerous sit-ins, a meeting was held to discuss the demonstrations and charges of police brutality in handling them.

CITY OFFICIALS and 16 Negro leaders discussed these items, but no word was released on the outcome of the talks.

**Five children named as plaintiffs in a suit seeking to integrate schools in Jacksonville and Duval County, Fla., have withdrawn from the federal court case. Attorneys for the Negro children said their parents pulled them out because of reprisals.**

However, state's attorneys maintained the parents withdrew their children because they did not live in the county.

Nine children remain as plaintiffs, so the suit will proceed.

Institute of Religion

The News and Observer
Raleigh, N. C.

# Sit-In Leader to Speak Here

Dec. 1, 1960

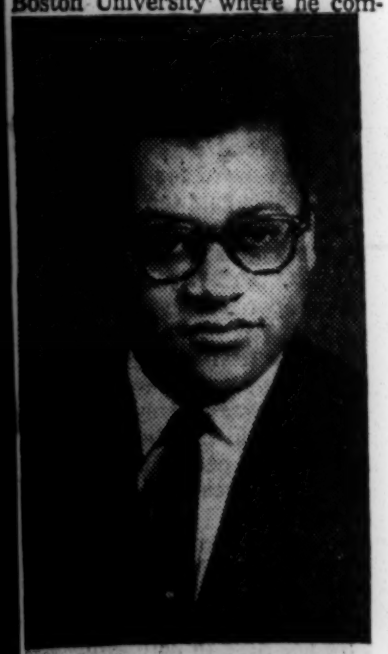
The Rev. James Lawson, leader of the sit-in movement in Nashville, Tenn., will speak here at the Institute of Religion at The United Church Monday night at 8 p.m. "The Sit-Ins: Their Effect Abroad" will be his topic.

Lawson's address will consider an aspect of the institute theme, "The Face of America." He is expected to emphasize the significance of the sit-in movement as seen by people in Africa and in other countries.

The Tennessee minister has first-hand knowledge of how the powers of non-violence have transformed human relations in India and Africa. He is also concerned with the impression segregation policies in the United States make upon people in other lands.

Lawson was expelled from the theological school at Vanderbilt University last year for his part in training students in the technique of non-violence, as well as his active participation in the sit-in movement. The faculty of the divinity school resigned in protest.

Later, Lawson was reinstated but by that time he had entered Boston University where he completed work for his divinity degree. He is now pastor of Scott Chapel Methodist Church in Shelbyville, Tenn.



THE REV. JAMES LAWSON.

At 6 p.m. Monday there will be a fellowship dinner at the Church. Sessions of the four classes will follow at 7 p.m.

Superior Court Judge William T. Hatch will speak at the class dealing with the adult offender in our society. His topic will be, "Trial Procedures: Probation or Incarceration."

College students at Shaw, Meredith, St. Augustine's and State colleges will discuss: "Education: Can Separate School Facilities Be Equal?"

**Class Speaker.**

W. L. Kedrick and Dr. P. F. Brooking will speak at the class concerned with "The Responsibilities of Organized Labor in Our Society." Kedrick is vice-president and general manager of the Tungsten Manufacturing Corporation in Henderson. Brooking is a member of the Meredith College faculty. The two will discuss: "Management's views on Organized Labor."

Speakers at the class concerned with the traditional values in Modern Life in India and the United States will be Dr. Keith F. McKean and Triloke Khosla. Dr. McKean is a member of the faculty at State College. Khosla, a native of Bombay, India, is a graduate student at State. Their topic will be, "Social Values."

# Dallas Lunchrooms To Remove Racial Bans In Mid-August

DALLAS — (ANP) — A definite date for ending segregation at lunch counters in downtown Dallas stores was announced last week. The date, when 45 of the principal firms involved have agreed to remove racial bans from their food service departments, is mid - August.

The pledge of desegregation came during the week and following a stormy period of confusion among various groups of Negro organizations.

Sam Bloom, spokesman for the number of downtown stores, assured a meeting of Negro civic leaders, including members of the 7-man committee, that the stores will definitely drop the racial barriers at their lunch counters by the middle of August — which is 45 days away.

The 7-man committee, chosen from various Negro organizations, has been in conference with its white counterpart during the past 18 months. Purpose of the bi-racial group has been to work out plans for "peaceful" integration of Dallas facilities.

A suggestion that no publicity be given to the changeover was made but rejected by news media representatives attending the conference Purpose of the secrecy, it was pointed out, would be to preevnt any violence during the crucial period of the integrating proces.

# Dallas Shows How It Can Be Done!

The Afro American

L.7

DALLAS, Texas — Integration came to downtown Dallas restaurants and cafeterias Wednesday without fanfare and without incident.

Let 8-5-61

A total of 159 members of the colored community ate in 36 previously all-white establishments located in every important department store in Dallas, including the world-famous Nieman-Marcus Zodiac Room.

The Dallas Citizens Council, an organization of the city's white business leaders, arranged the integration step. Later the council reported that only four or five calls of protest had been received.

Baltimore Md.

THE EATING places that were integrated reported only three complaints from white customers.

The Dallas Citizens Council is not to be confused with White Citizens Councils and similar racist groups which are regarded as ineffectual in Dallas.

The Dallas council planned and carried out Wednesday's integration step in order to soften the impact of court-ordered desegregation of schools at the first-grade level in September.

A statement by the Citizens Council said:

"We thought this (integration) should be an adult experience before it is a child experience. If adults couldn't handle it well, we wouldn't expect the children to do so."

The 159 persons who took part in the integration move were business and professional men, clergymen and their wives from the colored community.

A. Mayfield Smith, a member of the group, said:

"The experience was a very happy one and without anxiety for those who took part. We were served with extreme courtesy."

# New "Sit-In" Demonstrations Strike In Dallas

DALLAS — A group of Southern Methodist University students has demonstrated against an off-campus drug store, for its refusal to serve two fellow students, who are Negroes, at the lunch counter.

**On Saturday evening, January 7, Carroll Brown and Earl Allen, SMU theological students, went to the University Drug Store, across from SMU on Hillcrest, to get a Coke. The manager requested the Negro, Earl Allen, to leave. They left and returned with a larger group and sat in.**

The closest thing to trouble at the drug store was that the store owner, C. R. Bright, attempted to break the demonstration up by spraying insecticide over and around the students. None of the approximately 60 students would move. They remained until Bright closed the store. He reopened all the departments of the store, except the lunch counter, within an hour.

The demonstrators then returned with protest signs and picketed the store until closing time. The signs called for a student boycott of the pharmacy. An SMU student explained his views, saying:

**"This is not a bunch of college students on a lark. It goes deeper than that. It's a religious thing, a person-to-person experience, and in my opinion an international one. Our whole American system cries out against discrimination and prejudice of this type."**

On Monday afternoon, in another sit-in movement, the Rev H. Rhett James led five Dallas Negro citizens into the dining area of Titche-Goettinger, a leading Dallas department store, for service; and upon refusal they sat in until closing time.

The group was refused entrance on Tuesday by the store, when store personnel roped the dining area off, as Negroes approached the area. At press-time Wednesday the Rev James told The Dallas Express that the group would stand in front of the ropes on Wednesday, if the ropes are there to block their entrance.

# Atty Durham Urges Action In Eliminating Jim Crow In Stores

Atty W. J. Durham, a member of a seven-man committee, serving to bring about better race relations, voiced his disappointment in the break down between the committees, in connection with desegregation of lunch counters and other public facilities, Sunday afternoon, while submitting his report.

Atty Durham told an audience of approximately 1000 at the St John Baptist Church, the agreement the two committees had broken down, and called for a vigorous sit-in demonstration, and boycott of four Dallas Stores—Sanger's Titches - Goettinger's, H. L. Green and S. H. Kress company.

Mr Durham, who was noticeably emotional, told of his disappointment in the position taken by Mayor R. L. Thornton would not recommend the desegregation practices at the State Fair of Texas, and that the Mayor insulted the Negro race when he asked him to tell his people to be patient.

Mr Durham then made a strong appeal to the citizens to discontinue trading with stores mentioned, and asked for a salt and pepper army to march on the downtown stores that practice bias.

Dr Caesar Clark, chairman of the Education Action Committee, of the Dallas Citizen's Committee, stressed the request of Atty Durham, stating, "the battle-line has been drawn, and we must arise to the occasion, and continue our fight for the duration."

Dr Clark and Atty Durham were speaking at the mass meeting, commemorating Citizen's Day. The meeting was under the leadership of the Dallas Branch National Association for the Advancement of Colored People; The Interdenominational Ministerial Alliance, and the Citizen's Committee.

Mrs Earldean Robbins, coordinator of the Poll Tax Campaign, and Dr E. C. Estell, president of the Ministers Alliance, and Citizen's Committee, presided over the meeting.

# Methodist Students Endure Spray

DALLAS, Tex. (AP) — A group of 60 Southern Methodist University students sat through an insecticide spray at a drug store lunchcounter Monday after two Negroes were refused service.

The group, which included two Negro theological students, refused to leave and C. R. Bright, owner of the University Pharmacy, called in a fumigation service. Coughing and holding handkerchiefs over their faces, the students remained at the counter as the insecticide was sprayed. They did not leave until Bright closed the store.

When all departments of the store except the lunchcounter were reopened, the students, including about 25 white women students, picketed the pharmacy.

# Students Sit-In At Dallas Store

DALLAS, Tex. — On Saturday evening, Jan. 7, Carol Brown and Earl Allen, Perkins Theological Students went to the University Drug Store to get a coke. The manager requested the Negro students to leave. They left and returned in 20 minutes with some 25 sympathizers and sat in until 10 p.m.

On Monday, Jan. 9, some 60 students returned to the University Drug Store and continued their sit-ins in protest to the segregated policies.

These students are committed to end segregation on the University "Drag." These stores receive their main support from the Southern Methodist University campus.

This movement is a student movement, sponsored and coordinated by students from the various graduate schools and the undergraduate school.

They have received protection from the Sheriff of Dallas and the Chief of Police of Highland Park. The Committee on Appeal for Human Rights, Rev. H. Rhett James, chairman, aids the students in their goals of desegregation.

# New Law Aims at 'Sit-Ins'

The Pittsburgh

DALLAS, Tex. — The City Council here last week passed an ordinance apparently aimed at both sit-in demonstrators and at mobs opposing school integration.

Pittsburgh, Pa.

The new law prohibits congregating or loitering when forbidden by policemen and calls for a $200 maximum fine for violators.

Jan. 2-11-64

Police Chief Jess Curry said there is no connection between the ordinance and a recent sit-in at a drugstore where white and Negro students of Southern Methodist University sought lunch counter service.

However, City Manager Elgin Crull said the need of a new ordinance was pointed up by a police story on handling the mobs opposing school integration in Little Rock and New Orleans.

Dallas public schools are under orders to integrate this fall.

# 48 Sit-Ins Jailed In Houston

The Defender

Chicago, Ill

March (4-10) 61

HOUSTON, Tex. — (UPI) — Forty-eight Negro college students were arrested and jailed on loitering charges in the second attempt within 24 hours to integrate the cafeteria at Houston's union railway station.

A leader of the group, Eldrewey J. Stearns, 27-year-old student at Texas Southern university, said the 48 youths planned to stay in jail over the weekend. They were charged with loitering.

Stearns was among a group of 14 young Negroes who were released on $10 bond each after similar charges were filed against them in an incident Friday.

The group, including 26 women and 22 men—all of whom said they were students at Texas Southern university—went to the cafeteria and demanded to be served.

The operator, James D. Burleson, called police when the group refused to leave. When police arrived they gave the students the option of leaving or being arrested. The students declined to leave and were driven to the city jail.

Friday, the group of 14 spent about eight hours in jail. Stearns said none of 'hem went to sleep, but stayed awake and "listened to a chorus of drunks and bums."

The bond releasing the youths was posted by the Houston Medical Forum. Stearns commented then, concerning the railway station incident, that "everybody in the cafeteria accepted us except the manager."

# Many Questions Unanswered As Integration Ordered

The Informer
Houston, Sept

HOUSTON — Tuesday 1[illegible] Progressive Youth Association (PYA) sit-ins threw the city hall into turmoil and excitement, when they appeared to be served in the cafeteria at the police station and were refusd. The cafeteria, claiming to be leased for city employees, had a record of not serving Negro policemen and this shortcoming did more to agitate the mayor and his assistants than the sit-ins did directly.

After a number of excited and rushed conferences, Mayor Lewis Cutrer announced that the cafeteria in the police station would serve all employees, regardless of race.

This announcement followed a meeting between the mayor Police Chief Carl Shuptrine, Inspector of Public Buildings Francis R. Deering; Sgt W. A. Evans, president of the Houston Police Officers Assn; City Attorney Richard Burks; and Wallace Gee, operator of the cafeteria.

But later on Tuesday Assistant Police Chief George Seber is reported as saying that he knew of no efforts of Negro policemen attempting to be served in the cafeteria, and expected none to make such attempts. This was interpreted by most Negroes as a covert threat against Negro policemen who would dare to leave the kitchen where they are now served, and make attempts to sit in the cafeteria proper.

Assistant Chief Seber's statement seemingly went straight in opposition to the order of Mayor Cutrer; that the cafeteria must serve all members of the police department. The kitchen isn't the cafeteria. There is a total of 87 Negro employees in connection with the police department.

A question remains as to whether or not Negro employees of the police department have been voluntarily eating in the kitchen of the cafeteria, instead of eating in the main room with the other employees of the city. Another question is why there is an advantage to the Negroes to eat in the kitchen, or for the cafeteria to set up special arrangements for the Negroes to eat in the kitchen, rather than let them take the normal tables and benches in the cafeteria?

Are any white employees required to eat in the kitchen? How does it happen that all of the Negroes, who want food, eat in the kitchen in this city-owned cafeteria? Does the mayor's order mean that he will see to it that Negroes are permitted to eat in the cafeteria proper as do other employees?

The PYA made another attempt to open the cafeteria in the city hall Wednesday, and were again refused.

They went from there to the Continental Bus Company, where they were served. Mr Stearnes, president of the PYA, said that the students would keep pushing the issue at the cafeteria of the city hall.

*At Kennedy's Retreat*

# Virginia Lunch Counters Are Desegregated Quietly

MIDDLEBURG, Va. (AP) — President Kennedy learned Sunday through a prayer at Mass of the quiet racial integration, of three Middleburg lunch counters. And the President himself figured unknowingly in the event.

Negroes were served for the first time Saturday at two of the counters. Had they been refused service, town authorities said, they had planned sit-in demonstrations timed to coincide with Kennedy's presence in town, and reportedly were ready to picket at the church services the President attended.

**Was Arbitrator.**

It was the President's pastor, the Rev. Albert F. Pereira, who served as arbitrator between Negro spokesmen and proprietors of a sandwich shop and two drug stores with lunch counters. Father Pereira mentioned the settlement in his prayer Sunday and in the church bulletin.

While the President and Mrs. Kennedy listened with bowed heads, the priest read a carefully worded prayer that said: "Eastertide is a time for joy, joy in our unity by baptism in Christ. Hence it is so appropriate that we rejoice today that the first bridge of understanding between the races has been crossed gracefully.

"We should like publicly to thank the ministers, the officials, the drug store owners and operators for their cooperation—the fine Negro leadership for its patience and understanding in amicably working out the first phase of broadening the association and communication between the races.

"Further, we should like to solicit your prayers at Mass today, your active support from now on, out of love for the risen Christ, in a program of more communication, of more sharing, of more granting of rights to the Negroes of our community and country so that they may become truly first-class citizens both in what they receive as well as in what they give."

Protestant ministers in Middleburg also announced the integration move in sermons Sunday.

Father Pereira told reporters Kennedy knew nothing of the three weeks of maneuvering and negotiating that preceded the agreement to integrate the lunch counters or of the outcome of the arbitration.

Some Middleburg residents say the town was chosen by Washington Negroes for an integration attempt because the President has a retreat just outside. They feel the integrationists reasoned that Middleburg merchants would be reluctant to embarrass the chief executive by provoking sit-in demonstrations or picketing at the Communtiy Center which is used for Catholic services.

This is the background as Father Pereira sketched it: Two Negroe students from Howard University in Washington were refused service at the Tally Ho Pharmacy lunch counter about three weeks ago. They asked William Jackson, Negro contractor and local representative of the National Association for the Advancement of Colored People, to organize sit-in demonstrations.

Jackson preferred mediation, and consulted with John Eisenhard, editor of the Fauquier Democrat at nearby Warrenton, Va. The editor proposed that Father Periera be asked to try for a settlement. Father Pereira served a Negro parish and school in Portsmouth, Va., for seven years. The pastor consulted with the three Middleburg Protestant ministers, the mayor, chamber of commerce officials and others, and with the operators of the lunch counters.

The result: Two Middleburg Negroes were served Saturday.

A town of about 800, Middleburg is about one-third Negro, Father Pereira said.

Father Pereira's Middleburg congregation has two Negro members, a mother and daughter. His parish is at Leesburg, Va., but he also says Masses every Sunday at Purcellville and Middleburg.

The services here are held in the yellow stucco Community Center on the main street because there is no Roman Catholic church in the town.

The President and First Lady drove into town from their estate a mile and a half to the south through a light drizzle.

The chief executive said he will return to Washington Monday morning.

# Integration Story Related In Prayer

## Kennedy Learns Of Racial Agreement At Mass

MIDDLEBURG, Va., April 9. — (AP) — President Kennedy learned through a prayer at Mass Sunday of the quiet racial integration of three Middleburg lunch counters. And the President himself figured unknowingly in the event.

Negroes were served for the first time Saturday at two of the counters. Had they been refused service, town authorities said, they had planned sit-in demonstrations timed to coincide with Kennedy's presence in town, and reportedly were ready to picket at the church services the President attended.

It was the President's pastor, the Rev. Albert F. Pereira, who served as arbitrator between Negro spokesmen and proprietors of a sandwich shop and two drug stores with lunch counters. Father Pereira mentioned the settlement in his prayed Sunday and in the church bulletin.

While the President and Mrs. Kennedy listened with bowed heads, the priest read a carefully worded prayer that said:

"Eastertide is a time for joy, joy in our unity by baptism in Christ. Hence it is so appropriate that we rejoice today that the first bridge of understanding between the races has been crossed gracefully.

"We should like publicly to thank the ministers, the officials, the drug store owners and operators for their co-operation — the fine Negro leadership for its patience and understanding in amicably working out the first phase of broadening the association and communication between the races . . ."

Father Pereira told reporters Kennedy knew nothing of the three weeks of maneuvering and negotiating that preceded the agreement to integrate the lunch counters or of the outcome of the arbitration.

MIDDLEBURG, VIRGINIA

LUNCH COUNTER- DESEGREGATED

(PRESIDENT KENNEDY)

# Kennedy's Pastor Plays Role in Desegregation

By Constance Feeley
Staff Reporter

A story of quiet, peaceful racial desegregation was unfolded to President Kennedy as he sat with his head bowed at Mass yesterday

The President's pastor, the Rev. Albert Pereira, read a carefully worded prayer that disclosed three lunch counters in Middleburg, Va., had dropped their racial barriers.

The President himself figured unknowingly in the event.

Here is what happened, according to Father Pereira:

About three weeks ago, two Negro students from Howard University were refused service at the Tally Ho Pharmacy lunch counter. They asked William Jackson, Negro contractor and local representative of the National Association for the Advancement of Colored People, to organize sit-in demonstrations.

Jackson preferred mediation and asked Father Pereira, who had once served a Negro parish to help. The priest consulted with the three Middleburg Protestant ministers, the Mayor, other leaders, and the owners of the lunch counters at the Tally Ho, the Middleburg Pharmacy and Anderson's Sandwich Shop.

The result: desegregation in a Middleburg eating place for the first time in history. On Saturday, two Negroes were served at the Tally Ho.

Had they refused, town authorities said, the Negroes planned sit-in demonstrations timed to coincide with the President's presence in town and reportedly were prepared to picket at the church services he attended.

Some Middleburg residents said the town was chosen by Washington Negroes for a desegregation effort because the Chief Executive has a country home nearby. They feel the Negroes thought Middleburg businessmen would be reluctant to embarrass the President provoking demonstrations at the community center used for Catholic services.

Father Pereira did not go into detail in his prayer before the President yesterday. He simply asked the congregation to "rejoice . . . that the first bridge of understanding between the races has been crossed gracefully." The details were supplied to reporters later.

The priest said Mr. Kennedy knew nothing of the three weeks of negotiating that led to the agreement.

Father Pereira singled out for special praise the three Protestant ministers who "helped me a lot and told me whom to see." Mayor Edwin C. Reamer was kept informed of his activities, he said.

Mr. Kennedy, resting up after three days of conferences with British Prime Minister Macmillan, returns to Washington today.

In Middleburg, Va.—

# Kennedy is unknowing lever in mixing deal

BY DOUGLAS B. CORNELL

MIDDLEBURG, Va., April 10—(AP)—President Kennedy learned at mass of the integration of three lunch counters in this town in the Virginia hunt country.

Apparently, the first word the president had was the announcement at mass yesterday "that the first bridge of understanding between the races has been crossed gracefully."

**But the local white citizenry attributed the change at least indirectly to Kennedy.**

The reasoning was that Negroes made Middleburg a special target of successful efforts to obtain service at lunch counters because the president is a part-time resident. He has taken an estate here.

UNVERIFIED TALK circulated among the Negro population that Kennedy took some sort of direct steps to break the color line at eating places after Negroes on the household staff at his estate, Glen Ora, had been refused service at the Coach Stop Restaurant.

The owner of the restaurant, Louis C. Dimos, denied this. In fact, he said, he didn't believe there were any Negroes on the Glen Ora staff.

**But Dimos did tell newsmen that "a very importnant person in the government came to talk to my wife yesterday." He declined to identify the indentify the individual.**

Kennedy was unavailable for comment on all this. He spent the week-end here and returned to Washington this morning.

TWO YOUNG Middleburg Negroes tested the new policy of integrated dining Saturday and found it worked. A sandwich shop and two drug stores had agreed to put it into effect.

Middleburg authorities said that in the event service was refused, Negroes had planned sit-in demonstrations and perhaps picketing at church services—timed to mesh with Kennedy's week-end visit.

The change in customs and policies involved two weeks of dickering, with the Rev. Albert F. Pereira, who offers mass at Middleburg, serving ar arbitrator.

**"This," he said in a church bulletin yesterday, "is a milestone in the belief in American equality and of Christian understanding and love."**

And with the president and Mrs. Kennedy listening with bowed heads, he voiced public thanks to the three Protestant ministers of Middleburg, town officials, drug store owners and Negro leaders for "amicably working out the first phase of broadening the association and communication between the races."

# Plan To Avert Embarrassing JFK Revealed

## Action Of Pries Prevents Sit-Ins At Middleburg

MIDDLEBURG, Va., April 9 (AP) — President Kennedy learned through a prayer at mass today of the quiet racial integration, of three Middleburg lunch counters. And the President himself figured unknowingly in the event.

Negroes were served for the first time yesterday at two of the counters. Had they been refused service, town authorities said they had planned sit-in demonstrations timed to coincide with Kennedy's presence in town, and reportedly were ready to picket at the church services the President attended.

It was the President's pastor, the Rev. Albert F. Pereira, who served as arbitrator between Negro spokesmen and proprietors of a sandwich shop and two drug stores with lunch counters. Father Pereira mentioned the settlement in his prayer today and in the church bulletin.

**Prayer Discloses Action**

While the President and Mrs. Kennedy listened with bowed heads, the priest read a carefully worded prayer that said:

"Eastertide is a time for joy, joy in our unity by baptism in Christ. Hence it is so appropriate that we rejoice today that the first bridge of understanding between the races has been crossed gracefully.

"We should like publicly to thank the ministers, the officials, the drug store owners and operators for their co-operation—the fine Negro leadership for its patience and understanding in amicably working out the first phase of broadening the association and communication between the races."

**President In Dark**

Father Pereira told reporters Kennedy knew nothing of the three weeks of maneuvering and negotiating that preceded the agreement to integrate the lunch counters or of the outcome of the arbitration.

"I wouldn't have dared tell him anything about it," he said.

Some Middleburg residents say the town was chosen by Washington Negroes for an integration attempt because the President has a retreat just outside. They feel the integrationists reasoned that Middleburg merchants would be reluctant to embarrass the chief executive by provoking sit-in demonstrations or picketing at the community center which is used for Catholic services.

**Pair Turned Down**

This is the background as Father Pereira sketched it:

Two Negro students from Howard University in Washington were refused service at the Tally HO Pharmacy lunch - counter about three weeks ago. They asked William Jackson, Negro contractor and local representative of the National Association for the Advancement of Colored People, to organize sit-in demonstrations.

Jackson preferred mediation, and consulted John Eisenhard, editor of the Fauquier Democrat at nearby Warrenton, Va. The editor proposed that Father Periera be asked to try for a settlement. Father Pereira served a Negro parish and school in Portsmouth, Va., for seven years. The pastor consulted with the three Middleburg Protestant ministers, the mayor, Chamber of Commerce officials and others, and with the operators of the lunch counters.

The result: Two Middleburg Negroes were served yesterday.

# Eating Places End Bias During Kennedy Visit

By HELEN THOMAS

MIDDLEBURG, Va. — (UPI) — Sit -in demonstrations scheduled during President Kennedy's week-end visit here were averted by community leaders through desegregation of three eating places, it was disclosed Sunday.

The President knew nothing of either the racial problem or its quiet solution until he attended church services, where the Rev. Albert F. Pereira publicly praised local officials and businessmen for their efforts.

Pereira thanked the community for "gracefully crossing the first bridge of understanding between the races." He called the desegregation of two drug stores and a sandwich shop a "milestone for Negroes" in this Virginia hunt - country village.

Town officials said Pereira himself played a key role in persuading owners of the establishments to begin serving Negroes. The racial bars were first lowered Saturday.

Kennedy and the first lady drove through a drizzle to the noon Mass at the Middleburg Community Center. The President is scheduled to return to Washington Monday.

At the urging of reporters, Father Pereira revealed that he has been working for two weeks to bring about equal treatment of Negroes in the town's eating places.

He said that John Eisenhard, editor of the Fauquier - Democrat, asked his help with an effort to avoid sit-in demonstrations obviously tied to President Kennedy's presence in the area.

The priest said the first test was run by two Negro students from Howard University in Washington about two weeks ago. They were refused service at a lunch counter.

The students then went to William McKay Jackson, the local representative of the National Association For the Advancement of Colored People and asked him to organize a full -scale sit -in.

Jackson decided to first try peaceful diplomacy and asked Father Pereira to act as mediator. The priest then met with the Negro people of the community -about one - third of the population—and, as he put it "listened."

He also contacted Mayor Edwin C. Ramer, officials of the Chamber of Commerce and the owners of the Tally Ho Inn, the Middleburg Pharmacy and Anderson's Sandwich Shop. He said he spent all day Thursday talking to them and "preached them a little sermon."

Father Pereira, whose home is in Newport News, Va., was pastor at a Negro Catholic parish and school in Portsmouth, Va., for seven years. He said he gained an understanding of their problems "by working with them."

In his sermon Sunday he said there is reason to "rejoice today that the first bridge of understanding between the races has been crossed gracefully."

MIDDLEBURG, VA.
LUNCH COUNTER -DESEGREGATED

# Kennedy Misses Sit-Ins; Cafes Are Desegregated

The Miami Herald

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Mon. 4-10-61

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P 1,23

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# President Unknowing Pawn In Quiet Mixing Incident

The Montgomery Advertiser

Montgomery, Ala.

Mon. 4-10-61

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# 4 New Arrests in Lynchburg

The Washington Post

LYNCHBURG, Va., Feb. 21 (AP)—Four Negro men, including two ministers, were arrested and charged with trespass after a sit-in demonstration at the segregated lunch counter at Patterson's Drug Store here Tuesday.

Among the four was the Rev. Virgil Wood, 29, an integration leader and pastor of the Diamond Hill Baptist Church.

Othres were listed at the police lockup as Samuel Trimar, 26; Bates Ford, 40, and the eRv. William Roberts, 23.

It was another in a series of sit-in demonstrations and picketing at the store whose management has refused to desegregate the lunch counter.

One such demonstration late last year brought the arrest of six students attending colleges here and their conviction on trespass charges. The students—four white and two Negroes—now are serving 30-day terms in the city jail.

Seven Negroes arrested a week ago on similar charges will be given hearings Wednesday in Municipal Court here.

When the four men appeared at Patterson's Tuesday and sought to be served, William Patterson, a company official, told the group he was within his rights in serving whomever he wished.

The group refused to leave, and aPtterson called police who explained the State's trespass law. The men still refused to leave and were arrested. They were taken to police lockup in a patrol wagon.

The new arrests came in the wake of new rules of order for Municipal Court by Judge Joseph P. McCarron, which call for segregation of spectators and warn against demonstrations of any kind.

The afro-American Baltimore Md.

**FACING JAIL TERMS** if, like six other college students, they are convicted on trespass charges for the Feb. 13 lunch counter sit-in at Patterson's Drug Store, are these young Lynchburg theological students, with their director (seated) the Rev. Virgil A. Wood, pastor of Diamond Hill Baptist Church and president of the Lynchburg Improvement Association. Left to right, the young men who remained in jail overnight following their arrest, are Jon E. Crawford of Chicago; Elijah Regulus Jr. of Waycross, Ga.; Lanksford E. Hankins of Nathalie, Va., associated with New Mount Baptist Church in Arrington, Va.; William G. Roberts of Alquippa, Pa.; James A. Tucker of Clifton Forge, Va.; and Ralph Reavis of Lawrenceville, Va., pastor of Promised Land Baptist Church in Bedford, Va. The Municipal Court hearing in Lynchburg is set for Feb. 22.

# 8 more arrested in Lynchburg sitdown

The Afro-American Baltimore Md.

LYNCHBURG, Va.—Eight new demonstrators were arrested Monday following 2 sit - ins at the lunch counter of Pattersons Drug Store.

Monday's arrests of seven students and a young married woman, the mother of two children, boosted the number arrested in Lynchburg sit - ins to 14.

Six students, four white and two colored, are now serving the second week of 30 - day jail sentences meted out to them on charges of trespassing in the same drug store.

Two of the eight arrested Monday, Miss Mandoline Thompson, 16, of Amherst, Va., and Mrs. Randolph Gordon, 28, a Lynchburg housewife and mother, were released later in the day on $1,000 bond each.

* * *

**THE OTHER** six, who were placed in a different jail from the one where the first group of sit-inners are serving their sentences are:

William Roberts, 21, Elija Regulus, 19; Ralph Reavis, 21; James Tucker, 23; Jon Crawford, 25, and Lankford Hankins, 25, all students at Virginia Theological Seminary and College.

While the participants in the two demonstrations at Patterson's Drug Store were being arrested Monday, another group of three colored persons was served at a People's Drug Store a block away.

The manager of the People's store, John T. Dalton, called the district office of the chain in Roanoke and was told to serve the group. One of them, the Rev. Virgil T. Wood, president of the Lynchburg Improvement Association, carried a Bible.

* * *

**THE FIRST** group of six which entered Patterson's was ignored for about a half hour by the four white waitresses and the counterman. Then William Patterson, manager of the store, asked each individually to leave.

They refused, and Patterson called two colored members of the Lynchburg Biracial Committee who told Patterson they could do nothing unless given assurances that the store would change its policy in the future.

Seven policemen entered the store about an hour after the sit - in began, and Capt. W. S. Gillan told the group to leave — then arrested them when they refused.

# Negro Girl Sit-In Gets 30 Days; Sentenced as Adult in Lynchburg

The Washington Post p. 3
Washington D.C.

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., Feb. 23 A 16-year-old Negro girl received a 30-day jail sentence here today for protesting discrimination at Patterson's drug store lunch counter.

Juvenile Court Judge O. Raymond Cundiff, in setting the sentence, said he had no alternative but to treat her as an adult since she had not shown repentance.

She "cannot be tried and rehabilitated as a juvenile," he declared.

Attorney S. W. Tucker, of Emporia, Va., appealed the case. The girl, Mandeline Thompson, was released on $1000 bond for the March term of Corporation Court.

She was charged with violating Virginia's trespass laws in the Feb. 13 "sit-in" at the drug store. Seven adults who also demanded service at the lunch counter the same day received 60-day sentences yesterday in Municipal Court. One has appealed.

Earlier six college students, four white and two Negro, were given 30-day sentences for a similar protest.

During today's informal hearing in the Juvenile Court Judge's chambers, Tucker questioned the right of the state to use its police powers to enforce segregation.

Tucker also questioned William Patterson, manager of the store, on company policy in serving customers.

Patterson said the store has followed a custom of serving white patrons seated at the lunch counter and Negroes at a stand-up section where they can take orders out.

The store manager said that in the past he has asked white persons also to leave his store. When Tucker asked him if that was not because they had been disorderely, Patterson refused to answer.

The Negro attorney moved that the case be dismissed on the grounds that Miss Thompson was denied service solely on the grounds of her race.

In support of his motion, Tucker said Patterson can deny service to anyone he wants to, but when the state uses its police power to support a policy of segregation it is doing indirectly what it cannot do directly.

This, he said, violates the Constitution.

Tucker further argued that a case involving a juvenile is stronger than one involving an adult. Patterson's business, he said, is open to the public.

"You cannot explain to a child," he said, "that he is not one of the public merely because he is black."

In denying the motion to dismiss the case, Judge Cundiff declared that under common law a person can keep anyone out of his business establishment or home "for any reason."

Trespass laws are on the books, he said, and "no court has declared them unconstitutional as of this date."

Judge Cundiff said Juvenile Court is interested in rehabilitating juveniles who are sorry for breaking the law and give assurances there will be no repetition. No representation has been made, he said, that Miss Thompson was sorry and will not violate the law in the future.

The Judge warned that other juveniles who take part in lunch counter demonstrations will be "treated the same or harsher as the case demands."

"I am not going to have juveniles going out and doing something adults cannot do," he said.

Miss Thompson, a sophomore at Central High School, Amherst, Va., lives in Madison Heights, a Lynchburg suburb. Her father, Henry, is a contractor.

Last year she participated in picketing of Lynchburg stores by Negroes and was expelled briefly from Campbell County High School for circulating a petition urging students to boycott a store that discrimated against Negroes.

# 7 Negroes Get 60-Day Jail Terms After Standing Mute at Sit-In Trial

The Washington Post p. 1
Washington D.C.

By Elsie Carper
Staff Reporter

LYNCHBURG, Va. Feb. 22 Seven Negroes were given 60-day sentences for a lunch counter sit-in demonstration today after they refused to take part in a count hearing because the courtroom was segregated.

Their attorney, Leonard W. Holt of Norfalk, called the proceedings in Municipal Court "unlawful and unconstitutional."

Six of the seven are ministerial students at Virginia Theological Seminary and College. They chose not to appeal the sentences and were taken off to jail immediately. They wore dark suits and ministerial collars and carried Bibles.

The seventh, Essie Gordon, 28-year-old mother of two small children, appealed and was released under $1000 bond. Her appeal will come before Corporation Court during the March term.

The seven, along with a 16-year-old girl, were arrested Feb. 13 for protesting discrimination in two separate demonstrations at Patterson's Drug Store on Main st. The girl is

*Picture on Page B3*

scheduled to be given a hearing in Juvenile and Domestic Relations Court Thursday.

The sentences, handed down by Municipal Court Judge Joseph P. McCarron, were twice as severe as the 30-day terms given to four white and two Negro college students for an earlier demonstration at Patterson's store. They are now in jail.

Segregation in the courtroom figured in the trial of those six students. When they came before Judge McCarron last month, spectators ignored the previous practice of segregation. When the students later were brought before the Corporation Court, Judge S. DuVal Martin ordered segregated seating and a white minister was ejected when he indicated that he wished to sit with Negroes.

Judge McCarron issued orders Monday that his court would be segregated for today's hearing. All of the seats in the Negro section were filled and about 50 Negroes stood outside in the corridor.

Four Seminary students and Mrs. Gordon were tried first for participating in one demonstration, and then the other two were tried for taking part in a second demonstration on the same day. All were found guilty of violating Virginia's trespass laws.

The Washington Post p. 3-B
Associated Press

## Prayerful Defendants Refuse to Be Sworn

Washington D.C.
Thurs. 2-23-61

**Seven Negro students, carrying Bibles to Municipal Court in Lynchburg, Va., where they were charged with trespassing during a sit-in demonstration in a drugstore, were sentenced to 60 days in jail for refusing to be sworn in for trial because the courtroom was segregated. They are shown here at the court. Story on Page A1.**

The Afro-American Baltimore, Md. Sat. 2-25-61 p. 1

**PICKETS AND COUNTERPICKETS** are parading daily in front of Patterson's Drug Store in Lynchburg, Va., where 14 persons have been arrested while seeking service at the lunchcounter. Six students, four of whom are white, are now serving 30-day jail terms on trespass charges. The remainder face hearing on Feb. 22. The desegregation campaign pickets (at left) are Patrick Walker and Jack Anderson. The opposing pickets (at right) carry a placard ridiculing the Rev. John H. Teeter, white Episcopal vicar who was ejected from the segregated courtroom.

# So Pickets Picket Pickets

The Afro-American

By RUTH JENKINS
Editor, Richmond AFRO

LYNCHBURG, Va. — A double line of pickets, one group against and the other for lunch counter desegregation, parades daily in front of Patterson's Drug Store, focusing national attention on the store which figured in 30-day jail terms for six college students, four of whom are white.

## INSIDE LYNCHBURG

The desegregation campaigners are primarily students of Virginia Theological Seminary, and College, supplemented by white students from Sweet Briar College, Randolph - Macon Women's College and Lynchburg College.

Baltimore, Md. Sat. 2-25-61

They are supported in the sitdowns and picketing by adult sympathizers of both races, working under direction of the Lynchburg Improvement Association headed by the Rev. Virgil A. Wood, pastor of Diamond Hill Baptist Church.

* * *

**THE OPPOSING** picket line showed up Tuesday afternoon when a mixed group of desegregation campaigners, including white girls from Sweet Briar College were parading in front of the store.

Other agitators gathered and mouthed obscenities and insults to the white girls, but order was maintained as uniformed policemen stood nearby.

By agreement with Police Chief R. O. Brooks, both the pickets and counterpickets are limiting their numbers to three each. This avoids congestion and lessens the chance of a disturbance.

On Feb. 6, the mixed group of students found guilty of trespass charges after a December sit-in at Pattersons, began 30-day jail terms.

Last Tuesday's picketing followed the arrest on Monday morning of six theological students, a 16-year-old girl and a 28-year-old housewife, all colored, who participated in the second sit-in at the store.

Pittsburgh Courier Feb.

**DURING THIS TIME**, W. E. Gordon and M. W. Thornhill Jr., two members of the city's Bi-Racial Commission, were called to see if they could persuade the demonstrators to leave.

The men agreed to go to the store, but only to talk with W. S. Patterson the vice - president, to see if desegregation could be effected.

The discussion with him proved fruitless. So the demonstrators were arrested on warrants when they refused to leave after having been asked to do so by Mr. Patterson.

Special police attention was focused on the teen-ager Mandeline E. Thompson, she being questioned repeatedly as to whether adults influenced her to participate in the demonstration.

Repeatedly she told the police and the press that she acted of her own volition and that "God is my only influence."

* * *

**THE GROUP** was arrested about 11 a.m., but Mandeline refused to accept the bail offered by her parents until seven hours later.

She explained that she remained in custody this long because "we were celebrating Lincoln's birthday, and we (the demonstrators) had to show our sympathy for the other students who are in jail."

She was referring to the four white and two colored students who began serving 30-day jail terms on Feb. 6 after pleading guilty to trespass charges growing out of their sit-in at the Patterson store last December.

Incarcerated at the City Jail, 9th and Clay Sts. these students are permitted Saturday afternoon visits from family and ministers only.

They are allowed to mail two letters a week, but they have been swamped with thousands of letters sent by well-wishers and sympathizers from across the country.

The group includes Miss Barbara Thomas and Kenneth Green, students of Virginia Seminary and College.

* * *

**OF THE EIGHT** persons taken in the Feb. 13 sit-in, Mandeline and Mrs. Randolph Gordon were released on $1000 bail that evening.

Their six companions, the theological students, voluntarily remained in jail until the next afternoon.

They are Jon E. Crawford, 25, of Chicago; Elijah G. Regulus, 19, of Waycross, Ga.; William G. Roberts, 21, of Alquippa, Pa.; James A. Tucker, 23, of Clifton Forge, Va.;

Ralph Reavis, 21, of Lawrenceville, Va.; pastor of Promised Land Baptist Church in Bedford, Va.; and Lanksford E. Hankins, 25, of Nathalie, Va., associate of New Mount Baptist Church in Arrington, Va.

* * *

**MUNICIPAL COURT** hear-

ings for them and for Mrs. Gordon are set for Feb. 22. A Juvenile and Domestic Relations Court hearing for Miss Thompson is scheduled on or about Feb. 23.

The Lynchburg Improvement Association became active in supporting the student protest movement about a year ago.

Funds for the effort may be sent to the Rev. L. L. Moseley, secretary - treasurer of the association, at 907 Jackson St. He is pastor of Jackson son Street Methodist Church.

The association secretary is the Rev. R. E. Bartley, pastor of Dearington Baptist Church.

Asked if he could foresee early settlement of the drug-store issue, Mr. Patterson declined to discuss the situation with the AFRO. He said simply "I have no statement to make."

* * *

**THE DEDICATION** of the sit-down demonstrators was indicated by remarks of the Virginia Seminary students following their release on bail Tuesday.

One said "I would be back at that lunch counter today, if I weren't already out on bail."

And another said, "After I've served this jail term, Mr. Patterson is certainly going to see me again, if he hasn't changed his policy by then."

* * *

**PATTERSON'S IS** actually a hold-out store in the Lynchburg community campaign for desegregation.

Four other target stores opened their dining facilities to all after successful negotiations with the eight-man Bi-Racial Commission appointed by the City Council.

These include Guggenheimer's Department Store where the tea room is now open to all; Peters News Stand, Kresge and Woolworth Variety Stores.

And last week, the Rev. Mr. Wood and friends were served without question at People's Service Drug Store which is only a block away from the Main St. location of the Patterson Drug Store.

* * *

**COLORED MEMBERS** of the Bi - Racial Commission are:

W. E. Gordon, operator of a dry cleaning establishment; M. W. Thornhill Jr., mortician and president of the Lynchburg Voters League;

Dr. H. P. Weeden, a dentist and husband of Mrs. Polly Weeden, national president of the Links; and Dr. M. C. Allen, president of Virginia Theological Seminary and College.

White members of the commission are F. L. Showalter, contractor; Dr. C. K. Garrard, dentist; Fred McWan, Foundry Company; and Harry Green, president of Phillips Secretarial College.

City Manager Robert Morrison serves as secretary of the comission. Messrs. Gordon and McWane are co - chairmen.

* * *

**WITH THE SUPPORT** of the NAACP, headed by W. T. Johnson, the student segregation protests and picketing were inaugurated early last year.

In the meantime, came a City Council election.

Lynchburg has a total population of 57,000 of whom approximately 12,000 are colored. Colored qualified voters number about 1,700.

And they made their voting strength felt in the General election to fill three City Council seats last spring.

* * *

**VOTING LEAGUE** president Mr. Thornhill gives a great deal of credit for assistance in setting up the powerful organization to Dr. T. L. Spraggins and NAACP Vote Registration Director John M. Brooks, both of Richmond.

In any case, colored voters were the deciding factor when Mayor William C. Vaughan, seeking re-election to the Council, won the Primary Election nomination by a slim margin.

Considering a three - man slate for support in the General Election, the Voters League had decided on Mayor Vaughan, vice-mayor Abe Cohen and Charles L. Collins.

* * *

**WHEN THE MAYOR** failed to court their endorsement for the General Election, the Voters League dropped his name from its slate.

That resulted in League's candidate Cohen winning the top spot over the mayor who placed second in the City Council election. The other League-supported candidate, Mr. Collins, placed third.

Recognizing the power and influence of the Voters' League, the City Council approved two of its nominees, Messrs. Thornhill and Gordon for service on the Bi - Racial Commission.

**Other members were selected at-large. The Commission held its first meeting last October, and meets regularly each month, call sessions being held when necessary.**

Public opinion is that the Patterson Store management is smarting under the sit-ins and picketing ordeal, and may soon yield to the desegregation trend.

**Virginia Affairs**

The Washington Post

# Lynchburg Also Receives a Penalty

Washington D.C.

**By Elsie Carper**

A YEAR AGO the Virginia General Assembly with extraordinary haste cleared legislation providing stiff penalties for trespassing or for encouraging or conspiring to trespass on private property. The bills were presented one day by Gov. J. Lindsay Almond Jr. as urgent legislation and signed into law the next.

Miss Carper

The Richmond Times Dispatch, commenting on the speed in which the bills were considered by the Senate, said: "From the time the bills were introduced until the time they were passed, 13 minutes elapsed. Ben Lacy, Senate clerk, said he'd never known any bills to get faster action."

The reason for the haste was equally clear. The enemy was at the gates. A few blocks from the State Capitol on Broad st., Negroes and some whites were picketing Thalhimers Department Store. Police with dogs were patroling the sidewalk in front of the store.

LAST AUGUST, Thalhimers, Miller & Rhoads and five chain variety and drug stores opened their counters and coffee shops. Even the segregationist Richmond News Leader editorially praised the action. Opening of the counters was the first step. Thalhimers and Miller & Rhoads began serving Negroes last month in tea rooms and dining rooms, completing desegregation of all facilities.

**Both stores issued statements that the new policy was in line with similar action taken in many other Southern cities and was done in the best interests of the community.**

The experience of the two Richmond stores has been repeated in city after city where there have been sit-in demonstrations, picketing and boycotts. Inevitably the counters are opened up.

Now Lynchburg is going through the same ordeal that Richmond experienced a year ago. The city has been unable to profit by the example of Richmond and unable to adapt to a new era. Within recent weeks eating facilities have been opened up in Norfolk and Roanoke. Lynchburg has become known as a city where armed police enforced segregated seating in the courtroom, where a white minister was manhandled by police when he protested and where college students of exceptional ability and character were sentenced to jail as trespassers.

**Lynchburg made use of the trespass laws in sentencing the four white and two Negro students to 30-day terms for staging a protest at Patterson's drug store lunch counter. The penalty under the new laws could have been up to a year in jail and a thousand dollar fine, although trespass is a misdemeanor.**

Corporation Court Judge S. DuVal Martin affirmed the Municipal Court sentence and sent the students off to jail. Leonard W. Holt, the Negro attorney who represented the students, did not seek a lighter sentence. The students, he said, were willing to accept the penalty of violating the law but felt that the law was unjust and wrong since it was designed to maintain segregation.

**Some business leaders and church** Judge Martin could have suspended the sentence and put the students on probation. men who have been working to improve race relations in the city were unsuccessful in efforts to have the students released. Judge Martin, who is 75 and retiring from the court this session after 19 years on the bench, remained inflexible.

**Last week, the protest in Lynchburg widened. Eight Negroes were arrested when they sought service at Patterson's lunch counter. Students from Sweet Briar joined a picket line outside the store.**

If the experience of other cities, including that of Richmond, the old Capital of the Confederacy, helds true in Lynchburg, desegregation at lunch counters will give way before economic and social pressures. Lynchburg, though, will bear for a long time the onus of having sent to jail students protesting social injustice.

# Group Outside Jail Sings, Prays For Six Student 'Trespassers'

The Washington Post

By ELSIE CARPER
Staff Reporter

LYNCHBURG, Va., Feb. 12—Lynchburg is located in the rolling hills near the Blue Ridge Mountains. The morning mist had not yet lifted today when a small group began to gather outside the city jail at 8 o'clock.

Softly the singing began—"Must Jesus Bear the Cross Alone?"

Washington, D.C.

Singly and in groups of two and three others arrived until there were 60 Negroes and 15 white persons standing on the sidewalk.

2-13-61

Across the street an unmarked tan car was parked, its motor running. Two uniformed policemen were inside. Another police car patrolled the area.

Inside the jail lights that had been burning went out. Behind the windows in the yellow cement building four white and two Negro college students had been up for three hours.

**Seventh Day in Jail**

It was the seventh day in jail for the students arrested for protesting racial discrimination at a drug store lunch counter. Convicted of violating trespass laws the students were sentenced to 30 days.

In the group outside the jail were the parents of George Terrill Brumback Jr. of 127 N. Edgewood st., Arlington.

A Negro minister read from the Sermon on the Mount.

"Blessed are ye when men revile you and presecute you and shall say all manner of evil against you falsely for My sake . . . let your light so shine before men that they may see your good works and glorify your Father which is in Heaven."

Another Negro minister prayed: "Forgive the men who sit on the bench, forgive those who believe they are performing their duty and arrest us . . ."

He spoke of the stoning of Stephen, the martyrdom of Peter and of the German theologian Detrich Bonhoeffer.

"We pray that we may catch the spirit of all who choose to be free behind bars than to be enslaved on the outside."

**Spirituals Sung**

Then the group sang the Negro spiritual "I'll Overcome Someday." And as a bell tolled at a nearby church, the group sang "God Be With You When We Meet Again." Then the gathering broke up and walked away.

A few hours later the people of Lynchburg gathered for Sunday services. Although it was Race Relations Sunday, so designated by the National Council of Churches, and the jailing of the students has been a major topic of conversation, most white ministers chose other sermon topics.

The Rev. Richard Faris, associate minister of Centenary Methodist Church, speaking on the subject, said that the fields of sports and entertainment are putting churches to shame in promoting racial understanding.

Mr. and Mrs. Brumback have been in Lynchburg since Friday night to visit their son and seek ways of having the students released from jail.

# More Arrested For Sit-In In Virginia

Jackson Advocate
Jackson, Miss.
2-18-61

Lynchburg, Va.—Three Negroes were served at a drug store lunch counter Monday, but six other Negroes, including a housewife and a high school girl, were jailed for seeking similar service at another drug store.

The Rev. Virgil A. Wood and two other Negroes were allowed to eat at People's Drug Store after the manager received permission to seat them from a superior in Roanoke, Va. The drug store became the fifth business establishment here to desegregate its lunch counter since the sit-in movement began.

An attempt to integrate the lunch counter at Patterson's Drug Store failed Monday, however, and six Negroes were arrested on trespass charges. The group included, James Tucker, 23, Clifton Forge, Va., Ralph Reavis, 21, of South Boston, Va., Elijah Regulas, 20, Waycross, Ga., and William Roberts, 21, Aliquippa, Pa., students from Virginia Theological Seminary, Essie Gordon, 28, a housewife and Madoline Thompson, 16, a student at Amherst County High School.

# 8 More Sit-In Protesters Arrested in Lynchburg

The Washington Post
p. 1

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., Feb. 13—Eight Negroes, five of them students and one the mother of two young children, were arrested today when they insisted on service at Patterson's Drug Store lunch counter.

The "sit-in" protest came a week after six other students, four whites and two Negro, were sentenced to 30 days in jail for protesting discrimination at the same store.

2-14-61

Meanwhile, efforts by the parents of George Terrill Brumback Jr., one of the white students, to have the six released ended in failure today after the second "sit-in." The Brumbacks returned to their home at 127 N. Edgewood st., Arlington, after visiting their son in the Lynchburg jail.

Their attorney, Arthur B. Davies 3d, president of the Lynchburg Bar Association, told the Brumbacks that because of the second demonstration he could do nothing.

**Officials Hold Out Hope**

The Brumbacks said they had talked with leading city officials who were cordial and had given them reason to hope that the students could be released. The students are from Randolph-Macon Woman's College, Lynchburg College and Virginia Theological Seminary and College.

The Brumbacks said they found their son in good spirits and reconciled to remaining in jail.

While today's "sit-in" was underway at Patterson's store on Main st., three Negroes were quietly served at People's Drug Store a block away. The manager, John T. Dalton, called the district office in Roanoke and was told to serve them.

One of the three, the Rev. Virgil Wood, president of the Lynchburg Improvement Association, carried a Bible.

**Demonstrators Sing**

In the lockup, six of today's demonstrators sang hymns, "Let Us Have a Little Talk With Jesus" and "Swing Low, Sweet Chariot." They were held on $1000 bond each.

Those six, well-dressed Negroes, walked into Patterson's store at 9:45 a.m. and took seats at the counter. They sat quietly and studied menus.

Four white waitresses and a white counter man did not serve them but continued to wait on whtie patrons at booths and tables.

After about 25 minutes, William Patterson, manager of the store, asked each of the Negroes individually to leave. They refused.

Before calling the police, he sent for two Negro businessmen, members of the Lynchburg Bi-racial Committee. They told Patterson they could do nothing unless he could give them assurance that store policy would change in the future.

Seven policemen entered the store about an hour after the "sit-in" began. Capt. W. S. Gillan first told them to leave and when they refused arrested them as trespassers.

As the six were ushered into a police wagon, one of the waitresses told a bystander: "We just aren't going to serve them. They can fill up the jails."

One of the students is a 16 year-old high school girl, Mandoline Thompson from nearby Amherst, Va. The other four students, from Virginia Theological Seminary and College, are William Roberts, 21, Elija Regulus, 19, Ralph Reavis, 21, and James Tucker, 23.

Later, two Negroes entered Patterson's and sought service. They were asked to leave and when they refused, they were arrested.

Police identified them as Jon Crawford and Lankford Hankins, both 25. They were reported to be students at Virginia Seminary College.

Also arrested was Mrs. Randolph Gordon 28, a Lynchburg housewife and the mother of two children.

Later, the girl and the woman were released on bond.

# Lynchburg Arrests 8 Defying Trespass Law

LYNCHBURG, Va., Feb. 14 (AP).—Eight Negroes were arrested yesterday in renewed sit-in demonstrations at a drug-store here.

At another drug-store lunch counter three Negroes were served without incident.

Negro leaders announced at a prayer meeting Friday night that they may begin an all-out movement against racial segregation in Lynchburg.

The primary target was to be the Patterson Drug Store, where six college students now serving 30-day jail sentences were arrested during a sit-in demonstration last December.

The eight demonstrators arrested yesterday were charged under Virginia's anti-trespass law.

Two of the demonstrators, Mrs. Essie Ela Gordon, 28, a housewife, and a 16-year-old girl high school student, were freed on bonds, but the others—all students—remained in jail.

William S. Patterson, vice president of the drug store, called city officials when the Negroes sat down at the lunch counter. Two Negro members of the city's eight-member bi-racial committee, William E. Gordon, vice chairman, and M. W. Thornhill, went to the store. They were unsuccessful in persuading the demonstrators to leave.

**All Six Defy Law**

Mr. Patterson said he explained the trespass law to the six persons at the lunch counter and they refused to leave.

Arrested in the morning sit-ins were William G. Roberts, 21, of Aliquippa, Pa., a student teacher; James Andrew Tucker, 23, of Clifton Forge, Va.; Ralph Reavis, 19, of Lawrenceville, Va., and Elijah J. Regulus, 19, of Waycross, Ga., all students at Virginia Theological Seminary and College; Mrs. Gordon and the girl student.

Two others arrested later, both students at the Seminary, were Lanksford E. Hankins, 25, of Nathalie, Va., and Jon E. Crawford, 25, of Chicago.

The Rev. Virgil A. Wood, a leader of the sit-ins, was served along with two companions, at the Peoples Service Drug Store a block away.

The manager of the Peoples store said he checked with his regional manager at Roanoke and was told "to go ahead and serve them."

**Brief Chattanooga Incident**

Elsewhere in the South three Negro youths staged a brief sit-in at a downtown restaurant in Chattanooga, Tenn., the first since last spring's massive sit-in. Police were called but no arrests were made.

Shortly afterward Negro leaders said that "stand-ins, wade-ins, swim-ins and play-ins" probably will be forthcoming in Chattanooga.

In Atlanta four Negro sit-in demonstrators forced the closing of a downtown drug store lunch counter but no arrests were made.

In another Atlanta development three of some 80 demonstrators jailed during last week's extensive sit-ins posted bond.

**STUDENT JAILED** — Miss Barbara Thomas, freshman student at Virginia Seminary College was among six students, four of whom are white, who began serving 30-day jail terms in Lynchburg, Va. last week. They were convicted of trespassing during lunchcounter protests.

**AMONG REGULAR PICKETS** seeing service at Patterson's Drug Store in Lynchburg, Va. are stalwalts (left to right) Bates Ford, Theodore N. Burton, the Rev. R. E. Bartley, pastor of Dearington Baptist Church; W. T. Haskins Jr., Richard R. Hicks and L.A. Brown Sr. The picket line is directed by the Rev. V. A. Wood, president of the Lynchburg Improvement Association.

# Denied Books, Sit-Ins Refuse Prison Food

LYNCHBURG, Va., Mar. 2 (AP). — Six Negro students serving jail terms for violating Virginia's anti-trespass laws have begun a hunger strike because they were denied textbooks.

The six, divinity students at Virginia Theological Seminary and College here, were sentenced to 60 days in jail February 22 on charges of trespassing during a sit-in demonstration protesting segregated eating facilities at Patterson's Drug Store.

A city jailer said the students began their hunger strike late Tuesday.

A limited number of textbooks were permitted early last month to six college students, four white and two Negro, who were serving jail terms on conviction of similar charges.

**Create a "Problem"**

The students involved in the earlier demonstration also were allowed to request additional books, but a jailer said the practice developed into "too much of a problem" and a decision was made to deny textbooks.

He said the Negro students are given magaines and newspapers.

All the students have refused to eat the proffered food, the jailer said yesterday.

**Hearings Postponed**

Meanwhile, Municipal Court hearings for four Negroes arrested at a sit-in demonstration here last month have been postponed to March 9.

The defendants, including two ministers, asked for a coontinuance of their cases because their attorney was tied up elsewhere. Judge Joseph P. McCarron granted the request.

The four are free on $1,000 bond. They were arrested February 21 at Patterson's and charged with violating Virginia's anti-trespass law.

The Lynchburg Ministerial Association's executive committee yesterday heard the Rev. Virgil A. Wood, Lynchburg integration leader, who asked the group to back a proposal presented before city council Tuesday night.

The proposal was made by the Rev. W. W. Roberts one of two ministers charged in the February 21 sit-in case. He asked city council to lower integration barriers at all urban facilities.

# 'Jimcrow showdown' for Lynchburg

LYNCHBURG, Va. —The City Council has until Wednesday, March 8, to abolish racial segregation in public facilities or face legal action in Federal Court.

The warning was given the city by the Rev. W. W. Roberts of the Eighth Street Baptist Church and backed up by Virgil A. Wood, president of the Lynchburg Improvement Association.

Both men indicated that a suit would be filed asking the court to order the city to desegregate public swimming pools, municipal and corporation courts, public jails, public schools, public parks, city employment policies, public library, public armory and remove segregation signs from all public buildings.

Mayor William C. Vaughan said no action could be taken by the council on the request as the body does not meet until March 14.

• • •

**WOOD IMMEDIATELY** branded the mayor's statement "A poor excuse and a delaying tactic."

"We feel the City Council can get together any time it wants to," he declared.

Wood added that the Association intends to file the suit by the March 8 deadline if the council has not voted to end discrimination by then.

**IN ANOTHER** phase of desegregation activity here, picketing continues at the Patterson Drug store.

Two pickets, Lawrence Brown and Jack Anderson, were knocked down last Wednesday, by two unidentified white men who struck them from behind.

City Manager Robert B. Morrison said two detectives were put on the case. To date there has been no arrest.

Also, last week six theological students serving 60 days in the city jail because of sitdown activities staged a hunger strike when jailers refused to let them have textbooks.

• • •

**HOWEVER, THEY** have since ended the strike.

They are the Revs. James A. Tucker, Elijah J. Regulus, Lanksford Hankins, W. G. Roberts, Jon E. Crawford and Ralph Reavis.

Over 2,000 persons attended a protest mass meeting Friday night. The guest speakers were two of the four students recently released from jail after serving terms for sitdown demonstrations.

The Lynchburg NAACP launches its membership campaign March 19. The Voters League has started a 30-day campaign designed to bring the total of qualified voters to 3,000 or more.

# Segregation Foes Plan New Lynchburg Drive

By JOHN LAWSON
Star Staff Writer

LYNCHBURG, Va., Feb. 25.—In front of a small, modern drugstore on Main street here two Negro pickets march doggedly for eight hours a day.

Signs worn front and back read: "Notice to Patterson's—We Won't Buy If We Can't Eat."

Patterson's Drug Store has become the focus of a battle against segregation which threatens to spread to other areas of this city of 60,000.

Already 18 persons have been arrested in Patterson's during three sit-in demonstrations and 12 of them have gone to jail. The others are free on bond awaiting trial.

Leaders of the movement now plan to extend their fight to segregation in city parks, swimming pools, courtrooms, the jail, the library, the cemetery and the schools.

**Paradox Is Seen**

The city, stunned by the sudden prominence the demonstrations have brought, is one of paradox in racial matters.

The public hospital has an integrated cafeteria and an integrated children's ward. The city employs Negro policemen and a Negro sits on the school board.

Buses and the bus terminal have long been integrated. In the past six months five downtown lunch counters have dropped racial barriers.

Yet in other areas—the parks, courtrooms, the library—strict segregation is the rule, and "colored" and "white" signs are scattered throughout the public buildings.

**Leaders Concerned**

Civic and business leaders have expressed increasing concern as the demonstrations and picketing have continued. "The city is stirred up," said one businessman. "Both white and Negro are upset about this thing."

"I'm terribly sorry that something like this had to happen," said John J. Wraneck, manager of Miller & Rhoads department store. "Whoever is right, the effect of a controversy like this is very unfortunate for the community."

One downtown merchant said many businessmen felt the Patterson management was "doing the right thing under the circumstances," since store officials have maintained they would not integrate "under pressure."

The protest movement began last fall with picketing and boycotting of downtown stores which operated segregated facilities. A bi-racial commission was set up shortly afterwards and guided desegregation of four downtown lunch counters.

**Sit-In Started**

Patterson's was not among them, and in December four white and two Negro college students conducted a sit-in demonstration there. They were arrested and pleaded guilty earlier this month to trespassing charges.

Yesterday they were released after serving 19 days of a 30-day jail sentence. Since their conviction on February 6, two other demonstrations have been conducted at the store and 12 persons—including two ministers—have been arrested.

Today, the drug store is quiet, and except for an occasional cat call or joustling of the pickets, there have been no incidents.

For awhile, the demonstrators sent several pickets at a time to the store. Then counter-pickets showed up, and police obtained agreements from both sides to limit their picketers to two. The segregationist pickets seldom appear.

**"Pressure" Charged**

Officials of Patterson's claim they are being pressured to give in to the demonstrators.

"The demonstrations are the last thing in the world we wanted," said Charles G. Patterson, jr., president, "but it's gotten to be a matter of principle."

"We're trying to run our business in the way we concluded it was best to do," he said. "If we can't do it peacefully, we have to get help from the law."

"We're not trying to be bullheaded. The way things are now, it would be almost impossible to work out a solution, even if we wanted to."

The Rev. Virgil A. Wood, leader of the protest movement and himself one of those arrested, argues that Patterson's policy is morally wrong even if legally justified.

A mass meeting is scheduled for Sunday at which a resolution is to be offered calling on the City Council to "act within the framework of your moral conscience" and abolish segregation in all public facilities.

Unless there is progress, Mr. Wood said, the group plans to file suits in Federal court to force desegregation.

"We will not let up until the walls of segregation come down," he said.

# Jailed College Sit-Ins Freed in Lynchburg

By JOHN LAWSON
Star Staff Writer

LYNCHBURG, Va., Feb. 24.—Six students who were arrested when they protested against lunch counter segregation here were released today after 18 days in jail.

The students—four white and two Negro—left their cells picked up the watches and jewelry taken from them when they entered the city jail and walked to freedom shortly after 6 a.m.

They were met by a small group of friends, including Mrs. Mildred Hudgins, director of student religious life at Randolph-Macon Woman's College here. All six students said they plan to return to classes today.

**Term Cut 12 Days**

The six were sentenced to 30 days in jail on February 6, but released early on good behavior.

They are: George Terrill Brumback, jr., 20, of Arlington and James E. Hunter, 19, of Indianapolis, both students at Lynchburg College; Rebecca M. Owen, 20, of Saluda, Va., and Mary E. Bentley, 20, of Newark, N. J., both students at Randolph-Macon, and Barbara A. Thomas, 21, and Kenneth V. Greene, 28, both Negro students at the Virginia Theological Seminary and College, and residents of Lynchburg.

All appeared cheerful and said they had been treated well while in jail. They were permitted to meet as a group only on the few occasions when they talked with their lawyers.

Hundreds of letters from every part of the country were received by the students during their confinement, they said. Most were opened by jail authorities before the students saw them.

All of them, said Miss Thomas, "were from people who were concerned about the problem."

**Spent Time Studying**

The students, who wore uniforms during their stay in jail, spent most of their time studying, they said. Some of their professors were permitted to see them to give class assignments.

The six students were arrested in December when they walked into Patterson's Drug Store on Main street and asked to be served.

They were asked to leave, and when they refused, they were arrested under a trespass law passed by the General Assembly last year to cope with sit-in demonstrations.

They were found guilty in Municipal Court after a stormy hearing but appealed the conviction. When the appeal came up in Corporation Court on February 16 the students changed their pleas to guilty. A 30-day sentence imposed in Municipal Court was then affirmed.

A week after the students were jailed, eight Negroes staged another sit-in demonstration at the same drug store. Seven received 60-day jail sentences and the eighth, a juvenile, yesterday was sentenced to 30 days in jail, in Municipal Court.

Patterson's Drug Store is the only major downtown lunch counter which remains segregated. Five others were desegregated under the guidance of a bi-racial commission created following student boycots last year.

# 4 Negro Sit-Ins Face Trial In Lynchburg Court Today

LYNCHBURG, Va., March 8 (Special) — Four Negroes arrested in a sit-in demonstration at Patterson's Drug Store last month go on trial in Municipal Court Thursday on charges of violating Virginia's anti-trespass law.

Meanwhile, white and Negro ministers met tonight with the city's Interracial Committee, reportedly to confer on integration of churches and a threatened omnibus desegregation suit against the City Council.

The Lynchburg Improvement Association, a Negro group headed by the Rev. Virgil A. Wood, gave the Council an ultimatum last week: desegregate or face a Federal Court suit.

Wood, one of the four due to appear in Municipal Court Thursday, said the original deadline for the Council's reply—today—has been postponed to next Tuesday, the date of the Council's next meeting.

In other developments:

• It was learned that the bishop of the Protestant Episcopal Diocese of Southwest Virginia met here last night with local Episcopal leaders. The bishop, the Rt. Rev. William H. Marmion of Roanoke, declined to comment on reports that the meeting concerned the Rev. John H. Teeter, white vicar of an integrated Episcopal church and a leader in desegregation efforts in Lynchburg.

• The Improvement Association and the Southern Christian Leadership Conference announced that a mass meeting will be held at 7:30 p. m. Friday in the Court Street Baptist Church. Six Negro divinity students, now in jail for their part in sit-in actions, leave jail Friday and will speak at the meeting. The Rev. Wyatt T. Walker, Conference director, also will speak.

## Sentence Six For Va. Sit-In

LYNCHBURG, Va. — (UPI — Six Negro seminary students, including a Chicagoan and a housewife were sentenced to 60 days in jail Wednesday for violating Virginia's trespass law during a sit-in protest at a drugstore's segregated lunch counter.

The seminary students began serving their terms immediately. The housewife, Mrs. Essie Gordon, 28, of Lynchburg, appealed to the city's corporation court and was released under $1,000 bond. She is the mother of two.

The six students, who attend Virginia Theological seminary here were identified as William Glynn Roberts, 21, Aliquippa, Pa.; James Andrew Tucker, 23, Clifton Forge; Ralph Reavis, 19, Lawrenceville; Elijah J. Regulus, 19, Waycross, Ga.; J. E. Crawford, 25, Chicago; L. E. Hawkins, 25, Nathalie, Va.

## Negro S. C. Wants Arrested Fifth Time

NEWARK, N.J. (AP) — A 41-year-old South Carolina Negro who once won a battle against extradition from New Jersey has been arrested in that state for the fifth time since the New Jersey governor refused extradition.

Police said in Newark Wednesday John Colier and another man have been arrested and charged with trying to pass counterfeit $20 bills.

Colier was arrested on a bad check charge in New Jersey in August of 1955. Police said then it was his fourth arrest since 1948.

## 6 Negro Sit-In Prisoners Again Refuse to Eat

LYNCHBURG, Va. (AP)— Six Negro students jailed while awaiting a hearing on anti-trespass charges in a sit-in demonstration refused again Thursday to eat.

The students started their hunger strike Tuesday because they were not allowed textbooks.

They were sentenced to 60 days in jail Feb. 22 on the charges arising from the demonstration in a downtown drug store.

City Deputy Sgt. Peyton C. Johnson, the jailer, said food was placed in front of the students Thursday, but none touched it.

He said the students are not showing any ill effects from their hunger strike. The six are students at Virginia Theological Seminary and College.

## 4 'SITTERS' SENTENCED

### Two Negro Ministers Get Jail Terms in Virginia

LYNCHBURG, Va., March 9. —(AP)—Four Negroes, including two Baptist ministers, were sentenced to 60 days in jail Thursday for violating Virginia's anti-trespass laws in a drug store sit-in Feb. 21.

They are Rev. Virgil A. Wood, 29, president of the Lynchburg Improvement Association; Rev. William Walker Roberts, 23; Bates Huston Ford, 40, an employe of a Negro YMCA; and Samuel Walter Trimiar, 28, all of Lynchburg.

The four bring to 10 the number of Negroes jailed for sit-ins at the drug store. Six students are in custody awaiting an appeals trial March 14 on their 60-day sentences. A housewife and a high school student are also free pending appeals.

**Serving 60 Days for Sit-in**

# 6 Students Deprived of Textbooks, Stage Lynchburg Jail Hunger Strike

By Elsie Carper
Staff Reporter

Six Negro theological students in jail in Lynchburg, Va., for a lunch counter sit-in demonstration began a hunger strike Tuesday when jailers refused to let them have textbooks.

Deputy City Sergeant Peyton Johnson confirmed a report by telephone that the students have refused all food taken to them.

"I don't know why they quit eating," Johnson said. "They haven't given any reason except that they wanted their textbooks."

The six students at Virginia Theological Seminary and College were arrested Feb. 13 for violating Virginia's trespass laws when they sought service at the lunch counter at Patterson's Drug Store.

They were sentenced in Municipal Court to 60 days in jail. Their appeal is pending in Corporation Court.

*Picture on Page B2.*

Another group of students, four white and two Negro, served terms for a sit-in demonstration at the same store. They were permitted to have textbooks and to study.

Johnson said yesterday that letting the students have books was "too much trouble."

"You can't run a school in jail," Johnson said.

The six theological students, he said, are being treated just like other prisoners and can have magazines to read.

The decision, Johnson, "was made by all of us." The reference was to City Sergeant Charles M. Watts, who is in charge of the jail, and his deputies.

Watts is elected to he position of city sergeant and operates the jail without supervision from the City Council.

# 4 Negroes Get 60 Days For Sit-ins

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., March 9—The Rev. Virgil Wood, president of the Lynchburg Improvement Association, and three other Negroes were given 60-day sentences today for a sit-in demonstration at Patterson's Drug Store Feb. 21.

Municipal Court Judge Joseph P. McCarron found the four guilty of violating Virginia trespass laws.

This was the third group protesting racial discrimination at the store's lunch counter to be sentenced since sit-in demonstrations began last December.

While the hearing was in progress two pickets marched outside city hall with signs protesting segregation in the courtroom and Patterson's policy of not serving Negroes.

William S. Patterson, vice president and manager of the store, testified that he told the four he wouldn't serve them and asked them to leave. When they refused, he called police.

Attorney Len W. Holt of Norfolk argued that the four were refused service solely on grounds of their race. When he sought to question Patterson about his policy, Judge McCarron ruled that Patterson did not have to give his motives.

"Certainly it was because they were Negroes," Judge McCarron said. "He does not have to explain that." The Judge said the issue involved was property rights.

Patterson said he was following the custom of all stores in Lynchburg up to seven months ago by not serving Negroes at lunch counters. Since that time five stores have desegregated eating facilities.

"All have seen the light but you," Holt told Patterson.

"We will not have our business jeopardized by threats, coercions, sit-ins, pickets or intimidation in any way," Patterson replied.

Sentenced in addition to Mr. Wood, 29-year-old pastor of the Diamond Hill Baptist Church, were the Rev. William Walker, 23, pastor of the Eighth Street Baptist Church; Bates Ford, 40, a YMCA employe, and Samuel Trimiar, 26, of Lynchburg.

Ford, the only one of the defendants to testify, was cut short by Judge McCarron when he started to discuss discrimination.

When Holt protested that Ford had a right to his day in court, Judge McCarran said "If he doesn't preach me a sermon, I will listen to him."

The latest jail terms came in the wake of a statement by 38 Lynchburg clergymen which called on the community to "view the present racial crisis as an opportunity for the positive and relevant witness of our judeo-christian faith."

The Lynchburg Retail Merchants Association yesterday voted to support the Citizens Inter-racial Committee which is exploring ways to provide for employment of Negroes in the retail field. The merchants adopted a resolution naming the committee as the "proper meediating body toward an amicable solution to all racial problems, including those pertaining to retail interests."

Following this action, the directors of the Lynchburg Liberties today issued a call to "white conservative people" to take appropriate action should the Lynchburg merchants bow to a desegregation-ist boycott threat.

"We deplore the thinking and unhappy the citi- who are willing to breach our social structure and make zens of both races. of liberal ministers,"

Sit-Ins Step Up Action

# Jailing of Girl, 16, Upsets Lynchburg Calm

LYNCHBURG, Va.—The sentencing to a 30-day jail term of a cute, 16-year-old Negro lass because she only wanted to eat in dignity at a lunch counter, has inflamed this town's Negro citizens and other fair-minded citizens.

And as a result, Lynchburg, which previously had a description of being a friendly, pleasant community where race relations were fair and basically sound for great advances, has gone the way of other Southern communities.

By the refusal of businesses to serve Negroes and the subsequent arrest and imprisonment of the young girl and seven others, Lynchburg's Dixie-thinking residents have chosen disorder.

■

**LIKE OTHER** Negroes throughout the country, Lynchburg Negroes now are, but definitely, solidified and on the move for equal rights.

**The progression was rolling after a December, 1960 beginning, but added impetus has come from the jailing of Mandaline Thompson, the 16-year-old high school student.**

Up to the present time, 18 persons have been arrested for the demonstration centering on Patterson's Drug Store in downtown Lynchburg.

Other developments occurred as the fight for equality continued to be top news.

The Oklahoma NAACP is drafting anti-bias bills concerning education, balloting and recreation.

**In Louisville, Ky., there's a rumor that within one month, the conference of Negro leaders and city officials, will have downtown Louisville, "integrated."**

In South Carolina following the arrest of a Negro minister in a wheelchair during a sit-in demonstration, the Justice Department was asked to look into police handling of segregation protests there and in Sumter.

And in Nashville, Tenn., Negro theatre "sti-ins," were spattered with eggs thrown by whites.

In Houston, Tex., 14 Negroes became the first demonstrators there to be arrested.

# Nonviolence institute scheduled in Lynchburg

LYNCHBURG, Va. — The Rev. Wyatt Tee Walker will be the principal speaker for an institute on nonviolence sponsored by the Lynchburg Improvement Association. The association is an affiliate of the Southern Christian Leadership Conference headed by Dr. Martin Luther King.

The two-day institute will open with a statewide mass meeting at Court Street Baptist Church. Len Holt, attorney, will conduct a workshop on "Legal and Illegal Non-violence." Mrs. Dorothy Cotton, educational consultant of SCLC will lead

REV. WYATT T. WALKER

workshop on "Effective Community Protest."

A state board meeting of the Virginia Christian Leadership Conference will be held at Diamond Hill Baptist Church. Dr. Milton A. Reid is president of the state conference.

The Rev. Virgil Wood, head of the Lynchburg Improvement Association, would not indicate whether there would be any demonstrations or protests in Lynchburg during the institute period.

Mr. Wood was jailed recently, along with others, in the outgrowth of a demonstration.

The Rev. Mr. Walker, now SCLC executive director in Atlanta, was jailed in a library protest while a minister in Petersburg, Va.

# 7 Sit-In Negroes Jailed; Decline Court Defense

LYNCHBURG, Va., Feb. 23 (AP).—Sixty-day jail sentences were imposed on seven Negroes for violations of the State's anti-trespass law in a drug store sit-in demonstration.

The six men college students and a housewife refused to be sworn to testify because of segregated seating in the courtroom.

Leonard W. Holt, a Norfolk Negro attorney who represented the seven, declined to cross-examine witnesses for the same reason.

The six men were transferred to the city jail and began serving their term. Mrs. Essie Elva Gordon, 28, the mother of two children, noted an appeal and was released on bond.

The seven were arrested February 14 at the same drug store (Patterson's) where four white and two Negro college students also tried unsuccessfully to be served and later were jailed. The six were given 30-day jail terms in Lynchburg Corporation Court earlier this month, and are still serving their terms.

**Motion Overruled**

Mr. Holt, at the start of yesterday's Municipal Court hearing, asked that "the unconstitutional practice of enforcing racial segregation in the courtroom be prohibited."

The motion was overruled by Judge Joseph P. McCarron. The judge said the court always had been segregated except at the first sit-in hearing January 5, when spectators entered and were seated before the court's seating rules could be explained.

Judge McCarron said he allowed the mixed seating at the first hearing because he did not want to make an issue of the matter then. On Tuesday, Judge McCarron ordered segregated seating in the courtroom and the orders were read in open court.

**2 Witnesses Heard**

The six students sentenced yesterday, all undergraduates at the Virginia Theological Seminary and College here, wore dark suits and clerical collars and carried Bibles.

The only witnesses heard by the court were Police Capt. W. E. Gilliam and William S. Patterson, vice president of the drug company.

Mr. Holt told the court his clients had instructed him that they did not wish to participate any further in the hearing and would not be sworn in if segregated seating was required.

**Assault on Lynchburg**

The Washington Post
Washington D.C.
Mon. 1-16-61

# 6 Students vs. Town Aligned in Sit-in Battle

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., Jan. 15 — While students in Georgia have been rioting over the admission of Negroes to the State University, four white college students in Virginia have been fighting a jail term for taking a forceful stand against racial discrimination.

Two young women from Randolph-Macon College and two young men from Lynchburg College were arrested last month after insisting that a Negro man and woman who accompanied them to Patterson's drug store on Main st. be served at the lunch counter.

The Negroes, students from Virginia Theological Seminary and College, also were arrested.

The six, who took seats at the counter, were told first by the store manager and then by the police to leave. When they refused, they were orderd into a patrol wagon and held three hours in jail before they were released on bail.

Early this month they were given 30-day sentences in the Lynchburg Municipal Court under Virginia's newly strengthened trespass law. A news story described the trial as "rowdy." White and Negro spectators, ignoring a custom to seat Negroes on one side and whites on the other, sat together. They cheered after a speech by a defense attorney on the brotherhood of man. Judge Joseph P. McCarron then cleared the courtroom.

"I am satisfied," the Judge declared in setting the sentences, "they knew exactly what they were doing. They courted arrest. To my way of thinking, this is a test case of some kind they are putting on."

**$1000 Bail for Each**

When an appeal was noted he set bail at $1000 each declaring that the students "were not Lynchburg people."

All six are natives of Virginia and three, the two Negroes and one white, were born in Lynchburg.

It came as a shock to Lynchburg as it has to other Southern cities that college students (especially college students from the South) will risk indignation over the treatment of Negroes.

Both newspapers, the morning News and the afternoon Daily Advance, have been sharply critical of the students in editorials declaring that they have set back racial relations in the city. A bi-racial committee was successful recently in opening up four lunch counters in this segregationist-minded city after Negroes set up picket lines.

Following the arrest, the Daily Advance wrote that the students "willfully defied and broke the law just as certainly as if they had robbed, stolen, committed assault and battery or more serious offenses."

**'Stiff But Fair'**

After the trial the News commented that "the penalty appears to be stiff . . . but it also appears to be fair and deserved."

The News also described the white students as outsiders and said it suspected that they had dragged in the Negroes "as necessary accutrements to the demonstration."

A whispering campaign has linked the students to a Communist conspiracy and there have been reports that the National Asosciation for the Advancement of Colored People is paying their legal costs.

The students are troubled by the editorials and the rumors and yet show a wry amusement over them.

**Defense Fund Set Up**

They rather wish that someone was paying the two lawyers, one white and one Negro, who represented them. Their friends have set up a student defense fund and are soliciting contributions.

The six are part of a larger group of about 100 students from the three colleges in Lynchburg and from nearby Sweet Briar who have been holding informal meetings for several months in homes and in Negro churches. The group has no officers and no name.

One student said that if the group can be said to have an objective it is to provide an opportunity for Negroes and whites "to know each other on some other level than a city bus."

The students have strong ethical and religious beliefs. Many have taken part in the various campus organizations that are affilitated with the National Student Christian Federation.

Inspiration has been drawn from "Motive," the publication of the Methodist Church for college students. The November issue of the magazine contains an article endorsing the "sit in" movement and tracing peaceful civil disobedience in this Nation.

**Refer to Earlier Stands**

The article states that a "study of history demonstrates unequivocally that public demonstration and civil disobedience are often a barometer of future social patterns."

"When dedicated people constantly demonstrate on an issue with increasing numbers, they can't help but be victorious in the long run," the article states.

The "sit in" at Patterson's Drug Store was the outgrowth of long discussions by the students on the "denial of human dignity" to Negroes in Lynchburg. Dissatisfied with the progress of the interracial committee in breaking down barriers at only four counters, the students decided to approach other stores and urge them to open up their counters. When the manager of Patterson's refused to meet with the students, the decision was made for a demonstration.

It was only by accident that students from Sweet Briar did not participate. They were tied up in classes at the time.

**Girls Are Honor Students**

The six students who did take part are thoughtful and articulate. The two young women from Randolph-Macon are both 20 years old, seniors and honor students who have been closely identified with religious life on the campus.

Rebecca Owen, a tall brunette from Saluda, Va., is the daughter of a bank official. A Phi Beta Kappa, she was described by a faculty member as "a girl held in high regard for her intellectual ability and her integrity." After completing a term as state president of the Virginia Methodist Student movement, she was a delegate last summer to the World Christian Student Federation meeting in Austria.

She came back with a strong impression that "the United States and the South are no longer in a position to continue to hold on to traditions so costly to us on the international scene."

Mary Bentley, a native of South Hill, is the daughter of a Methodist minister now serving a pastorate in Newark, N. J. She has lived in Virginia all her life. A music major, she plays the organ at the college chapel and was president last year of the Methodist Student Movement at Randolph-Macon.

Terrill Brumback, 20, and James E. Hunter, 19, are considered able boys. They have not taken much part in usual campus activities at Lynchburg College.

Brumback is from Arlington, Va. His father, an employe of the Agriculture Department, and his mother, a teacher at Sidwell Friends School, live at 127 North Edgewood st. Hunter was born in Lynchburg. His father, former dean of students at Lynchburg College, is now head of the social welfare department of the Christian (Disciples of Christ) Church with offices in Indianapolis.

The two Negro students, Kenneth Greene, 28, and Barbara Thomas, 21, were full participants in the decision to visit Patterson's Drug Store. Greene, A Korean War Veteran, said that he became aware of the "backwardness" of Lynchburg in race relations when he returned from the service.

Opinion is divided at Randolph-Macon and at Lynchburg College on the advisability of the demonstration.

Some faculty members and students applaud the action, others feel that the colleges have been hurt. Pressures to discipline the students, even to expel them, have been brought to bear on the colleges by patrons and alumni. Both colleges are in the midst of fund-raising drives to increase endowments, expand plants and raise faculty salaries.

**Two on Probation**

A joint faculty-student judiciary committee at Randolph-Macon has put the two students on a form of probation. No disciplinary measures were invoked, but the committee said a repeat would be regarded "in a far more serious way."

President William F. Quillian Jr., president of Randolph-Macon, expressed regret that the incident took place. "We do not look lightly upon it," Quillian said shortly after the arrests. "I respect a person who has deep convictions and thus in this sense I respect the students, while I am not condoning the action they have taken."

The two young men from Lynchburg College received a hearing also before a joint student - faculty committee. Recommendations are to be reviewed by the executive committee of the college's board of trustees before they are announced.

**Anti-Trespass Laws Under Study**

RICHMOND, Va. — (UPI) — A three-judge federal court took under study Friday, Jan. 6, an attack on Virginia's new anti-trespass laws designed to stop Negro "sit-in" campaigns against lunch counter segregation.

A group of 125 Negroes and whites convicted under the laws filed the appeal on the grounds that the state has no right to aid property owners in continuing racial segregation.

# Bishop Disavows Stand On Sit-Ins by Lay Group

The Washington Post
Washington D.C.

ROANOKE, VA., Jan 14 (AP)—"Radical measures" advocated by the Episcopal Society for Cultural and Racial Unity (ESCRU) meeting at Williamsburg last week do not represent official policies of the diocese of Southwestern Virginia, the Rt. Rev. William H. Marmion, Bishop of the Diocese, said in a statement released last night.

The Society, which has no official standing in the Episcopal Church, last week advocated peaceful sit-ins and kneel-ins to break racial bars in church-affiliated institutions, gave its full approval to inter-racial marriages, and suggested Church members transfer to churches nearest their residences where the "congregation is of a color and culture other than their own."

P. 22-A

Bishop Marmion issued this release:

"The Episcopal Church believes in freedom of speech and freedom of assembly. Therefore, the ESCRU has a right to exist, and any member of this Church may join or not as he sees fit and he may agree or disagree with any stand taken by the group. however, two points should be made clear:

- The ESCRU is not an official organization of the Episcopal Church and cannot speak for the Church as a whole.
- The radical measures reportedly advocated by this group do not represent the official policies of the diocese of Southwestern Virginia."

Bishop Marmion decline to expand on his formal statement.

Earlier this week two other Episcopal bishops in Virginia, the Rt. Rev. George P. Gunn, Bishop of the Episcopal Diocese of Southern Virginia and the Rt. Rev. David S Rose, Suffragan Bishop of the same Diocese stated that ESCRU's action represented no offical stand of the Episcopal Church.

# 125 Sit-Ins Defended In Richmond Court

The Courier
Pittsburgh Pa.
1-16-61

RICHMOND, Va.—An important challenge to trespass laws against "sit-in" demonstrators came before a three-judge Federal Court here last week.

Directly affected are 125 Negroes and whites arrested during "sit-ins" at Petersburg, Hopewell, and Lynchburg, Va. The whites include two young men from Lynchburg College and two students from Randolph-Macon Woman's College at Lynchburg.

The outcome of the case could also affect thousands of others arrested throughout the South in the last year, as well as millions of citizens now deprived of the right to eat, pray, sleep, swim, read, play, or see movies where they please.

At issue is a trespass law passed by the Virginia Legislature after sit-ins started last February. This law increased fines from $25 to $1,000 and fixed jail terms up to one year for persons refusing to leave a place of business when ordered to do so.

The demonstrators are also testing another Virginia law which provides the same penalties for persons encouraging others to take part in "sit-ins."

**"Few issues will come before any court in this generation more important than the ones present in this case," the demonstrators declared in a brief submitted to the Federal Court.**

**'It would be error, gross error, to consider this a mere Virginia matter. It is an American matter. This court, by its decision, will declare to 9,000,000 Negroes of the South and to the world that the Federal judiciary stands ready to provide relief from oppressive actions of any state as it fosters an American version of South Africa's apartheid."**

The judges were asked to provide immediate relief by halting the use of laws "which enforce racial discrimination at public lunch counters and require the observance of private policies of racial segregation and discrimination."

■

**THE PETITIONERS** contend that privately owned property loses its purely private nature when it is put to certain public uses.

This, the demonstrators argue, subjects lunch counters and similar places to the thrust of the 14th Amendment regarding racial discrimination in public functions.

The demonstrators are represented by Attys. Joe Jordan, Ed Dawley, and Len Holt, Norfolk Va.; Hank Jones, Washington D. C., and Jay Schwartz, Madison, Wis. They have asked various civil rights and civil liberties groups to aid in "what may be the most significant legal decision since the school segregation cases."

# White Pastor Is Barred To Jailed Negro Sit-ins

The Washington Post
Washington D.C.

By Elsie Carper
Staff

LYNCHBURG, Feb. 8—Four white college students jailed for participation in an interracial sit-in demonstration at a drugstore lunch counter were reported to be in good spirits today.

2-9-61

The Rev. Trevor Turner, minister of the Peakland Methodist Church, visited the four students and said they bear no feeling of ill will.

15-A

A request by Mr. Turner to talk with the two Negro students also arrested for their part in the demonstration was turned down. He was informed that a Negro pastor would be allowed to see them.

The students are Rebecca Owen, 20, and Mary Edith Bentley, 20, seniors at Randolph-Macon Woman's College, and George Terrill Brumback Jr., 20, and James E. Hunter, 19, juniors at Lynchburg college.

They do not feel that they are criminals, Mr. Turner said. They believe that they were demonstrating their Christian faith.

The six were arrested last December when they sought service at the lunch counter in Patterson's Drug Store on Main st. They were found guilty under Virginia trespass laws and began 30-day sentences Monday.

Mr. Turner said the two young women are in a single cell with barred windows and are wearing jail uniforms of gray cotton. The young men are in with other prisoners and are wearing work uniforms of blue shirt and dungarees.

The students reported that they are well treated. Visitors have been strictly limited to miinsters and the students have been told they will be permitted to write only two letters a week.

## 6 Are Sentenced In Virginia Sit-In

LYNCHBURG, Va. (AP) — Six young college students — four white and two Negro—each were sentenced to 30 days in jail Thursday on charges of trespassing in the Dec. 14 sit-in demonstration at a downtown drug store.

They noted appeals and were freed on bond of $1,000 each pending appearances in Corporation Court Feb. 1.

## Gov. Almond Subpoened to Sit-In Suit

RICHMOND, Jan. 3 (AP) Gov. J. Lindsay Almond Jr., Attorney General A. S. Harrison Jr. and Richmond newsman James Latimer today were subpoenaed to appear in a Federal Court case testing the constitutionality of Virginia's antitrespass laws.

The three were subpoenaed by Negro plaintiffs who assert the laws are in violation of the 14th Amendment and unconstitutional.

The laws were passed by the 1960 General Assembly during the first wave of lunch counter sit-ins in the state. Involved in the court case is the city of Hopewell and the proprietor of George's Drug Stores, where a series of sit-ins occurred.

A three-judge Federal Court will hear the case Friday.

Plaintiffs in the suit indicated earlier they would subpoena Almond.

Latimer is a political reporter for the Richmond Times-Dispatch.

**THE CAMPAIGN GOES ON** in the new year of 1961 against discrimination in dining facilites at Richmond department stores. Among NAACP youth council members who served on the picket line during the holidays were (left to right) Misses Ernestine Ivory, Sandra Ivory and Anita Ivory. Sandra, who hails from Lynchburg, is a cousin of the other girls who are sisters.

## Richmond Negro Pickets Quit After Desegregation

RICHMOND, Va., Jan. 21 (AP)— A Negro group which for months has picketed Miller & Rhoads and Thalhimers department stores in downtown Richmond Saturday quit its activities.

The two stores served Negroes for the first time Friday night in two restaurants above the street level.

The protesting group, the Richmond Citizens Advisory Committee, said it had "moved officially to cease the picketing and boycotting . . . after having received a report that the management of both stores had announced desegregation of all eating facilities and agreed to serve all their customers equally."

Friday night's action followed months of private negotiations between the Negroes and the store managements.

## Lynchburg Sit-in Brings Censure of 2

Lynchburg College has censured two students who took part in a "sit-in" demonstration at a drug store in downtown Lynchburg last December. Further demonstrations, the College said, will result in dismissals.

The action, recommended by a joint faculty-student committee, was approved by the executive committee of the Board of Trustees.

The statement, issued by the College, said that the demonstration was "unwise and ill advised." The joint committee concluded, though, that the students "acted basically for cause of conscience" and "from a sincere desire to have a part in a movement which they regard as leading toward the extension of democratic rights and Christian principles in the United States."

The students, Terrill Brumback and James Hunter, sought service at Patterson's Drug Store along with two other white students from Randolph Macon College for Women and two Negro students from Virginia Theological Seminary and College. When they refused to leave the store, they were arrested for trespass.

Early this month the six were found guilty in Lynchburg's Municipal Court and given 30-day sentences. The students are now back in school while the case is appealed.

## Four Norfolk Stores End Segregation

NORFOLK, Va., Feb. 4 (AP) Three major downtown Norfolk department stores desegregated their dining rooms last night.

The three stores were Rice's, Ames & Brownley, and Smith & Welston. A spokesman for them issued a statement syinga:

"We believe this action to be in the best interest of the entire community in view of the fact that similar action has been taken in other Southern cities such as Nashville, Tenn., Richmond, and many others."

A party of Negroes had dinner at the department stores last night and later said they were courteously treated. There were no incidents.

A spokesman for the Negroes sai they had met with officials of the stores Thursday and the stores agreed to open their eating fcilities to all regardless of race.

# Test Sit-In Arrests In Va. Federal Court

RICHMOND, Va — An important challenge to trespass laws against sit-in demonstrators came before a three-judge federal court here Jan. 6.

Affected are 125 Negro and white persons arrested during sit-ins at Petersburg, Hopewell, and Lynchburg, Va. The whites include two young men from Lynchburg college and two students from Randolph - Macon Woman's college at Lynchburg.

The outcome of the case could also affect thousands of others arrested throughout the South in the last year, as well as millions of citizens now deprived of the right to eat, pray, sleep, swim, read, play, or see movies where they please.

At issue is a trespass law passed by the Virginia Legislature after sit-ins started last February. This law increased fines from $25 to $1,000 and fixed jail terms up to one year for persons refusing to leave a place of business when ordered to do so.

**TESTS COMPLICITY**

The demonstrators are also testing another Virginia law which provides the same penalties for persons encouraging others to take part in sit-ins.

"Few issues will come before any court in this generation more important than the ones present in this case," the demonstrators declared in a brief submitted to the federal court.

"It would be error, gross error, to consider this a mere Virginia matter. It is an American matter. This court, by its decision, will declare to 9,000,000 Negroes of the South and to the world that the federal judiciary stands ready and willing to provide relief from oppressive actions of any state as it fosters an American version of South Africa's apartheid."

**ASK RELIEF NOW**

The judges were asked to provide immediate relief by invalidating the use of laws "which enforce racial discrimination at public lunch counters and require the observance of private policies of racial segregation and discrimination."

The brief for the demonstrators declared that police powers of the state may not be used to enforce segregation in private places and such use of police power is called a violation of the Fourteenth Amendment to the U.S. Constitution. Among Supreme Court decisions cited is one in which state enforcement of restrictive covenants in housing was declared unconstitutional.

"There are things valid when done by private individuals which reach unconstitutional results when state action gets involved," the demonstrators declared. "It is also established that the courts do not permit the state to accomplish indirectly, in terms of enforcing racial discrimination, that which it cannot do directly."

The petitioners also contended that "private property—'private' as far as ownership—loses its purely private nature when it is put to certain uses, public uses. Because these lunch counters are designed to serve the public, do serve the public, and are subject to regulation by reason of this service to the public, in law they must be treated as public institutions."

This, the demonstrators argue, subjects lunch counters and similar places to the thrust of the Fourteenth Amendment regarding racial discrimination in public functions.

The demonstrators are represented by attorneys Joe Jordan, Ed Dawley, and Len Holt, Norfolk, Va.; Hank Jones, Washington, D. C., and Jay Schwartz, Madison, Wis. They have asked various civil rights and civil liberties groups to aid in "what may be the most significant legal decision since the school segregation cases."

## *15 Negro Students Held in Seating Rob*

HAMPTON, Va., Feb. 1 (AP) — Fifteen Negro students from Hampton Institute were arrested and charged with violating the state's segregated seating law today when they sat in a theater section usually reserved for white persons.

The students, part of a group of about 20 youths, were arrested for sitting in the segregated orchestra section of the Lee Theater.

The manager of the theater, apparently told of their intentions, informed the students they could leave, sit in the balcony section set aside for Negroes, or face arrest if they went to the orchestra area.

## *Racial Dispute Shuts Hospital Cafeteria*

PETERSBURG, Va., Feb. 1 (AP) — Central State Hospital's new cafeteria for employes has been closed as the result of a dispute over racial segregation.

Hospital Superintendent Theodore G. Denton, who closed the facility Tuesday said today segregation is "definitely the policy of the State Hospital Board."

He attributed the closing of the state-supported mental institution's cafeteria to an oper-

# 15 Hampton Students Are Jailed In Theatre Sit-In

**Staff Correspondence**

HAMPTON, Va. — Fifteen Hampton Institute students, including four juveniles, must stand trial here Feb. 8 on charges growing out of their attempt to use "white" accommodations at a Phoebus theatre.

The eleven adult students are free on $100 bond each posted by Paul Williams, a retired Hampton businessman and civic leader, and the four juveniles are in the custody of a college official pending trial.

**THE 15 WERE** arrested after they took part in a demonstration at the Lee Theatre on Mellen street.

They gathered at the theatre shortly after 1 p.m. and were sold tickets at 50 cents each They started to enter the downstairs section of the theatre, only to be blocked by William Sweeney, manager.

**HIS ACTION** came after a hurried call to the district manager of the theatre chain.

Mr. Sweeney told the students they would have to go to the "colored" balcony of the theatre or accept refund of their admissions.

The students said, through their leader, Hulbert James, that they would not accept the refunds, but would remain in the lobby until the manager reconsidered the matter. The student said the group would not leave the theatre to accept the refunds.

**MANAGER SWEENEY** accepted the tickets the students had purchased and they entered the downstairs section.

The students were not bothered for some 15 minutes, but were arrested after they refused to leave the theatre after being told by Police Capt. Tony Guyiddo: "If you refuse to move, we're going to have to place you under arrest."

**AT THE** Hampton Police headquarters, officials were hard-put to find a charge to prefer against the students. They finally settled on an article in the State Code (18.1-357) referring to "failure to take assigned space under hte State Law on segregation of the races."

At the trial on Feb. 8, the students will be represented by Attorneys W. L. Thompson and A. Smith, both counsel for the NAACP.

**THE LOCAL** demonstration was part of a nation - wide effort movement by the Students Non - Violent Coordinating Committee. Similar demonstrations took place last weekend in several North Carolina cities and students have also demonstrated against theatre segregation at Richmond, Nashville, Tenn. and in several Texas cities and towns.

Hampton students participated in sit - in demonstrations at lunch counters, but there were no arrests. A college spokesman said the students' actions were those of "voluntary, independent citizens."

The adult students involved are Miss Lucy Thornton, 21; David King, 20, Nathaniel Carmon, 22,, Arnold Benjamin, 26, James Douglas, 19, Hulbert James, 19, and Misses Claudette Reeves, Mary Bassom, Carol Vaughan, Albert Monroe and James Morris all 18.

# 6 Students Drop Trespass Appeal, Plead Guilty and Then Are Jailed

The Washington Post
Washington D.C.
Tues. 2-7-61

By Elsie Carper
Staff Reporter

LYNCHBURG, Va., Feb. 6—Four white and two Negro college students entered the city's jail today to begin 30-day sentences for protesting segregation at a downtown drug store lunch counter.

Corporation Court Judge Stephen DuVal Martin sentenced the students for violating Virginia's new trespass laws after they requested an appeal from an earlier conviction in Lynchburg Municipal Court be withdrawn. When the request was denied they entered pleas of guilty to the charges.

Shortly after the students entered the two-story yellow cement jail building a group of about 70 Negroes and whites gathered across the street, their heads bowed in prayer. They sang two Negro spirituals, "We Are Climbing Jacob's Ladder," and "I'll Overcome Someday."

The group which earlier appeared outside the courthouse and prayed in protest to segregated seating in the courtroom marched from a nearby Baptist church. In the church, plans were made for further demonstrations and boycotts of stores and theaters that practice segregation. The men in the group wore black mourning bands on the sleeves of their coats.

Leonard W. Holt, the Negro attorney who represented the six students in court, told the meeting "Let's not let their sacrifice be in vain."

After receiving their sentences, the students issued a statement which said:

"We have confidence that no person of good conscience will stand idly by—will remain silent—while we students who sought to speak against the destruction of human potential which results from racial discrimination are punished for completely implementing our faith in Christian-democratic principles."

The courtroom where the students were sentenced was strictly segregated with Negroes on one side of the center aisle and whites on the other.

A white minister, the Rev. John H. Teeter, was forcefully ejected from the court by three policemen when he sought to sit in the Negro section. Mr. Teeter is the pastor of the desegregated Episcopal Church of the Good Shepherd and is vice president of the Lynchburg chapter of the National Association for the Advancement of Colored People.

Seven policemen had been deputized as assistant city sergeants to enforce the segregated seating and patrol the aisles of the small wood-paneled courtroom.

The students were arrested last December when they entered Patterson's Drug Store on Main st. and sought service at the lunch counter. They were found guilty in Municipal Court last month of violating the trespass laws and since have been out on bail.

All six are natives of Virginia and attend colleges in Lynchburg. They are members of an inter-racial discussion group in the city.

Rebecca Owen, 20, and Mary Edith Bentley, 20, honor students at Randolph-Macon College for Women, have played a prominent role in religious activities on the campus of the Methodist college.

Theo ther two white students are George Terrill Brumback, 20, and James E. Hunter, 19, who attend Lynchburg College, a school affiliated with the Christian (Disciples of Christ) Church. Brumback's home is at 127 N. Edgewood st., Arlington.

The two Negroes, Barbara A. Thomas, 21, and Kenneth V. Greene, 28, attend the Virginia Theological Seminary and College.

The request to withdraw the appeal came as a surprise to the court, which had expected to set only a date for trial.

The action was explained in the statement issued by the students. They pointed out that they are now participating in a suit pending in the U.S. District Court in Richmond, challenging the constitutionality of the trespass laws.

**Called Moral Issue**

The students said they felt the issue they had raised is "more largely a moral issue than a legal one."

They said they had sought to point up the injustice of a segregated society by the demonstration and were willing to to accept the consequences by going to jail. "We believe," they said, "if social injustice is to be righted, we who speak against it must be willing to accept personal discomfort and hardship."

Judge Martin turned down the request to withdraw the appeal because more than 10 days had elapsed since conviction.

The attorney was overruled three times by the judge when he sought to put before the court the reasons the students were willing to go to jail.

Holt said the students would appeal guilty to the charges of trespass against them on the books but had moral reservations about the law.

"Lord God Almighty doesn't need this court to enforce divine law," the judge declared.

**Judge Disputes Attorney**

Later the judge interrupted Holt when the attorney said the students had doubts about a law which they felt was designed to enforce racial segregation. The judge said that there was nothing in the statute to warrant such a view and that the trespass laws apply to all persons alike.

Judge Martin then affirmed the 30-day sentence of the lower court. A comparable sentence had shortly before been given to a woman found guilty of a repeated offense of passing bad checks.

After the students were sentenced they walked a block to the jail. Phil Moon, deputy city sergeant, turned away classmates and a Randolph-Macon faculty member who sought to deliver clothing that the students had packed for their stay in jail.

Moon first said the students wouldn't be needing anything. Later he allowed books, a change of underwear and toothbrushes to be sent to the students.

**VICAR GETS HEAVE HO**—Rev. John H. Teeter, vicar of the Episcopal Church of the Good Shepherd, is ejected forcibly from court at Lynchburg, Va. for refusing to abide by court-ordered segregation. Teeter was attending court session at which six college students were being sentenced for a sit-in offense. He was removed from court when he refused to obey judge's order that seating in court be segregated. Teeter also is Lynchburg vice president of the National Association for the Advancement of Colored People.

The Rev. John H. Tetter, white pastor of the Episcopal Church of the Good Shepherd, was forcibly ejected from Corporation Court in Lynchburg, Va., yesterday for refusing to obey a judge's order that seating be segregated. He was attending a court session at which college students were being sentenced for sit-in activity.

Associated Press

# The Next Stop: Jail

One of the 15 Hampton Institute students arrested Wednesday after they attempted to utilize the "white" accommodations at a Phoebus theatre is shown being "frisked" by a police officer who later placed the student in a patrol wagon for transport to jail.

The 15 students, including 4 juveniles are free on band awaiting trial next Wednesday on charges brought through a State segregation statute.

## Richmonders Hail Victory After 11 Months

# Big Stores Open Tea Rooms To All

Norfolk, Va. Journal & Guide 1-28-61 p1 c7

Special Correspondence

RICHMOND — The two top department stores in the one-time capital of the Confederacy Miller and Rhoads and Thalheimers, opened all of their eating facilities to Negroes and whites alike on Friday.

Officers of the Richmond Citizens Advisory Committee, which had kept up a campaign of picketing and "selective buying" against the stores since the Virginia Union University students' sit - ins last February, immediately called off the crusade.

**THEY SAID** they believed that this was the first time that department store tea rooms had become integrated any place in the South, and predicted that it would lead to similar action elsewhere.

Both stores opened eating facilities in their basements and their first floors in August, but reserved their tea rooms and other dining facilities for whites only.

**AMONG THE 23** colored diners who are in the previously segregated areas was Dr. Thomas H. Henderson, president of Virginia Union, who had seen many of his students and others arrested during the sit-ins early last year.

Decision of the stores to end segregation came after months of negotiation.

**THE RICHMOND** Citizens' Advisory Committee is a federation of 36 organizations with the Rev. P. B. Walker, a Methodist minister, as chairman, and Dr. J. Rupert Picott executive secretary of the Virginia Teachers Association, as vice chairman.

**Serving on its contact committee, which did the negotiating were the Rev. Irvin Elligan, a Presbyterian minister who formerly lived in Norfolk; Dr. Picott and Winfred Mundle.**

**THIS COMMITTEE** never relented in its campaign to end all discrimination at eating facilities when partial desegregation was effected in August.

The committee had the active support of the Mayor's Committee of 12, which was named to work on the city's problems arising from the demand for the end of segregation.

**COLORED MEMBERS** of that committee are Mr. Mundle Dr. Picott, David Longley, Dr. Henderson, H. C. Terry and Dr. Felix J. Brown.

After the diners left the newly-integreted areas on Friday, Miller and Rhoads issued a statement saying that the change was made in the hope that it would bring harmony to the community.

Thalheimers said that it hoped the action would be in the best interests of the community.

## Negro Boycott Wins Eat Rights

The Montgomery Advertiser 1-22-61 p8 c5

RICHMOND, Va. (AP) —Picketing and a sales boycott of two downtown Richmond stores were called off Saturday by a Negro group.

Montgomery, Ala.

The two Broad Street stores—Miller & Rhoads and Thalhimers—served Negroes for the first time Friday night in eating facilities previously reserved for white persons.

The Richmond Citizens Advisory Committee said the group had "moved officially to cease the picketing and boycotting ... after having received a report that the management of both stores had announced desegregation of all eating facilities and agreed to serve all their customers equally."

The pre-arranged action Friday night came after months of quiet negotiations by Negroes and management of the stores.

The move by the two stores means most downtown eating facilities in department and variety stores are open to Negroes. The two bus station restaurants have been desegregated. There has been no concerted action by Negroes to obtain service at other restaurants.

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VIRGINIA

SUIT

LUNCH COUNTER

# Ask court to reinstate cafe suit

The Afro-American
Baltimore, Md.
Sat 1-28-61

WASHINGTON The full nine - member bench of the U.S. Court Appeals was asked last week to reinstate a claim against Hot Shoppes, Inc., for refusing to serve Charles E. Williams in Alexandria.

Williams said he could prove, if given a chance, that a restaurant manager acted "under color of Virginia law" when excluding him in Nov. 1959.

* * *

A TREASURY Department attorney arguing his own case, Williams said it made no difference that State Attorney Gen. Albertis S. Harris Jr. later declared that Virginia's segregation laws did not apply to restaurants.

The point is that the manager thought the law applied, Williams said.

Williams complaint for $5,000 damages, which was dismissed in District Court, stated that the manager disavowed personal prejuidce but cited the Virginia law.

* * *

THIS KIND of discrimination, Williams said, is a form of "state action" barred by the 14th amendment and the Civil Rights Act of 1875.

Charles J. Steele, an attorney, said the manager was obeying the law as he understood it, not enforcing it on behalf of the state.

Hot Shoppes and other corporations desegregated their Virginia restaurants after last summer's sit-in demonstrations.

# Virginia High Court Studies Sit-In Appeal

The Washington Post
Washington D.C.
Wed 2-28-61

RICHMOND, Feb. 27 (AP) The State Supreme Court took under advisement today the appeals of 34 Negro students arrested a year ago during a desegregation demonstration at Thalhimers Department Store in downtown Richmond.

The 34, all students at Virginia Union University here, were arrested and convicted on trespassing charges.

The 34 Negroes were arrested in February, 1960, as they congregated about a lunch counter and a fourth-floor restaurant reserved for white persons. They were each fined $20 in police court. Their convictions were upheld in Hustings court, from where they appealed to the Supreme Court.

The specific case being heard is that of a single student, Raymond Randolph. The outcome of his case will determine final disposition of the other 33.

Also today the court postponed until its April term arguments testing the validity of Virginia's new Blue Law.

The decision to postpone argument on the Blue Law means that it will probably be summer before a final adjudication will be made.

The case, contesting the validity of the 1960 General Assembly's Sunday closing law, was brought by several open-on-Sunday Richmond mechants.

The new law is more strict than the old one in limiting the number of items that can be sold on Sunday. Because a final ruling has not been made on the new law, the older less strict Blue Lew remains in force.

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VIRGINIA

AUGUST 1961
RICHMOND- LUNCH COUNTER
34 NEGRO STUDENTS PETITION SUPREME COURT

34 Students Seek Review

# Richmond Sit-Ins Appeal to Court

Pittsburgh Courier 8-5-61

WASHINGTON, D. C.—The U. S. Supreme Court has been petitioned to review the cases of 34 Negro students who conducted a lunch counter "sit-in" in Richmond, Va.

In a petition for certiorari filed July 22, attorneys for the NAACP Legal Defense and Educational Fund ask the nation's highest court to review an April 24 decision by the Supreme Court of Appeals of Virginia, which upholds the students' convictions.

**The students, who attended Virginia Union University, demonstrated at Thalhimer's, one of Richmond's largest department stores, on Feb. 20, and were arrested and fined $20 each.**

They had attempted to obtain service at two lunch counters, a soup bar and a restaurant reserved for white people. The store maintains a lunch counter for Negroes in its basement.

During the demonstration, which was entirely peaceful, the Negro group was refused service and asked to leave the store. When they remained, police were called and the students were arrested.

■

**THEIR CASES** were tried in a Richmond police court, resulting in conviction under a Virginia statute which makes it a crime not to get off private property when ordered to do so by an owner, or by someone acting for the owner.

In subsequent appeals, the convictions were upheld by the Hustings Court in Richmond, and the aforementioned Virginia Supreme Court of Appeals.

The Legal Defense Fund petition contends that the Virginia arrests were motivated by segregation, maintained by state law, and "constituted state enforcement of racial discrimination, maintained by state law, and "constituted state enforcement of racial discrimination contrary to the due process and equal protection clauses of the 14th Amendment."

•"Thalhimer's," the attorneys argue, "as a great department store, is part of the public life of the community. . . . In choosing to exclude Negroes from some of its restaurants, and to expel from the store all who protest against this humiliation, Thalhimer's followed a policy of public racial discrimination."

Though the conviction of the students and their fines are still in effect, Thalhimer's, in January, dropped all color bars in all of its facilities, including lunch counters and restaurants.

NAACP Legal Defense Fund attorneys for the petitioners are Martin A. Martin and Clarence W. Newsome, both of Richmond, Va.; Thurgood Marshall, Jack Greenberg, and James M. Nabrit III, of New York City. Charles L. Black Jr., of New Haven, Conn., and Elwood H. Chisholm of Washington, D. C., also assisted in the preparation of the petition.

LYNCHBURG, VA.
REV. JOHN H. TEETER

## Eyes On Lynchburg

# F.B.I. Probes Ouster Of Minister From Courtroom

Staff Correspondence

LYNCHBURG, Va. — The eyes of the Justice Department are focused this week on Lynchburg, where last week the sorry spectacle of a clergyman being ousted from a courtroom was enacted.

**The Justice Department, through investigating FBI men, is seeking to learn if the civil rights of the Rev. John H. Teeter, white leader in interracial advancement circles, have been violated.**

**REV. MR.** Teeter, pastor of the racially - desegretated Episcopal Church of the Good Shepherd, charges that his rights were, indeed, violated when he — in full clerical garb — was hustled out of the courtroom where a group of four white and two colored students had pleaded guilty to charges of "trespass" growing out of a sit - in demonstration.

Rev. Mr. Teeter had entered the courtroom of Judge S. Duval Martin in company of three colored citizens, one of them president of the local NAACP branch. The clergyman is vice - president.

**WHEN THE** clergyman attempted to sit with his companions, he was hustled out of the courtroom by local police officers who had been made deputies of the court by Judge Martin.

Rev. Mr. Teeter charges the rights violation because "I never had a chance to take a seat. . .I have violated no law."

The six students unexpectedly entered, "guilty" pleas in the case and asked that sentence (30 days in jail) of a lower court be upheld.

**THE SIX ARE** Misses Rebecca Owen, 20, and Mary Bentley, 20, both of Randolph-Macon Women's College: George Brumback, 20 and James Hunter, 19, both of Lynchburg College and Miss BARBARA Tomas, 21, and Kenneth V. Greene, 28, both of Virginia Theological Seminary and college.

Officials at the schools have indicated that the students college work would not be impaired by their incarceration, but the attitudes of jailers requested to apass books and other materials on to the students had been "somewhat uncooperative," during the first three days observers say. However, when it was learned that Federal authorities were interested in the case, there as turnabout on the part of jail officials. Now the students are receiving books and other materials.

**ACTUALLY, THE** Lynchburg case has presented a number of "turn - abouts." Judge Martin in a previous trial, did not object to desegregated seating in his court - room. A counsel for the defendents, in a firs trial, was forceful — almost being held in contempt. In the hearing last week, he was much subdued. The students had planned to plead "not guilty," but later changed their plea. One factor remains: the Lynchburg matter is still with the Hopewell and Petersburg cases in challenging the validity of the Virginia "trespass" laws on constitutional grounds. This challenge is now under advisement in Federal district Court.

# Minister Seeks Justice, Gets Souvenir

## Told U.S. can't help him in protest over ouster from court

By RUTH JENKINS

LYNCHBURG, Va. — The agitator pickets who are opposing the pickets urging desegregation of the lunch counter at Patterson's Drug Store carry a sign declaring that "St. Peter Is Looking For Teeter."

The reference of course is to the Rev. John H. Teeter, white Episcopal priest who was bodily ejected by police deputies from a Lynchburg Court House when he attempted to sit with colored friends on the 'colored side' of the segregated courtroom.

This incident occurred on Feb. 6 when six college students, four of them white, pleaded guilty before Judge S. Duval Martin and began serving 30 - day jail terms on trespass charges following their arrest in a Patterson, Drug Store sit - in last December.

* * *

**LAST WEEK,** the Rev. Mr. Teeter gave details of the humiliating experience to two FBI agents, one stationed in Lynchburg, and the other sent from Danville.

Then making an official protest to the Justice Department, the clergyman went to Washington and was granted a 15 - minute audience with John Seigenthaler, administrative assistant to Attorney-General Robert Kennedy.

**However, he was advised that the Justice Department can institute proceedings on behalf of a private citizen only when his voting rights have been violated. The minister contends that he had been deprived of his civil rights.**

Advised that the Justice Department has no jurisdiction over such a complaint, the vicar left however on a cordial note, with a highly-prized souvenir for his 11-year-old son, Mark.

It is a photograph of the attorney - general autographed "Best Wishes to Mark Teeter from Robert S. Kennedy."

**THE REV. MR. TEETER** is rector of the Chapel of the Good Shepherd, an integrated congregation which is in sympathy with the desegregation campaign. He is also vice - president of the Lynchburg NAACP.

For the Consolidated Court hearing of the six arrested students, Judge Martin had issued instructions that traditional segregated seating would be maintained. Seven policemen were on duty to maintain order and assign seats to courtroom spectators.

The courtroom seats only about 100 persons. For the hearing, defendants and witnesses were admitted first, then spectators were admitted single file.

**IN THE SPECTATOR** line, the Rev. Mr. Teeter followed Mrs. Maxine Patterson, whom he knew through the NAACP work. She was ushered toward a seat in the "colored section," and when the minister took a couple of steps behind her in that direction, he was stopped by two officers who asked "What color are you?'

The clergyman said that he was non-plussed by the question. Then he replied "White, colored or what - have - you, I want to sit with my friend.'

"Oh no, you don't," the minister said he was told as four other officers converged on him, and he was ousted from the court room and down the courthouse steps with the order "Don't come back again."

He said that he took this action as a personal affront inasmuch as he learned later that as the courtroom became crowded, other white spectators were permitted to fill up the back row of the "colored section."

* * *

**A NATIVE** of Ashland, O., the 35 - year - old Rev. Mr. Teeter is a graduate of Northwestern University and Seabury Western Theological Seminary in Evanston, Ill.

He has had 11 years experience as a newspaperman.

He worked three years as a reporter and copy reader with the Des Moines Register. Then he served for eight years as reporter and rewrite man on the national cable and city desk of the Chicago Tribune.

He took the pastorate of the Lynchburg 125 - member Good Shepherd chapel in August, 1959. He also serves another white parish nearby.

The Teeters have four children and are expecting a fifth.

**SINCE THE** publicity concerning the courthouse incident, the family has been subjected to some crank calls and personal harassment.

The minister is one of the founding members of the Episcopal Society for Cultural and Racial Unity.

38a 1961

Result Of Negotiation

Journal & Guide

# 3 Norfolk Stores Drop Race Bars In Tea Rooms

Norfolk, Va.

Date 2-11-61

3 NORFOLK STORES Dc 30 Tea room facilities at three of Norfolk's leading department stores are now open to all patrons.

The stores — Ames and Brownley, Rice's and Smith and Welton — quietly desegregated facilities Friday, serving colored diners along with others as result of a request from the local chapter NAACP that use of the facilities be made available to all.

ROBERT D. Robertson, president of both the Norfolk and State chapters of the NAACP told the Guide that his organization had written two letters to each of the stores expressing belief that the time was right for the desegregation of the tea rooms.

Mr. Robertson said that officials of the stores had met to work out procedure for opening of the facilities.

SMALL GROUPS of colored diners joined others at the three stores Friday afternoon.

Among the diners at Smith and Welton were Mr. and Mrs. Robertson, Mrs. W. T. Mason, the Rev. Richard B. Martin, James Gay, Mrs. Geraldine Rogers, and Miss Emma Gregg. At Ames and Brownley, diners included the Rev. W. L. Hamilton, Mrs. Anita Walker, Attorney and Mrs. Victor J. Ashe, Mrs. Ella Barco and Mrs. Ocie Shields. Among the diners at Rice's were Attorneys T. Ione Diggs and Bertha L. Douglass, the Rev. Noah Taylor, Jr., Mr. and Mrs. J. R. Jones, Attorney J. Hugo Madison, Miss Joyce Gilliam and Miss Jean Davis.

MEMBERS OF each group reported courteous service. No incident occurred at either store.

A spokesman for the three stores issued a statement saying:

"WE BELIEVE this action to be in the best interest of the entire community in view of the fact that similar action has been taken in other southern cities such as Nashville and Richmond."

Mr. Robertson said W. G. Swartz, another of Norfolk's four leading department stores, did not reach an agreement with the NAACP group for the desegregation of its lunch facilities.

## *Counters Desegregated*

LEESBURG, Va., April 30 (UPI)—Lunch counter desegregation began quietly here yesterday although a few white patrons left the community's four drugstores when Negroes were served.

The action followed a meeting of white and Negro leaders Friday at which a spokesman said racial issues were "frankly discussed."

# 2 Augusta Churches Staye Off Kneel-Ins

## 2 Negroes, One a Minister, Are Turned Back at Doors

AUGUSTA (AP) — Two Negro students, one an ordained Baptist minister, tried unsuccessfully to worship Sunday in two white Augusta churches.

The Rev. Roosevelt Green Jr., 21, and Paul Thompkins, 22, students at Paine College, first tried to enter the First Baptist Church. An usher denied them admittance, and they left without argument.

Crossing the street, Green and Thompkins sought to enter St. John's Methodist Church. Again they were rebuffed when the door was barred and church officials waved them on. The students stood quietly outside at the foot of the church steps and a group of about 50 gathered. Some parishoners entering the church made unfriendly remarks, others ignored the Negroes.

After waiting about 15 minutes, Marion Dasher, chairman of the church board, told the Negroes: "You are not welcome at this church."

Green replied: "Can I ask you a question."

Dasher answered: "No, not particularly. I told you what I had to and I would appreciate it if you move on because some people here wouldn't understand."

Green asked: "Are you asking us to leave?"

"Yes," said Dasher. The Negroes then left quietly.

Mayor Millard Beckum, a member of St. John's Church, was asked to comment and said: "This is not an integrated church and they'll not be permitted to enter. Of course if they do some disorderly conduct we can try a different approach."

Last month Green and another Negro tried to enter the First Baptist Church. Police were called and officers told the Negroes not to return.

Augusta is one of the few Georgia cities which has maintained almost total segregation.

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EPISCOPAL CHURCH

KNEEL-INS

# Episcopal Unit Urges Kneel-Ins To Fight Segregation in Church

The New York Times
New York

By GEORGE DUGAN

Special to The New York Times.

WILLIAMSBURG, Va., Jan. 11—The Episcopal Society for Cultural and Racial Unity ended its first annual meeting here today with a plea to its 1,500 members to combat actively the "abomination" of segregation within the church.

It particularly urged the use of "peaceful" sit-in and Kneel-in demonstrations to rid church institutions or agencies of racial exclusiveness.

Shortly before midnight last night the delegates approved a statement declaring that "there are neither theological nor biological barriers to marriage betwen persons of different color, and that laws forbidding such marriages are contrary to Christian teaching, natural law and the Constitution of this country."

At the same time the delegates approved a resolution urging President-elect John F. Kennedy to take the lead in a "crusade" for full citizenship rights for all persons without regard for race, color, class, religion or ethnic origin.

This morning's actions included a series of "directives" to society members. Among them were these:

¶Consider worshiping at the church nearest their residence whose congregation is of a color and culture other than their son.

¶Consistently express disapproval of discrimination within church-related agencies and strive diligently and prayerfully to refrain from participation in the operation of such institutions."

The society asserted:

"Our attention and our Christian concerns specifically are directed to church-sponsored schools, colleges, conference centers and camps where deep injury is inflicted upon Christian youth by exposure to unjust and un-Christian practices of segregation and other discriminations because of race and color."

The delegates also recommended that its board of directors consider the establishment of a "hardship fund" designed to aid individuals "who suffer imprisonment or deprivations in reprisal for their witness in the areas of racial and cultural unity."

They reaffirmed an earlier statement calling anti-Semitism a form of bigotry "totally incompatible with the program and goals of this society."

The Episcopal Society for Cultural and Racial Unity was formed a little more than a year ago in Raleigh, N. C. It has not official connection with the National Council of the Protestant Episcopal Church, the administrative arm of the denomination.

Its membership is drawn largely from "liberals" within the church who have become restive under what they regard as deliberate slowness on the part of their church in seeking the equality of races.

# Sympathy caravan features kneel-ins

ROCK HILL, S.C. — Student-propelled church kneel-ins and a 100-plus automobile caravan carrying over 500 persons rocked this city on Sunday as well as part of York County.

The kneel-ins and motor caravan occurred amid mounting tension as out-of-town students and supporters of the sit-down movement flocked here. One incident which almost caused a reaction of violence was the kicking of a minister near the county prison. He is the Rev. John Copeland of Nashville, Tenn., pastor of Zion Baptist Church, who was kicked as he passed an unidentified white spectator.

The Rev. Mr. Copeland complained to Chief Pete Strom of the incident and was offered hospitalization but refused.

Parents of the jailed sit-downers, students and visitors were insulted and vilified by white spectators who lined the highway.

The kneel-ins occurred Sunday morning as students from out-of-town colleges and local Friendship College visited white churches. One group was admitted to the local Presbyterian Church but all others were turned away from Baptist churches.

A group of students, led by Joseph Winston of A. and I. University was told at one Baptist Church: "This is private property. If you don't leave, we will call the police."

At another Baptist church, Winston and two other students, one from National Baptist Seminary of Nashville, were told to go to "Negro churches."

A white churchman even offered to transport the students to a colored church. When they accepted, he got into his automobile and drove them across town to one of the Baptist churches.

The motorcade to the county prison, located 14 miles from here, ran into an avalanche of state highway patrolmen when it reached the prison. The officers barred all automobiles from the grounds and forced the motorists to park a mile away and walk back. There were approximately 50 state highway patrol cars parked on the prison grounds and along the highway. It was estimated that there were about 100 state officers and SLED (State Law Enforcement Division) agents. None of the visitors was permitted to visit the two girls at the York County jail, located about two miles from the county camp.

Visitors were told the girls had their quota of visitors for the day, five. However, a number of students were able to see the nine male prisoners at the camp, being permitted in groups of ten.

Following the caravan, there was a mass meeting which was attended by most of the students, local people and supporters of the sitdown movement.

* * *

**THE SECOND** group of out-of-state students flocking here to lend support to the embattled sitdowners anchored at Friendship College arrived on the campus Saturday.

Following a meeting with the local group, about 60 students in units of 20 each picketed three mid-town stores, Woolworth, McCrory's and Good's drug store.

The picketing continued the entire afternoon, marking the fourth day of protest since the arrest and conviction of four out-of-town youth leaders early last week.

* * *

**THE STUDENTS** who came on Saturday are from Nashville and represent Heharry Medical College, Tennessee State College and American Baptist Seminary.

Leo Lillard, leader of the group, said: "Our promise is to give moral as well as active support to the students of Friendship."

Thirty-two of the students made the trip via Greyhound Bus. Another contingent came from Murphy, N.C.

In addition to Lillard, the Tennessee students were accompanied by a minister, the Rev. John Copeland, pastor of Zion Baptist Church of Nashville.

The first group of out-of-town pickets was from Atlanta, representing Atlanta University and Spelman College.

## 'Kneel-In' Try Draws Rebuff

ORANGEBURG, S.C. (AP) — Two Negro students from Claflin College, a Methodist institution here, were turned away from St. Paul's Methodist Church at Orangeburg Sunday.

The two were told to "go worship with your people" by a man at the church entrance. Then Orangeburg Mayor Clyde S. Fair came out of the church and confirmed the refusal.

The two students left.

The students, who identified themselves as Dorothy Vann and Emmanuel Hixson, said the mayor told them, "This is a segregated church."

The Rev. T. E. Jones, pastor, said he did not know of the incident until told of it after the services were over, and he had no comment.

38a 1961

VIRGINIA

KNEEL-IN

# 'KNEEL-INS' HELD INTEGRATION KEY

The N.Y. Times
Newspaper Sun
Mon 1-9-61

## Episcopal Group Supporting Racial Unity Opens First Annual Talks in South

By GEORGE DUGAN
Special to The New York Times

WILLIAMSBURG, Va., Jan. 8—Church leaders who assembled here for the first annual meeting of the Episcopal Society for Cultural and Racial Unity regard the so-called "kneel-in" movement as a key weapon in combating segregation.

The movement started last August, when a small band of Negro students entered an all-white church in Atlanta to worship with fellow-Christians. Since then there have been at least 200 similar demonstrations over the country, a few in the North but most in the South.

On some occasions Negro worshipers have been barred at the church doors. Most times, however, the reaction of the white congregation appeared to be one of bewilderment rather than outright resistance.

### Northern Segregation Cited

The Rev. John B. Morris, director of the society, defined the problem of interracial worship as not so much a question of enforced segregation as one of "separation by custom."

He said that kneel-ins were practical dramatizations of the Christian teaching that the church is not color conscious. As such, kneel-ins can become powerful educational instruments, he said.

Mr. Morris emphasized that the "separate but equal doctrine" in church life prevailed in the North as well as in the South.

Kneel-ins, he said, have an advantage over lunch-counter sit-ins because the legal question of property ownership cannot be readily invoked.

The Episcopal Society for Cultural and Racial Unity was formed a little more than a year ago in Raleigh, N. C. It is an independent body in that it has no official connection with the National Council of the Protestant Episcopal Church, the administrative arm of the denomination.

It has a nation-wide membership of 1,500 Episcopalians, including forty Bishops. It holds that more than pious protestations of goodwill are needed if the Christian church is to be truly interracial.

GEORGIA

SAVANNAH PUBLIC LIBRARY
INTEGRATED

# Savannah Library Now Open to ALL

SAVANNAH, Ga.—Savannah's Public Library is open for use by all citizens, Mayor Malcolm MacLean said here.

The Mayor, in answering questions concerning use of the main library by Negroes, said city and library officials had agreed to follow the precedent set by other Southern cities by allowing free access to the library facilities to everyone.

Negroes have always used the reference room of the main branch whenever necessary, the Mayor said, and the city has defended itself in a U. S. District Court case brought by Savannah Negroes attempting to force integration of the library on grounds that Negroes have never been denied use of the facility.

Mayor McLean said other Southern cities, including Atlanta, Augusta, Macon, Jacksonville, Charlotte and Greenville, have integrated libraries, and local officials see no reason why Savannah should not follow their precedent.

The law suit was filed in U. S. District Court by Hosea L. Williams, Earl F. Thornton, Mrs. Cecelia L. Walker, Mrs. Mary McDew, Mrs. Emma B. Bolden, C. Wymberly, Mrs. Thomasina White and Patrick Merritt.

Federal Judge Frank M. Scarlott took the case under advisement.

Geraldine Lemay, regional librarian, said there has been no recent increase in the use of the main library by Negroes.

38a 1961 GEORGIA SIT-INS LIBRARY

# Savannah Library Hits Negroes' Suit

The Atlanta Constitution
Atlanta, Ga.
Jan. 4-28-61

## Lawyer Asks Dismissal, Says Charges Are Faulty

BRUNSWICK (AP)—U.S. District Court Judge Frank M. Scarlett was asked Thursday to dismiss a suit of eight Negroes for integration of the Savannah Public Library.

Edwin J. Maner Jr., attorney for the Library Board of Managers, moved for dismissal at a hearing on a petition to enjoin the library from operating on a segregated basis.

The attorney argued that the petitioners have failed to state a claim on which relief can be granted. He claimed that the suit makes blanket allegations that laws are violated but does not name city ordinances, statutes, customs or usages as having been violated.

Opposing the motion was Negro attorney Donald L. Hollowell of Atlanta. He denied all of Maner's basic claims, saying he wondered if the library attorney actually had read the petition.

Speaking first, Maner said the petition never stated that any one of the eight plaintiffs has ever sought to use the library or has ever been denied use.

The petition also asks a declaratory judgment to bar the City of Savannah from enforcing any law or custom for segregation of public libraries. But, Maner contended, the petitioners have not shown that the city ever enforced any such law.

Maner entered a motion to strike a part of the suit in which the plaintiffs claim they wrote the Board of Managers asking permission to use the library. Citing a technicality, he said the letter was directed to the Board of Directors when no such body exists.

He said it appears that three separate public bodies should be named defendants. In addition to the Board of Managers, he listed the Board of Trustees of the Carnegie Library, which, he recited, is composed of 12 Negroes as provided by the city charter, and the City Council.

The library attorney argued that the action was brought without authorities ever having "any opportunity to dispose of this matter by local administrative action." He said not one of the eight plaintiffs had ever been refused services at the library.

38a 1961 MISSISSIPPI SIT- In LIBRARY

## An Easter week-end—

# Jackson braced for new incidents

The Birmingham News
P. 1 Col. 3-31-61 Birmingham Ala

BY HARRY MARSH, News staff writer

JACKSON, Miss., March 31—Mississippi's capital city is braced for a new anti-segregation action during the Easter week-end.

Negro leaders yesterday vowed to continue sit-in efforts and the city government promised to oppose them to maintain peace and order.

AGENTS OF THE Federal Bureau of Investigation are investigating three incidents: Mississippi's first sit-in at the municipal library, the conviction of nine Tougaloo College students for participating, and police action in dispersing about 100 Negroes near the courthouse with clubs and dogs as the Negroes began to clap and chant before the trial Wednesday.

**Mayor Allen Thompson yesterday told newsmen city officials had ordered police to maintain order and act quickly to prevent racial strife. He said they did not tell the policemen how these orders should be carried out.**

The press conference was called, he said, so he could explain the situation to the representative of a weekly news magazine.

He said Jackson offered more educational and occupational opportunities to Negroes than any other city in the nation.

AT A RALLY sponsored by the National Assn. for the Advancement of Colored People, last night, the police action was described as "violence, brutal and cruel."

The Birmingham News
Mar 3-31-61

**An estimated 1000 Negroes attended and contributed funds. They heard NAACP officials outline the following de-segregation efforts: non-violent demonstrations, white merchant boycotts, encouragement of federal investigation in the action, and further civil rights legislation.**

The Rev. John D. Mangram said yesterday's action showed white Mississippi leadership lacked "the spiritual maturity we thought they had." He said "we will go on to prove that we are dissatisfied with second class citizenship and even though we be struck dead we will not strike back."

**Dr. Aaron E. Henry of Clarkdale, state NAACP president, said FBI agents were investigating the situation "in this building tonight."**

Mrs. Julia Wright, NAACP regional youth secretary, urged Jackson Negroes to stay out of the stores near where the police action took place.

DR. HENRY told the mass meeting that he had wired President Kennedy to "halt this savage attack on Negro people in Mississippi."

Henry said Mississippi Negroes have been handed a "good do-it-yourself kit" in the struggle for human dignity.

Rev. Mangram called for no violence by Negroes seeking equal rights.

**"All the things which our white friends do to us can't prevent the forces that have been unleashed in this city and state," the minister said.**

"Even though we be struck dead, we will not strike back. We must face what we have experienced and, in a measure, accept it. We must not become embittered at our white friends who have not the spiritual maturity we thought they had."

CLARENCE MITCHELL, director of the Washington bureau of the NAACP, said a telegram from his office to members of the Senate and House judiciary committees and the Justice Department asked for new civil rights laws to give Americans "the same kind of protection in Mississippi "that we seek to give humans in remote corners of the world."

The Afro-American
Baltimore, Md.
Sat. 4-8-61
P1

**"KEEPING ORDER"** in Jackson, Miss., a policeman sicks a vicous German Shepherd on an unidentified man he thought was too slow in obeying his order to move away from in front of Police Court where nine students went on trial for trying to read research books in the public library. The man with the umbrella was bitten on his left arm.

# FBI begins probe of attacks

(Special to AFRO)

JACKSON, Miss. — FBI agents here are continuing the probe launched, last week, as a result of a number of persons being beaten by police and bitten by two German Shepherd police dog.

As announced by the Justice Department, the purpose of the investigation is to determine if the violence employed by the police and use of the dogs were justified.

The FBI went into action after Medgar Evers, NAACP field secretary, called the Justice Department in Washington and complained of action by local police.

* * *

"AS FAR AS colored citizens are concerned, law enforcement here has broken down," Evers declared. He said policemen were "committing violence against colored citizens."

In ordering the investigation, Assistant U.S. Attorney General Burke Marshall said: "I'm trying to find out if it (the report) is true. If it is, it's a disgrace."

Evers reported that he was beaten about the head and shoulders with both a gun and police club.

The violence, he declared, erupted when a group of approximately 100 students gathered at the City Court building in an effort to attend the trial of nine college students arrested for going to the main public library here.

* * *

EVERS SAID he arrived at the scene with Miss Julie Wright, NAACP Youth Department secretary, of Charleston, S.C.

Police were lined up in front of the court building, he said. The crowd was ordered to go across the street where they waited until the accused students, who are enrolled at Tougaloo Southern Christian College, arrived.

The spectators applauded the students and the police charged into the crowd swinging clubs and turning the dogs upon a number of persons.

* * *

THE POLICE were under command of Det. Chief M. B. Pierce, the officer who on March 27 ordered the arrest of the students at the library.

Evers said Pierce gave the attack signal by saying: "That's it! Move 'em out! Get 'em!"

A number of persons were injured, including two ministers who were bitten by the dogs, and a man, 81, Willis Wrenn whose left arm was incapacitated as a result of a blow by a club swinging policeman.

The ministers bitten by the dogs are the Revs. S. L. Whitney, pastor of Parish Street Baptist Church, and Bishop David McPherson.

Following the eruption outside, inside the court the nine students were found guilty of "breach of the peace" and fined $100 each and given 30-day suspended jail sentences.

* * *

ONE OF THE defense attorneys, Jess Brown, said notices of appeal have been filed and the case is to be heard in the Hinds County Court sometime after April 10.

The students, four girls and five boys, are Misses Evelyn Pierce, Janice Jackson, Ethel Sawyer and Geraldine Edwards, Albert Lassiter, Meridith Anding, Joseph Jackson, Alfred Cook and Sammy Bradford.

In defense of the students, Attorney Brown called the arrests "police state" tactics.

"If these defendants are convicted, on this evidence," he told Judge James L. Spencer, "then I fear for all of us. I could be arrested for walking into this public building."

* * *

FOLLOWING THE violence and conviction of the students, a mass meeting was held Thursday night at the Masonic Temple. More than 1,000 persons attended.

Clarence Mitchell, director of the Washington NAACP bureau, and AFRO columnist, was main speaker.

Mitchell said that while the U.S. is spending billions abroad in behalf of world democracy, Mississippi remains the only state in the Union where it is a crime to read a book in a public library.

Earlier he had called upon President John F. Kennedy to protect the constitutional rights of Mississippi citizens with every available law.

He asked Congress to enact stronger civil rights laws to empower the Justice Department to protect citizens against such attacks as occurred in Mississippi.

Other speakers at the mass meeting were Dr. Aaron Henry, president of the Mississippi NAACP, and the Rev. John D. Mangrum.

Dr. Henry said he had wired President Kennedy asking that the "the vicious attack on colored citizens be halted."

* * *

IN A WIRE to Gov. Ross Barnett, Roy Wilkins, NAACP executive secretary urged: "Call off the dogs, Legree, slavery is over."

Later Wilkins revealed that the NAACP is going all out to "wipe out racial discrimination in Mississippi."

The NAACP executive said:

"Mississippi has a secret police system in its State Sovereignty Commission, a controlled press and is the only state in which White Citizens Councils members are elected public officials."

# Mayor Pleads For Peace

**JACKSON, Miss. — Police night sticks and two snarling dogs combined to break up a court house demonstration by 100 Negroes last week.**

Meanwhile, Mayor Allen Thompson pleaded for racial peace, asking Jackson's Negro and white citizens to ignore "false prophets" who would lead them "down a road of conflict and strife."

His plea came as the Justice department announced in Washington that the FBI is investigating the outbreak of violence where nine Negroes were convicted for staging the first "sit-in" demonstration in Mississippi.

Growing disapproval of Jackson police brutality was voiced by 800 Negroes Friday who held anti - segregation demonstrations.

They sang, marched, prayed and cheered speeches by integration leaders including Clarence Mitchell, director of the NAACP's Washington bureau.

Mitchell was cheered by the crowd when he said:

"There is not enough power in the state of Mississippi to prevent the forward march of those determined to have their civil rights.

"I don't know how dictionaries in Mississippi define 'public' but those we use in Washington — and they're the ones which count — the public includes everybody, white and colored."

Aaron Henry of Clarksdale, State NAACP president, said, "I want to serve notice on the authorities: "You've got to use more than police, guns, clubs and dogs."

Police used these weapons to break up crowd of Negroes outside the courthouse while the "sit-in" demonstrators were being convicted inside."

Several persons reportedly were struck by club-swinging police who waded into the crowd.

The Justice department said that on the basis of reports it has received, "it appears that one Negro was beaten by a civilian — not a police officer." The civilian has been arrested and charged with assault and battery.

The mayor, a former president of the American Municipal association, said both races have "worked side by side" in Jackson for years.

**OUTSIDE AGITATION**

"I sincerely believe that our recent trouble would not have occurred had it not been planned and promoted by people beyond the borders of our city and state whose chief aim seems to be to create unrest and friction among our people and between the races."

"Let's not be led by false prophets down a road of conflict and strife," Thompson said. "Our people are dependent on each other."

Thompson and other city officials agreed to meet at least once every three months with local Negro leaders to discuss race relations.

The agreement was made when three Negro ministers visited the city officials. "If we intend to continue to live together in peace and harmony," said the Rev. E. A. Mays, "we must clear up certain grievances."

# Arrested For Trying To Use City Library

The Louisiana Weekly
New Orleans, La.

JACKSON, Miss. (Special to the Louisiana Weekly) - History was recorded here Monday, when nine Negro students attempted to break the Jim Crow barrier of the last outpost (Mississippi), filed into the main branch of the Jackson public library and later refused a police request to leave.

The game nine were jailed by police later on charges of failing to move on when ordered by police.

Ref. 4-1-61

The students entered the library quietly and without demonstrations.

Officers said the youths from Tougaloo Southern Christian College for Negroes advised they had "no desire to call a lawyer" and made no effort to post bonds of $500 each. Members of the group said they had tried Negro branch libraries for information for term papers and were unable to get it.

The NAACP, which alerted newsmen of the march a few minutes before it began, said the nine were members of NAACP youth groups. Neither the youths nor the NAACP gave any reason for the march except a desire to use the library facilities.

There also was no word on whether the occurrence on the eve of the official opening of the Civil War Centennial in the state was by design. It was the first such move by a Negro group on public facilities, although two Negroes have sought to enter white colleges and a group of Negroes sought to move onto white beaches on the Gulf Coast last year.

About 200 students from Jackson State College staged a singing, chanting demonstration on the campus of the school Monday night in sympathy with the nine Tougaloo students. Dr. Jacob Reddix, president of Jackson State, and Jackson police quieted the demonstration and no arrests were made.

Atty. Gen. Joe Patterson declined comment and Gov. Ross Barnett was not available for comment.

Booked by police were: Alfred Lee Cook, 23, of Flint, Michigan; Evelyn Pierce, 19, of Buffalo, New York, Janice L. Jackson, 21, of Clarksdale, Miss.; Joseph Jackson, Jr., 23 of Memphis; Ethel Sawyer, 20 of Memphis, Tennessee; Jeraldin Edwards, 19, of Natchez, Miss.; James Cleo Bradford, 18, of Memphis; Meredith Coleman Anding Jr., 19, of Jackson; and Albert Earl Lassiter, 19, of Vicksburg.

New Orleans, La.

**Police Arrive**

Police Chief W. D. Rayfield and Chief of Detectives M. B. Pierce reached the library a few minutes after the Negroes arrived about 11 a.m.

Pierce asked, "who's in charge here?"

A girl student, who did not raise her face from her book, answered "No one," and Pierce said:

"All right, everyone of you get up and get out of here."

No one moved and he said: "The colored library is on Mill Street. You'll have to get up and get out."

When no one made any move, he said: "You're under arrest. Get up."

The students then got up and were taken to police cars for the trip to jail.

Nine policemen remained on duty in the library for about 15 minutes, then left the building. Three waited a few minutes longer in the front of the library before moving.

Three white men reading newspapers sat quietly through the entire incident, apparently undisturbed.

A library spokesman, asked what would happen if the Negroes had sought to check books out, said:

"You cannot check out a book without a card. To get a card you must live in Jackson, work in Jackson or go to school in Jackson. Tougaloo is not in Jackson."

The school, operated jointly by the Disciples of Christ Church and the Congregational - Christian Church, is located just north of the city.

Newsmen, on hand when the students arrived, had been alerted by Medgar Evers, state field secretary for the NAACP. Evers told The Associated Press youths were members of an NAACP youth group and that the march would be restricted to the Jackson library.

# Nine Mississippi Students Held In Library Incident

Atlanta Daily World
Atlanta, Ga.

JACKSON, Miss. — (UPI) — Nine young Negroes staged the first "sit-in demonstration in Mississippi capital city Monday and were arrested by police who mounted a guard to prevent a recurrence.

The demonstrators - students at Tougaloo Christian College -entered the main city library in downtown Jackson. Police arrived within 15 minutes, ordered them to leave and arrested them when they refused.

Dues, 3-28-61

Two policemen were ordered by Detective Chief M. B. Pierce to remain at the library for the rest of the day.

The Negroes refused to post bond. They were charged with violation of a 1960 law which provides maximum penalties of four months in jail plus a $200 fine for persons who refuse to leave a public facility when ordered to do so by a law enforcement officer.

The students began arriving at the library shortly before noon. A librarian asked one girl where she was from and what she wanted. The girl replied she was from Tougaloo Christian College and wanted to do research.

Most of the students went to tables on the library's first floor and began reading. Others checked the card catalog. One asked a library worker about a book and was answered courteously.

One of them, Evelyn Pierce, told United Press International her group was "doing research and this is the only library in town where we could get the material."

Only a few white persons were in the library, and they ignored the Negroes. There was no sign of violence. A librarian telephoned authorities and about six policemen rushed to the scene. They questioned a few of the students briefly.

Detective Pierce then announced "All right, everyone of you get up and get out of here. There's a colored library on Mill Street. You are welcome there."

The Negroes continued their library work. "You can hear, can't you?" Pierce said. He was ignored again.

"All right, everyone of you are under arrest," Pierce announced, and officers escorted the Negroes to police vehicles. The students did not protest.

Atlanta, Ga.

While the five boys and four girls staged the sit-in another group of Negro students gathered in a store across the street. They scattered when police arrived.

# Negroes Arrested In Jackson Read-In

One Commercial Appeal

## 9 Tougaloo Students Stay In Jail Until Trial

Memphis, Tenn.

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., March 27.—Nine Negro students of Tougaloo Southern Christian College, six miles north of here, were arrested Monday for a Breach of the peace under a 1960 segregation law in a "read-in" demonstration at the white Municipal Library. They plan to remain in jail until their trial Wednesday.

Dues, 3-28-61

Medgar Evers, field secretary of the National Association for the Advancement of Colored People, said the students are members of his organization's youth movement. He had alerted newspapermen to the planned peaceful demonstration and they reached the library ahead of the students.

The "read-in" was peaceful. The students walked into the library just before noon and secured reference matesial from the files. They sait it was needed for papers due to be turned in Tuesday and which was not available at the two Negro libraries operated by the city.

However, police officials said they checked one of the Negro libraries and found that the needed material was available there. The demonstration followed Sunday's membership kickoff drive of the NAACP which was addressed by a white attorney of South Carolina, John Bolt Culbertson, a former FBI special agent.

There were five boys and four girls in the group. Three are from Memphis, one from Flint, Mich., one from Buffalo, N. Y., one from Clarksdale; one from Natchez; one from Vicksburg, and only one from Jackson. Their ages range from 18 to 23.

They face a fine of $200 and—or four months in jail.

Later, other students from Tougaloo College rode into Jackson in two cars and scattered over the business section. Several entered the H. L. Green Department Store and sat at a lunch counter momentarily, then green's Drugstore nearby and made purchases but did not try to enter the lunch room area.

Afterwards, the students met at the Continental Trailways Bus station and re-entered their automobiles. They drove by the police station and city hall to leave candy and cigarets they had purchased for their interned schoolmates.

The arrests are the first in Mississippi for attempts by Negroes to use segregated facilities.

NEGROES ARRESTED—Jackson, Miss., police escort from the Jackson Public Library a group Negro students a few minutes after they entered the main library building used only by whites. rsmen had been alerted through the NAACP the march was scheduled and were on hand when the dents entered.

STUDENT LEADER -- Randolph Parker of Birmingham, Alabama, was an unexpected Easter week-end visitor here because he was afraid to go home. Parker, a student at Jackson College said he was recently detained in the Jackson, Mississippi jail for leading a parade through the Mississippi town carrying an American flag followed by 120 students protesting the arrest and trial of nine other students for trying to use a Mississippi library. After being released, Parker said numerous whites called his home asking his whereabouts. Feeling his life was in danger, Parker came to New Orleans instead of going home. Here hotel owner, John Foster, invited him to be his guest over the Easter week-end holiday assuring him of peace and safety. (Photo by Porter)

# Tougaloo Students Arrested For Entering White Library

Jackson Daily News
Dec 3 1961

By W. C. SHOEMAKER
Daily News Staff Writer

Nine Negro college students marched into the main branch of the Jackson Municipal Library here yesterday and were arrested by police a few minutes later.

They were charged with creating a breach of the peace by failing or refusing to move on when ordered to do so by police.

Chief of Detectives M. B. Pierce said they could be released on $500 written bond each, but none applied for bond immediately.

All nine were students at Tougaloo Southern Christian College five miles north of Jackson.

They were identified as Alfred Lee Cook, 23, of Flint, Mich.; Evelyn Pierce, 19, of Buffalo, N. Y.; Janice L. Jackson, 21, of Clarksdale; Joseph Jackson Jr., 23, of Memphis; Ethel Sawyer, 20, of Memphis; Jeraldine Edwards, 19, of Natchez; James Cleo Bradford, 18, of Memphis; Meredith Coleman Anding Jr., 19, of 1248 Hattiesburg St., Jackson; and Albert Earl Lassiter, 19, of Vicksburg.

The "read-in" was the first move to mix public facilities in Jackson.

The nine students crossed the street in front of the library at 301 North State St., in a group about 11 a.m. and marched into the building.

Library workers questioned their purpose and they announced they were in search of research material for school work.

**TAKE SEATS**

Most lifted books from shelves and took seats. One thumbed through a index case.

Police, led by Police Chief W. D. Rayfield and Pierce, arrived a few minutes later.

Pierce asked one girl, "Who's in charge here?"

She answered, "No one," without raising her face from the book she held.

"All right, everyone of you get up and get out of here," Pierce announced. Not one moved.

Again he called out "The colored library is on Mill St. You'll have to get up and get out."

Still nobody moved.

Then he announced, "You're under arrest. Get up."

Uniformed officers moved among the Negroes and led them to squad cars waiting outside.

**BOOKED, JAILED**

They were taken to police headquarters, booked and placed in cells.

None resisted police as the group was taken to jail. Several other Negro youths watched from across the street but made no move to join those arrested.

Pierce said he advised the nine they were entitled to notify attorneys but he said all told him they had "no desire to call a lawyer."

He said the group claimed they went first to Carver and College Park branch libraries for Negroes but were unable to secure the information they needed for schoolwork.

**NOT ELIGIBLE**

A library worker said most members of the group would have been unable to check out books from any city library.

Library rules require that persons removing books must live, work or attend school within the city limits.

Only one of the group gave an address within the city.

Medgar Evers of Jackson, field secretary for the National Association for the Advancement of Colored People, said the students were members of an NAACP youth group.

He notified some members of the press in advance of the "read-in."

Three white men were in the same section of the library when the Negroes entered. They kept their seats. Several women patrons watched from near the door.

Gov. Ross Barnett was reported "in conference" and would not comment.

State Sovereignty Commission director Albert Jones, whose job it is to preserve segregation, said he was informed of the "read in" shortly after it took place and had no advance warning.

Atty. Gen. Joe Patterson declined comment.

Trials for the nine will probably be held before Municipal Judge James Spencer Wednesday afternoon.

The charge under which they were arrested was one of several laws passed by the 1960 legislature.

Affidavits police filed against them charged that "with intent to provoke a breach of the peace, did then and there wilfully and unlawfully congregate with others at, around and inside the Municipal Library, Main Branch, 301 North State St., Jackson, Miss. Same being a public building owned and operated by the City of Jackson."

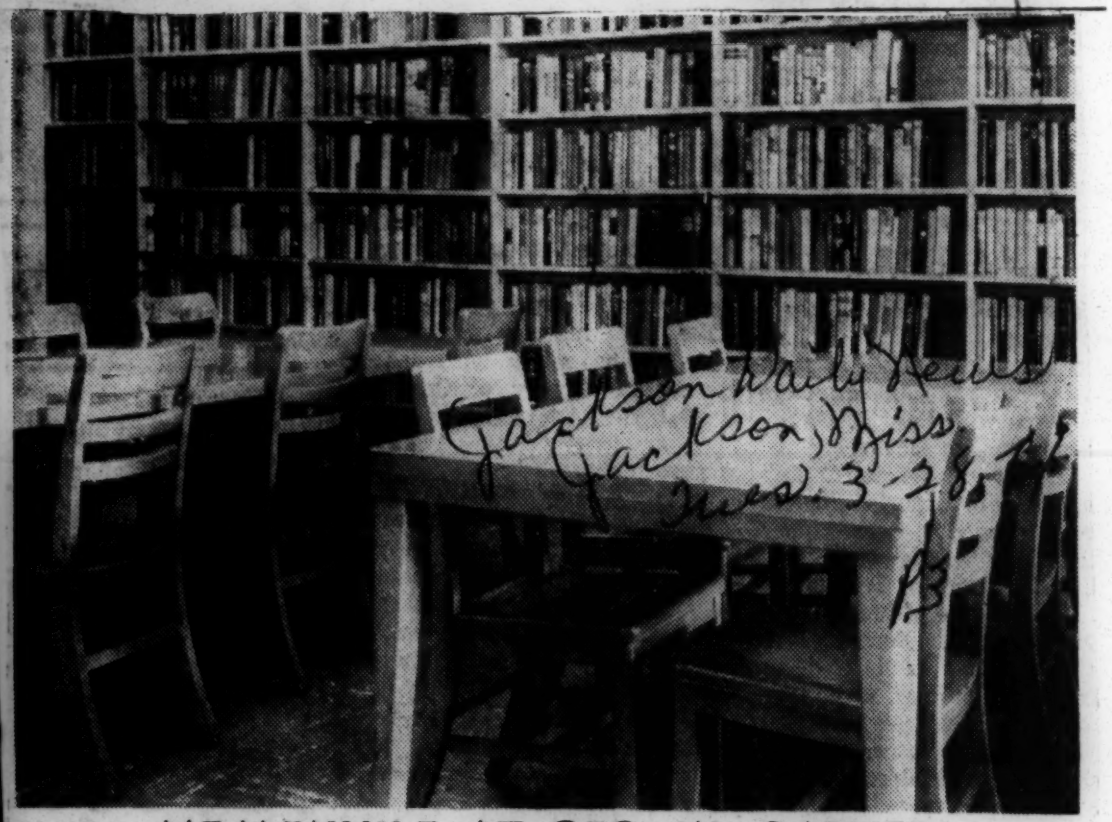
They could receive fines of up to $500 and six months in jail.

## NEGRO STUDENTS 'READ-IN' AT LIBRARY HERE

Dec 3 1961

Nine students from Tougaloo Southern Christian College for Negroes are shown as they invaded the main branch of the Jackson Municipal Library at 301 N. State St., here yesterday. In the upper photo they raise and prepare to leave as Chief of Detectives M. B. Pierce (center, wearing hat) notifies them they are under arrest. In the lower photo Officers Joe Rester (right, foreground) and Burdett Gillis (second from right), escort three of the nine to jail. —Daily News Staff Photos by Norm Bergsma and Jack Thornell.

Jackson Daily News
Jackson, Miss.
3-28-61
B3


Jackson Daily News
Jackson, Miss.
Tues. 3-28-61
B3

## *MEANWHILE AT GEO. W. CARVER...*

While students from Tougaloo Southern Christian College for Negroes were attempting integration of Jackson's white public library yesterday morning there was not a single customer at the book stacks and reading tables of the city's fine George Washington Carver Library for Negroes. The visiting Negro students had to pass near the Negro library en route to the white library.—Daily News staff photograph by M. Burnett.

38a 1961

MISSISSIPPI

SIT-INS LIBRARY
PROTEST USE OF POLICE DOGS

# N.J. Negroes Hit Police Dog Use

NEWARK, N.J. (AP)—New Jersey Negroes will hold meetings April 24-27 to protest use of dogs in Mississippi police against sit-in demonstrators.

Police in Jackson, Miss., turned dogs on a crowd of library sit-in sympathizers March 29. Several persons were injured in the disturbance.

# Clubs, Dogs Used To Halt Negro Rally

By BEN MCCARTY

JACKSON, Miss. (AP) — Police waded into a crowd of Negroes with clubs and dogs Wednesday while the group waited outside City Court where nine Negro college students were convicted of disturbing the peace.

City Judge James L .Spencer fined the students $100 each and gave them 30-day suspended jail sentences for going to a white library. Negro attorney R. Jess Brown said they would appeal to Hinds County Court.

The incident outside the court led the National Association for the Advancement of Colored People to demand of the governor of Mississippi in a telegram: "Call off the dogs . . . slavery is over."

Police attacked the Negro group shortly before the trial began. A group of whites and the Negroes lined a city block in front of the City Court building.

The more than 100 Negroes started clapping and singing and Chief of Detectives M. B. Pierce said: "That's it! Move 'em out. Get 'em!"

The policemen and dogs headed directly for the Negro goup with their clubs swinging.

Many of the Negroes made a quick dash across a parking lot to safety. Others who lingered directly for the Negro group with their clubs swinging.

directly for the Negro group with their clubs swinging.

Many of the Negroes made a quick dash caross a parking lot to safety. Others who lingered were shoved roughly and clubbed on the head and back by police sticks.

The two dogs, brought in from the Vicksburg, Miss., Police Department since the library sit-in, fiercely attacked the crowd. Several people were bitten or had their clothes ripped.

Chief Pierce said police charged Red Hedrick, a Rankin County bootlegger, with assault and battery and carrying a concealed weapon after he pistol-whipped a Negro during the melee.

The white people at the s were given verbal orders to move out. They were not struck.

# Police Move Fast To End Jackson Rally

JACKSON, Miss. (AP) — Police poised with trained dogs sprinted into and scattered a crowd of hand-clapping, shouting Negroes outside the Hinds County Courthouse Wednesday.

Inside the courthouse, a state judge opened the trial of nine Negro college students charged with trying to integrate a white public library.

Jackson police, moving sharply at the terse command of a sergeant, chased more than 100 Negroes from the area within seconds after the nine students entered the courthouse, a signal for the outburst of clapping and yelling.

"Get them," barked the police sergeant when the noise began the two dozen officers and two police dogs dashed across the street.

Other police officers stood guard at the entrances to nearby city hall.

The nine students, all from Tougaloo Southern Christian College for Negroes staged a sit in at the white city library Monday and were arrested.

If convicted, they could be fined $200.

The demonstration, supported by the National Association for the Avancement of Colored People, touched off a student protest at Jackson State (Negro) College, a Jackson State student march through the business district that was broken up by the police; and an NAACP protest rally.

The demonstrations came during the opening of Mississippi's four-year Civil War Centennial celebration.

# Police Stop Negro Parade In Jackson

JACKSON, Miss. (AP)—Police used tear gas and a police dog Tuesday to break up a group of Jackson State College students bent on parading through the business district. The college is a Negro institution.

Officers said they exploded one tear gas bomb and held the snarling dog in front of the students. They also used motorcycles and a police car to clear the street leading to downtown Jackson.

Chief of Detective M. B. Pierce said the students planned to parade, "But we weren't going to let them. They didn't have a permit."

Edgar Evers of Jackson, field secretary for the Mississippi Branch of the National Association for the Advancement of Colored People, said the Negro students were peacefully marching down the street to protest the arrest of nine Tougaloo Southern Christian College students who participated in a sit-in at the white Jackson municipal library Monday. Tougaloo is a Negro college.

Evers said the police stopped the Jackson college students and turned loose police dogs. Tear gas was used to break up groups that wouldn't disperse, he said, adding that several Negroes were struck by club-carrying policemen but no one was injured seriously. At least one Negro was arrested, he said.

38a 1961

MISSISSIPPI SIT-IN LIBRARY

# POLICE AND DOGS ROUT 100 NEGROES

P. 20c

### Clash Occurs at Courthouse in Mississippi Where 9 Students Are Convicted

The New York Times

JACKSON, Miss., March 29 (UPI) — Club-swinging police and two German Shepherd dogs today chased more than 100 Negroes from a courthouse where nine Negro students were convicted for staging Mississippi's first sit-in demonstration.

Several of the Negroes were struck by the clubs and at least one person was bitten by the dogs held on leashes by two policemen.

Medgar Evers, state National Association for Advancement of Colored People field representative, one of those hit by the police, said "women and children in the group were beaten unmercifully."

The incident occurred shortly before the trial of the students under a 1960 law making it a misdemeanor to refuse a policeman's order to disperse. The nine Negroes, arrested Monday when they refused to leave a public library, were fined $100 each and given suspended thirty-day jail sentences.

One side of the municipal courtroom had been reserved for Negroes and it was filled forty minutes before the trial began. Fourteen policemen and the two dogs lined the front steps of the courthouse and turned away other Negroes who tried to enter. Separate groups of Negroes and white gormed across the street.

Shortly before court convened, the Negroes began clapping their hands and a policeman yelled, "Move 'em out."

Policemen, swinging nightsticks, and the dogs waded into the scattering Negroes.

The policemen then returned to the courthouse steps and asked the crowd of white persons—totaling about seventy—to disperse. Traffic in front of the building was blocked and bystanders were ordered to move on as the trial was conducted.

Jack Travis, city attorney, put two prosecution witnesses on the stand, both veteran police officers. Capt. J. L. Ray and Lieut. C. R. Wilson each testified they were called to the library Monday and saw the nine defendants there. They testified the youths refused orders to leave.

Both also expressed the opinion that the presence of the defendants in the library constituted a breach of peace.

The students were from Tougaloo College, less than a mile out of the city limits.

The defense declared that the students conducted themselves orderly. But City Judge James L. Spencer said defense lawyers "overlooked pertinent parts" of the law under which the youths were charged. He said the youths were guilty because their conduct, although orderly, could have touched off a breach of the peace.

Defense attorneys served notice of appeal.

**N. A. A. C. P. Aide Protests**

Roy Wilkins, executive secretary of the N. A. A. C. P., charged in a telegram to Gov. Ross Barnett of Mississippi yesterday that the police had directed an overflow crowd of peaceful citizens to an area across from the courthouse and then had attacked them with dogs.

According to a report, he said, a minister was bitten on the arm, and other men and women were clubbed and cursed by the police. He demanded that the Governor protect the citizens from police attacks.

"Call off the dogs, Legree," Mr. Wilkins said. "Slavery is over."

# FBI Investigates Police Rout In Jackson, Miss.

Atlanta Daily World

JACKSON, Miss — (UPI) —FBI agents assured that "no unnecessary force" will be used by local officers against Negroes protesting racial segregation, moved in Thursday to investigate a police rout of about 100 Negroes.

The Negroes were chased from the city courthouse Wednesday by 25 policemen brandishing night sticks and holding two snaring German police dogs.

They had gathered in front of a courtroom where nine youths were about to go on trial for staging Mississippi's first sit-in.

A Justice Department spokesman in Washington said "We are investigating the situation in Jackson and have received reports from the FBI and local leaders."

The Mississippi NAACP called a mass meeting Thursday night to protest "police brutality." Among the speakers was Clarence Mitchell, director of the NAACP's Washington bureau.

The state sovereignty commission, an offiical pro - segregation agency, met and announced "a close watch is being kept on recent disturbances in Jackson."

During the brief eruption of violence Wednesday, some of the Negroes were hit with police clubs and at least one was bitten by a dog. A Negro photographer, Thomas Armstrong, was pistol whipped by a white bystander.

Several hours later police arrested G. W. Red Hydrick, 55, an alleged bootlegger from nearby Rankin County, for the assault on Thompson.

The Justice Department said it had "receive dassurances from responsible leaders in Jackson that no unnecessary force will be used."

While the Negroes were being chased outside the courthouse, nine Negro college students inside were being convicted of staging a sit-in at the segregated library here. They were fined $100 each on breach of peace charges and immediately filed notice of appeal.

# Utmost Care Used In Charging 'Miss. 9'

The Louisiana Weekly

New Orleans, La.

JACKSON, Miss. -- Authorities here exercised utmost care in "selecting the charge they would prefer against nine Negro students of Tougaloo College who used the facilities of a public library designated for whites here last week.

A brief outbreak of violence in front of the Municipal Court Building where the students' trial was held last Wednesday took the spotlight from the proceedings inside.

But these proceedings were considered by authorities to be very important in the fight to preserve racial segregation in Mississippi.

The students were convicted under one of many laws passed by the 1960 Mississippi Legislature as segregation safeguards. Specifically, they were charged under a statute making it unlawful for a group of persons to refuse orders to disperse by officers who believe the gathering amounts to a breach of the peace.

The youths had appeared at Jackson's segregated main library, they testified, to do research work, but their main purpose was to make possible a new court test of segregation laws.

Jackson has a city ordinance prohibiting Negroes from using the main library, and has another ordinance which prohibits white persons from using the George Washington Carver Library.

Authorities, sensing defeat if the race angle were used in the arrest and trial of the Negro students, selected the state statute to charge them with "refusing to move when ordered."

During the trial, the white policemen testified they ordered the students to move out because they felt the students' presence in the library would have brought on trouble.

Defense Attorneys R. Jess Brown and Jack H. Young did not deny that the students refused to move. They maintained that the officers had no grounds for believing a breach of the peace was involved.

The officers, when questioned on this point, were forced to admit that other library patrons were not paying any attention to the students. The officers were rather vague and cautious. They reportedly had been instructed not to mention the word "Negro" during their testimony in order that the case would not show up in the court's records as a race matter.

This strategy, authorities felt, would offset the contention by the defendants that their constitutional rights had been violated.

However, this question possibly will be established and when this is done, the matter will be subject to action by the U. S. Supreme Court as a final resort.

Presently, the students' case is scheduled to go to the Hinds County court where it will be re-tried. A state law provides that misdemeanor convictions made in county courts and upheld in circuit court cannot be appealed further unless there is a question of constitutional rights.

These were the facts which were obviously considered beforehand when authorities considered the arrest and conviction of the "Tougaloo Nine."

# The Local Students Sit-In A Challenge To Adult Responsibility

The City of Jackson and the State of Mississippi got the first taste and what should be the last taste of Negro student sit-in demonstration here Monday, when students from Tougaloo Southern Christian College sit-in at the Jackson Municipal Library.

The student sit-ins goes far beyond the fact that somewhere along the line the use of students groups as a third force to expose and dramatize the conditions about which they complain, and from which they suffer, have been injected into the Negro struggle for the full benefits of American citizenship, while they expose and dramatize, they also cry out for the fulfillment of the highest ideals, and greatest promise of American Democracy to the United States as a great nation, as well as to the rest of the people of the world.

In the very first instance we would point out here that the sit-in phenomenon that has come to possess a certain kind of glamour and attraction for Negro students, adding a new type of coloring to the American scene, should best be left to run its full course here in Mississippi, and be handled with the greatest care by those who have the power of police and law enforcement authority less there be created such incidents that will serve the interest of forces who perhaps have more concern for continued student-sits than the winning of full rights of citizenship for American Negroes.

The students sit-ins here Monday have been the stimulation for a number of meetings in the Negro community and in all probability such meetings have resulted in the White Committee. However, as we have often pointed out here nothing constructive is ever going to happen, and the broken down lines of communication between the responsible white and Negro leaders of the community, with a crowd of Negroes off somewhere in a meeting talking about white folks, and a crowd of white folks off in a meeting talking about Negroes, and until, such meetings and working together of responsible white and Negro leaders for the correction of the conditions about which Negroes complain, and from which they suffer, the student sit-ins will continue as a great challenge to local adult responsibility.

# Miss. integration efforts bring concern to both sides

The Afro-American

JACKSON, Miss. — As an aftermath of the first organized efforts to crack Mississippi's hard core segregation, both whites and nonwhites were speculating with concert last week about the future.

This organized move — a library sit - in involving nine colored college students — was followed by a chain of events which climaxed in a melee at City Court building where police, using nightsticks and vicious dogs dispersed a crowd of more than 100 demonstrators who had gathered for the trial.

This action was protested strongly by the NAACP. Roy Wilkins, NAACP executive secretary, in a telegram from New York to Mississippi Gov. Ross Barnett, said: "Call off the dogs, Legree. Slavery is over."

* * *

THE DAY before the trial, police used clubs and tear gas bombs to break up a march by some 50 students who demonstrated in front of city jail.

The nine students were convicted of disturbing the peace and given fines of $100 and suspended 30 - day sentences. The court action is expected to lay the groundwork for an appeal that could bring the segegatin laws and customs of the state into Feeral Court.

The court aspet of the case, however, is just one of several giving Mississippians an uneas[illegible] many people are sorried about continuance of integration efforts by colored leaders because they fear violence may result.

* * *

WHITES IN the state feel that colored leadership has been, for the most part, cautious in pressing integration efforts because of the deep feeling among segregationists.

There is an economic angle in the issue which faces both races: Almost all realize that regardless of who wins in a court battle or racial incident, everyone loses tranquility, security, and money.

Practically every area plagued by racial trouble has experienced a financial recession, in the aftermath of the trouble and no Mississippian can really afford a business recession.

## Jackson Mayor Appeals For Racial Peace

The Louisiana Weekly New Orleans La.

JACKSON, Miss. (ANP) -- Several interesting developments have resulted from the recent arrest and conviction of nine Tougaloo College students who staged a sit-in at the white Municipal Library.

Observers in Oxford, Miss., last week, declared that as the drive for equal rights by Negroes moves forward the folly of segregation becomes more evident.

Here in Jackson, Mayor Allen Thompson employed the medium of television to urge racial peace in the wake of this city's first experience with the student movement. This was the mayor's first public pronouncement regarding several demonstrations which occurred following the library sit-in.

The latest twist in the racial wars was the charge by Mississippi State Representative Phillip D. Bryant at Oxford that the Sovereignty Commission was responsible for this state's first Negro sit-in at the Jackson "white" library.

Bryant blames the commission on grounds that its speakers tell northern audiences there is racial harmony in Mississippi with no sit-ins and no suits pending thereby provoking action by protest groups like the NAACP.

It was pointed out that the Sovereignty Commission, like the White Citizens' Council, is one of this state's chief anti-integration operations. Somehow the segregationists have apparently found a flaw in their white supremacy tactics.

Bryant, in his attack against the commission, called for an urgent re-appraisal of the organization, which the Legislature established to campaign for segregation.

He sharply criticized State Sen. Hayden Campbell of Hinds County for advocating more tax money to send segregation boosters to northern cities.

Such "boosters" are an "open invitation and a challenge to the NAACP," Bryant said.

"They have come into Mississippi and now try something just to save face. The best way to handle segregation is to keep our mouth shut. Every speaker who leaves Mississippi is just holding up a target for the NAACP to shoot at," he declared.

Bryant said the Legislature has "created a monster and it's going to be the job of all of us in the next session to put a harness on it."

Jackson's Mayor Allen Thompson last week made a 10-minute television appearance following an afternoon meeting with three Negro ministers in which he assured them city officials would meet with local Negro leaders at least once every three months to discuss race relations.

The Rev. E. A. Mays, one of the trio who visited City Hall, said "If we intend to continue to live together in peace and harmony, we must clear up certain grievances."

Meanwhile, Attorneys R. Jess Brown and Jack H. Young, who represented the "Tougaloo Nine," have appealed the $100 fines and 30-day suspended jail sentences which were imposed on their clients. The appeal has been set for the May term of the Hinds County Circuit Court.

# F. B. I. Holds Inquiry; Negroes Launch Boycott

The Louisville Defender

Louisville, Ky.

JACKSON, Miss. — Negro citizens attending an NAACP mass meeting here recently, learned that the U. S. Justice Department is investigating violence used against them by police.

Clarence Mitchell, director of the Association's Washington Bureau, told the meeting that the Justice Department has been urged "to indicate to Congress whether any additional legislation" is needed to protect Negro Mississippians.

The meeting grew out of the mass clubbing and police dog attack upon an orderly crowd outside the courthouse where nine NAACP college students were tried for attempting to use the "white" library.

The crowd, numbering about 100, was standing across the street, having overflowed the courtroom, when the students arrived for trial. They applauded when the students appeared. Irritated, the police moved in on the peaceful crowd, dogs biting and blackjacks and clubs swinging.

Medgar Evers, NAACP field secretary in this state, said "Women and children in the group were beaten."

### Secretary Beaten

Evers was struck around and about the head with a pistol and blackjacked. NAACP Assistant Youth Secretary Julie Wright, standing nearby, escaped injury.

Roy Wilkins, NAACP executive secretary, called on Gov. Ross Barnett "to provide protection for citizens and particularly for Secretary Evers. His wire said the Jackson police were "attackers rather than protectors".

NAACP Attorney Jack H. Young was stopped by a Mississippi policeman as he entered the court house to defend the youth. "Where you going, Shortie," demanded the peace officer. When the attorney paused, the peace officer bellowed, "I'll hit you!"

Another officer informed him of Young's identity and the attorney was allowed to enter. The students, from the Association's unit at Tougaloo Southern Christian College, were convicted, fined $100 each and given 30-day suspended sentences.

Meanwhile, outside, the melee raged and Rev. S. L. Whitney, pastor of Farish Street Baptist Church, the city's largest Negro church, was severely bitten by the dogs, as was Bishop David McPherson.

Persons, attending the rally Thursday evening, passed a resolution calling for a withholding of patronage campaign against Jackson's entire downtown shopping district.

**STUDENT LEADER** — Randolph Parker, a student of Jackson (Miss.) College, spent Easter Sunday in New Orleans, because he felt it would be dangerous for him to go home to Birmingham, Ala. He was the guest of George Foster (left), New Orleans hotel owner. Parker said he had been detained in the Jackson jail, for leading a parade, carrying an American flag, in protest of the arrest and conviction of nine Tougaloo College students who used a municipal library.—Porter Photo

# Violence: A Way Of Life In Mississippi

This picture sequence shows that violence is the weapon to which the opponent of human dignity invariably turns.

At left, colored free-lance photographer, Thomas Armstrong, walks away from the courthouse at Jackson, Miss., where nine colored students were convicted last week on charges growing out of their request to use books at a public library. Mr. Armstrong disregards a snarling, vicious police dog barking at his heels as he obeys an order to "move on." Evidently his composure was too much to stomach for the white man, back to camera in right photo, who pulled a revolver and began chasing Mr. Armstrong. The man with the pistol caught up with the hapless cameraman and beat him about the head with the gun butt. With serious injuries, the victim was rushed to a doctor.

Several hours later a white man identified by UPI as G. W. "Red' Hydrick, 55-year-old convicted bootlegger from neighboring Rankin county, was arrested on charges of assault in connection with the violence.

Integration cases—

# New arrests may come during trial

BY HARRY MARSH
News staff writer

JACKSON, Miss., April 21—The stage was set here today for new arrests in anti-segregation demonstrations as Negroes were asked to be on hand at a bus integration trial.

Jackson police have warned they would permit no demonstrations at the trial of four Negro college students at 5 p.m. today. The students were arrested at noon Wednesday when they refused to move to the rear of a city bus.

MARSH

Last night, 350 persons attended a rally sponsored by the National Assn. for the Advancement of Colored People, protesting the arrests.

MEDGAR EVARS, field secretary of the NAACP in Mississippi urged the group to let the students "know we are with them" and attend the trial.

"There will be no demonstration; we had no demonstration the last time," he said.

**He referred to the trial of nine Tougaloo Southern College students who attempted to integrate the municipal library. Outside the courthouse, a crowd of 100 Negroes applauded and chanted as the defendants entered. They were dispersed by policemen swinging night sticks, and two police dogs on leashes.**

The group last night unanimously approved a resolution calling on Gov. Ross R. Barnett and Mayor Allen Thompson to "assure all citizens choosing to attend the trial Friday full protection of the law."

EVARS ALSO called on Negroes of the city to seek employment at firms with government contracts and vowed that all such firms refusing to employ Negroes would "be brought under the scrutiny" of the Kennedy administration.

**He said Negroes should be employed as policemen and women, and firemen in Negro areas of the city, and as federal employes in the Internal Revenue Dept., postoffice and Veterans Administration Hospital.**

He said 60 to 65 per cent of bus passengers in the city are Negro, but no Negro drivers are employed. He urged private car owners to pick up Negroes waiting at bus stops and take them where they are going until Negro bus drivers are employed.

Jackson newspapers were rapped by Evars for not reporting the time and place of NAACP meetings before they are held.

ABOUT 350 persons attending the meeting heard the Rev. John Mangram, chaplain at Tougaloo, warn that Negroes would not use "a gun, billy club or Nazi-trained police dogs in their struggle for racial equality."

**The Negro minister said a great many people are concerned with the struggle for racial equality in Mississippi's capital city.**

He denied a claim by Mayor Thompson that the demonstrations were influenced by outsiders.

"The charge is correct only if he (Thompson meant an outsider was anyone who might be a Negro," Mangrum said.

# 9 Miss. Sit-Ins Get $100 Fines

JACKSON, Miss. — While the Jackson police were moving quickly into a group of Negroes who were standing near the court house, the policemen swinging clubs and advancing upon them with dogs tearing and biting in every direction, nine Negro defendants, charged with a statutory crime of breaching the peace, walked into the city's hall of justice for trial.

Each was fined $100 and given 30 day suspended sentences.

After testimony was heard, in reply to the defense's contention that the state had failed to make the proper showing, the judge, in his decision, indicating that there was no proof of disorderly conduct, whatsoever, explained his position in finding the defendants guilty by stating;

"The actual conduct of the defendants is not the test under the statute," and that defense lawyers overlooked pertinent parts" of the law under which the youths were charged.

In brief, the facts reveal that on March 27, the defendants entered a public library previously maintained for whites, solely, took seats and acted in the same manner as others usually do, and upon being directed by the police to leave, refused to move. They were then arrested.

R. Jess Brown and Jack Young, attorneys for the nine, offered no witnesses, but claimed the nine were arrested because they went into the library,

Brown charged that arrest of the nine was illegal "whether in Mississippi or Soviet Russia." He said that under the terms of the arrest he would be fearful to walk into the court building or enter the bank to make a deposit, or to be present almost anywhere especially in any public building.

"Just to be present would be sufficient to be arrested," said Brown. Young argued "They had not broken a law."

Lawyers for the defendants immediately served notice of appeal, following the conviction. There was no mention of race during the trial.

38a 1961 MISSISSIPPI SIT-In LIBRARY JACKSON, MISS.

## In Jackson, Miss—

# Police use clubs, dogs to scatter Negro crowd

The Birmingham News Thurs. 3-30-61 P 1 Birmingham, Ala

BY BEN McCARTY

JACKSON, Miss., March 30 — (AP) — Mississippi's capital city faced an uneasy quiet today after club-wielding policemen accompanied by trained dogs waded into a crowd of 100 Negroes outside a courtroom yesterday.

The police action preceded the trial of nine Negro college students charged with breach of the peace for a sit-in demonstration Monday at a public library. They were convicted and drew $100 fines and 30-day suspended jail sentences.

The Birmingham

THE NINE, all students at Tougaloo Southern Christian College on the northern outskirts of Jackson, staged the state's first mass anti-segregation demonstration.

A crowd of Negroes, many students or faculty members at three Negro colleges in the area—Tougaloo Southern Christian, Jackson State and Campbell—gathered outside the city court building, before the hearing.

**As the defendants started up the steps of the building the spectators began clapping and singing.**

An officer said: "That's it! Move 'em out! Get em!"

POLICE MOVED quickly into the Negro group, swinging their sticks and shoving. The German Shepherd dogs lunged at the crowd.

The younger Negroes quickly scattered through a parking lot to safety, but some of the slower ones were clubbed on the head and back. The dogs bit and ripped the clothing of several persons.

**Chief of Police M. B. Pierce said G. W. (Red) Hydrick, a 55-year-old Rankin County white bootlegger, was charged with assault and battery and carrying a concealed weapon after he pistol whipped Negro Thomas Armstrong during the melee. Hydrick was the only person arrested.**

Armstrong, who write for a Jackson newspaper and does free-lance photography, was chased from in front of the building before he was attack by Hydrick.

POLICE ORDERED the white people in the area to move out, but did not strike them.

"Call off the dogs . . . slavery is over," the president of the National Association for the Advancement of Colored People wired Gov. Ross Barnett.

**NAACP Leader Roy Wilkins protested the police action.**

The small court room was jammed during the hearing. Negroes sat on one side, white on the other. The defendants sat silently on the first two rows in the Negro section.

The Birmingham

IN HIS VERDICT City Judge James L. Spencer said the presence of the defendants in the white library could have resulted in a breach of the peace. He noted there was no actual disturbance.

Thurs. 3-30-61

Spencer said such sit-ins have caused breach of the peace in other areas. "Jackson has avoided any such incidents until now," he said. "By the grace of God, we will continue to avoid them."

**Defense Attorney Jack Young said the only reason the students were arrested was "just because they were in there."**

Young, a Negro, said the city offered no evidence of intent to commit a breach of the peace. He termed the arrests "police state" action.

NEGRO ATTORNEY R. Jess Brown said, "if these defendants are convicted on this evidence, then I fear for all of us. I could be convicted for walking into this public building."

Police Capt. J. L. Ray testified the group would have caused "trouble" if permitted to stay in the library. He said he did not see any actual disturbance.

**"They were orderly," he said, "and created no disturbance when told they were under arrest."**

Police Lt. C. R. Wilson testified "there could have been serious trouble from the presence of this group in the library."

The race of the defendants was not mentioned in the trial.

THE DEFENSE claimed the state did not show evidence of breach of the peace and asked Spencer to rule the defendants not guilty. The motion was overruled.

The defense placed no witnesses on the stand.

**Young said an appeal would be taken to the April term of Hinds County Court.**

The nine students, were Alfred Lee Cook, 23, of Flint, Mich.; Evelyn Pierce, 19, of Buffalo, N. Y.; Janice L. Jackson, 21, of Clarksdale, Miss.; Joseph Jackson Jr., 23, Memphis, Tenn.; Ethel Sawyer, 20, of Memphis; Jeraldine Edwards, 19, of Natchez, Miss.; James Cleo Bradford of Memphis; Meredith Coleman Anding Jr., 19, of Jackson, Miss., and Albert Earl Lassiter, 19, of Vicksburg, Miss.

## Jackson Police Chase Negroes

The Commercial Appeal

### Moved Out Of Courthouse At Sit-In Trial Of Nine Students

By CLIFT SESSIONS

United Press International Staff

JACKSON, Miss., March 29.—Club-swinging police and two German shepherd dogs Wednesday chased more than 100 Negroes from a courthouse where nine Negro students were convicted for staging Mississippi's first sit-in demonstration.

The Memphis Press-Scimitar

Several of the Negroes were struck by the clubs and at least one person was bitten by police dogs held on leashes by two officers.

Thurs. 3-30-61

Medgar Evers, state field representative of the National Association for Advancement of Colored People, one of those hit by police, said "women and children in the group were beaten unmercifully."

**Begin Clapping Hands**

The incident occurred shortly before trial of the students under a 1960 law making it a misdemeanor to refuse an officer's order to disperse.

Scores of law officers surrounded the courthouse as the youths were tried for appearing in the city's main library Monday and refusing orders to leave.

City Judge James L. Spencer fined them $100 each and gave each a suspended 30-day jail sentence. Their attorneys said the convictions would be appealed.

One side of the municipal courtroom had been reserved for Negroes and it was filled 40 minutes before the trial began. Fourteen officers and the two dogs were on the front steps of the courthouse and turned away other Negroes who tried to enter. Separate groups of Negroes and whites formed across the street.

Shortly before court convened, the Negroes began clapping their hands and an officer yelled, "Move 'em out."

Police, swinging night-sticks, and the dogs waded into the Negroes.

Officers then returned to the courthouse steps and asked the crowd of white persons—totaling about 70—to disperse.

City Atty. Jack Travis put two prosecution witnesses on the stand, both veteran police officers. Capt. J. L. Ray and Lt. C. R. Wilson each testified they were called to the library Monday and saw the nine defendants there. They testified the youths refused orders to leave.

Both officers also expressed the opinion that the presence of the defendants in the library constituted a breach of the peace.

The students were from Tougaloo College, less than a mile out of the city limits.

Capt. Ray said it was "unusual" for the students to be there and the lawyer, Jack Young, asked why. "I can't exactly tell you," said Ray.

**Judge Explains Action**

The defense put on no witnesses. But Mr. Young commented that, "unless I'm mistaken, we're not to the point where this is a police state." He said police officers "had no right" to ask the students to leave the library.

But Judge Spencer said defense lawyers "overlooked pertinent parts" of the law under which the youths were charged.

"The actual conduct of the defendants," he said, "is not the test under the statute."

He said the youths were guilty because their conduct, although orderly, could have touched off a breach of the peace.

Judge Spencer said such "violations" elsewhere had resulted in violence but "this community has avoided such things and by the grace of God will continue to do so."

## Blame For Sit-In On Commission

The Commercial Appeal

### Lawmaker Says Sovereignty Group Giving NAACP A Good Target

By LARRY SPEAKES

Special to The Commercial Appeal

OXFORD, Miss., March 28.—A state legislator Tuesday put the blame for Mississippi's first Negro sit-ins "squarely and directly" on the state Sovereignty Commission.

Memphis 3-29-61

Representative Philip D. Bryant of Oxford said he is convinced the public library demonstrations Monday in the state capital were the "direct result" of the Sovereignty Commission's out-of-state speakers. "And I think an urgent appraisal of this program is long overdue," Mr. Bryant said.

P 15

He strongly criticized state Senator Hayden Campbell of Hinds County for advocating more funds for the speakers program in Northern cities. "Senator Campbell, I don't believe, has stopped to think about the far-reaching implications of his statement," the Lafayette County lawmaker said.

The Memphis Press-Scimitar

**Seen As Challenge**

"We send these speakers North and they tell their audiences glowing tales of racial harmony, with no sit-ins, no law suits pending, and the like," Mr. Bryant said. "What do we expect . . ."

He said the speeches were an "open invitation and a challenge" to the National Association for the Advancement of Colored People. "They have to come into Mississippi now and try something just to save face," he said.

Senator Campbell said Monday the speaker's bureau trips to the North to reach segregation are the "best bargain" ever in Mississippi. The bureau has spent more than $10,000 since it was begun last June.

"The best way to handle segregation is to keep our mouth shut," Mr. Bryant said. "Every speaker who leaves Mississippi is just holding up a target for the NAACP to shoot at."

He said speakers sent to

northern areas were "often inefficient" in their talks. "But that's not the point," said Mr. Bryant, "we're building a glass house in Mississippi for the NAACP to cast stones at."

**Calls It Monster**

He criticized the Sovereignty Commission for doing what he termed the Legislature's job. "We've created a monster and it's going to be the job of all of us in the next session of the Legislature to put a harness on it."

Mr. Bryant said he "strongly favored" a curb on commission activities. "I'll be behind any move which will put them on the right track and get them doing the job for which they were intended," he said.

The state legislator two weeks ago criticized the commission's payment of state funds to the White Citizens Council, saying it was often used for "political purposes."

# Dog, tear gas stop Jackson demonstration

By The Associated Press

A snarling police dog and a tear gas bomb stopped Negro students from parading in support of arrested sit-in demonstrations at Jackson, Miss.

"Police state tactics" were charged by the National Assn. for the Advancement of Colored People in protesting the use of city policemen to surround Jackson State College yesterday.

The developments followed Mississippi's first sit-in, when nine students from another Negro college were jailed for demanding service at the white city library.

**A snarling police dog was held in front of the parading students and several Negroes were clubbed by policemen, the NAACP charged.**

A Mississippi legislator, Rep. Philip D. Brant, blamed the sit-in on the segregation-minded State Sovereignty Commission, which he said sends speakers north to "tell their audiences glowing tales of racial harmony . . . the best way to handle segregation is to keep our mouths shut," he said.

Demonstrating Negro students chanted, "We want freedom."

IN WASHINGTON, Secretary of the Interior Stewart L. Udall said he meant business when he told the Washington Redskins to hire players without regard to race.

**The next move, he said, is up to Owner George Preston Marshall, whose Redskins signed a 30-year contract to play in a new baseball stadium being built on land leased from the National Park Service.**

Four Negroes arrested for theater stand-in demonstrations at Chattanooga, Tenn., refused bail and chose to stay in jail.

New Jersey's Civil War Centennial Commission, which has a Negro member, decided to attend the national commission's assembly next month after the site of the meeting was changed from a segregated hotel to Charleston's U. S. Naval Base.

EARLIER, South Carolina State Rep. Nat Cabell and Executive Chairman Everett J. Landers of the New Jersey Commission heated up long distance telephone circuits in an argument over the segregation issue.

**"We would prefer you did not come," Cabell told Landers. "We welcome visitors, but when they visit with us we think they should observe our laws and customs."**

Cabell told newsmen, "I told him there would be no hostility but there would be an awful lot of ignoring done."

AT RENO, NEV., hymn-singing Negroes picketed gambling casinos after the state legislature rejected a bill to authorize damage suits in instances of racial discrimination, such as in housing.

The Negroes claimed Reno's gamblers were aligned with State Sen. James Slattery who led the successful fight against the bill.

**Secretary Ted Lamb of the Little Rock School Board warned that unless the board speeds up desegregation, federal courts will force complete integration of the city's schools.**

He pointed out that there are only seven Negroes in Little Rock's Central High School compared with nine in 1959.

A Federal Court of Appeals has ruled that Little Rock integration must be extended to junior high school.

# Police Dispel Singing Mob As Court Convicts Negroes

JACKSON, Miss. (AP) — City Court convicted nine Negro college students Wednesday of disturbing the peace by sitting in a white library. Earlier, police used clubs and dogs to disperse a crowd that gathered outside the court in protest.

City Judge James L. Spencer fined the nine students $100 each and gave them 30-day suspended jail sentences. Their attorney, R. Jess Brown, said they would appeal to Hinds County court.

Shortly before the trial started, a group of whites and a group of Negroes lined a city block in front of the City Court building.

Police officers stood guard in front of the building, just watching the crowd.

As soon as the Negroes—approximately 100—started singing and clapping, Chief of Detectives M. B. Pierce said: "That's it! Move 'em out. Get 'em."

The police and dogs guarding the front of the building rushed at the crowds. Negroes who did not get out fast enough were clubbed on the head and back.

The crowd of whites were ordered to leave the area. They were not struck.

During the trial, Judge Spencer said the students who went into the white city library congregated with others in a public place, failed to move on orders from the police, and their presence could have resulted in a breach of the peace.

Two policemen testified they believed the presence of the Negroes in the library could have caused a disturbance.

Spencer said such sit-ins have caused breaches of the peace in other areas.

Defense attorney Jack Young said the only reason the students were arrested was "just because they were in there."

He said the city offered no evidence of intent to commit a breach of the peace.

## NEGROES IN CLASH

### Police Use Tear Gas, Clubs in Mississippi Protest

JACKSON, Miss., March 28 (UPI)—The police fired tear gas and wielded clubs today to break up a march by fifty Negro students toward the city jail to protest the arrests of Mississippi's first sit-in demonstrators.

No one was believed seriously injured although several students reported they had been struck by the police clubs.

The melee occurred when the students had marched about ten blocks from the Jackson State College campus and found their path blocked by police patrol cars and thirty policemen, deputy sheriffs and constables.

The police ordered the students to disband. The students, seeking to demonstrate in front of the city jail in protest against the arrests of nine Negroes who entered a white public library yesterday, ignored the order.

The police then began swinging night-sticks to disperse the students. Several tear gas bombs were fired and the group scattered.

About 50 students headed for the city jail, but were stopped about 10 blocks away.

Other officers had ringed the state Capitol, apparently to forestall a march on that building. They left, however, after the parading students were stopped by about 30 officers, including Hinds County deputies sheriff and constables.

**Refuse To Disband**

When the students refused to disband, police started swinging clubs. No one was believed seriously injured, although one student reported a lump of his back which he said was caused by a club.

One officer held the two police dogs on a leash. They growled and lunged toward the marching students, but were held in check.

Randy Parker, a student carrying an American flag, was taken in custody for questioning.

Medgar Evers, field secretary of the National Association for the Advancement of Colored People, said the Negro students "were peacefully marching down the street to protest against the arrest of the nine Tougaloo students."

The student march preceded by several hours Tuesday night's "mass meeting" of Negroes called by the NAACP to protest the student arrests. The night meeting was held in a Negro Baptist church. Police patrolled the area.

## Negroes Halted By Firm Police

### Jackson Students' Protest March Is Stopped By Clubs, Gas, Dogs

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., March 28.—Fifty students of Jackson State College for Negroes were stopped short of a march on the city jail Tuesday afternon by police using clubs, tear gas and two German police dogs.

The students were en route to the jail where nine students of nearby Tougaloo Southern Christian College for Negroes are being held for a "read-in" demonstration at the white city library Monday.

**Police On Alert**

Police had been alerted for an expected demonstration during Tuesday's Civil War Centennial commemoration program.

Officers moved onto the Jackson campus when about 200 gathered for a mass meeting.

## TRIAL SET TODAY FOR 'READ-INS'

### Nine Face Charges Of Breaching Peace; Mass Meeting Held

By W. C. SHOEMAKER
Daily News Staff Writer

Nine Negro college students go on trial here today in the first organized attempt to force integration in public facilities in Jackson.

The nine, all students at Tougaloo Southern Christian College north of Jackson, face charges of creating a breach of the peace by conducting a "read-in" at the main branch of the Jackson Municipal Library at 301 North State St., Monday morning.

If convicted they face fines of $200 and jail terms of up to four months under one of several laws passed by the 1960 Legislature.

Meanwhile police spread word that officers will not allow groups to congregate in the area of police headquarters when the trials begin at 4 p.m. today.

Chief of Detectives M. B. Pierce said spectators will be allowed to fill available seats in the municipal courtroom for the first round of the test case. All unseated will be ordered to leave the area, he said.

**300 AT MEETING**

Last night about 300 Negroes, mostly students from Jackson State College and Campbell College of Jackson and Tougaloo, attended a meeting at College Hill Baptist Church on Florence St., in protest of the arrests.

"This is just a beginning," the Rev. John D. Mangram, chaplain at Tougaloo, told the crowd.

The nine students had been freed from city jail on bond an hour earlier and sat in the crowd.

Negro leaders made little attempt to free them until late yesterday when attorneys arranged for release on appearance bond pending trial this afternoon.

Bonds were signed by Robert L. T. Smith Sr., Robert L. T. Smith Jr., and John Dixon, all Jackson Negroes. The younger Smith is a participant in a lawsuit pending in federal court which seeks to halt payment of state funds by the Sovereignty Commission to the Citizens Councils.

Yesterday afternoon about 75 youths, mostly college students, began a flag-waving march from Lynch St., toward downtown Jackson. They said they planned a protest in behalf of their jailed schoolmates at police headquarters.

**MARCH BLOCKED**

Police met them on Pearl St., at Minerva, several blocks from the downtown section, and dispersed them.

Officers told the group they could not conduct a parade without a permit.

# Jackson Mayor Flays Outsiders

## Says Incidents Planned To Create Friction And 'Destroy Harmony'

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., March 31.—Mayor Allen Thompson said Friday night that recent anti-segregation demonstrations by Negroes were "planned and promoted by people beyond the borders of our city."

In a televised speech, Mayor Thompson asserted that the "chief aim" of those he accused of instigating the demonstrations "seems to be to create unrest and friction among our people and between the races."

"If outside influences are successful in creating misunderstanding and suspicion between our white people and our colored people, we will lose in a day our most valuable asset—the spirit of harmony that has been achieved during the past century," he said. "Let's not be led by false prophets down a road of conflict and strife."

**Confers With Ministers**

Several hours before the Mayor's address, three ranking Negro ministers conferred with him and other city officials at the city hall and were assured that the three-member council would meet "at least every three months with Negro leaders to hear a racial progress report."

Rev. E. A. Mays, pastor of Central Methodist Church, told the city officials that, "if we intend to continue to live together in peace and harmony, then we must clear up certain grievances."

The Negro ministers proposed a committee of their race leaders to meet with city officials and were assured by Mayor Thompson that "the doors of City Hall are always open to the Negroes of this city."

Others in the group were Bishop David McPherson of the Christ Temple Church, and Rev. T. B. Brown, pastor of Mount Helm Baptist Church, representing the all-Negro Interdenominational Ministers' Alliance.

**Brutality Charged**

They told officials they were investigating charges of police brutality to Negroes before the recent demonstrations.

Chief of Police W. D. Rayfield told the group that "we have received more complaints of police brutality from white people than Negroes."

Stating that "our people are dependent on each other," the Mayor said "let's not permit organized incidents created by outsiders who have no real interest in our welfare to destroy our mutual good will which we have built up over a period of a hundred years."

"This assurance I give to each of you—our laws will be strictly enforced," he said. "Any infraction of the law by either a white person or a colored person will be vigirously prosecuted. The rights and safety of every citizen will be protected."

**Cites New Schools**

Mayor Thompson pointed out that since 1950 16 new white schools and eight new Negro schools have been completed and that additions and improvements are being made to 14 other Negro schools.

He noted that there are two municipal libraries for Negroes. It was at the main white public library for whites that nine students of Tougaloo Southern Christian College for Negroes held a "read-in" demonstration last Monday and were arrested when they refused police orders to leave the building. It was the first racial demonstration in the city.

# 9 Library Sit-Ins Arrested

JACKSON, Miss., March 27 (UPI).—Nine young Negroes staged the first sit-in demonstration in Mississippi's capital city Monday and were arrested by police who posted guards to prevent a recurrence.

The demonstrators — students a. Tougaloo Christian College—entered the Main City Library in downtown Jackson. Police arrived within 15 minutes, ordered them to leave and arrested them when they refused.

Two policemen were ordered by Detective Chief M. B. Pierce to remain at the library for the rest of the day.

Several hundred students at Jackson State College for Negroes staged a campus demonstration Monday night in sympathy for those arrested. Chanting "We Want Freedom," the students demonstrated in front of the Administration Building for about 40 minutes before college president Jacob Reddix and about 20 policemen broke up the gathering.

Reddix threatened several students with expulsion and ordered dozens of others to their rooms.

The Negroes refused to post bond. They were charged with violation of a 1960 law which provides maximum penalties of four months in jail plus a $200 fine for persons who refuse to leave a public facility when ordered to do so by a law enforcement officer.

The students began arriving at the library shortly before noon.

The few white persons in the library ignored the Negroes. There was no sign of violence. A librarian telephoned authorities and six policemen rushed to the scene. They questioned a few of the students briefly.

Detective Pierce then announced: "All right, every one of you get up and get out of here. There's a colored library on Mill st. You are welcome there."

The Negroes continued their library work. "You can hear, can't you?" Pierce said. He was ignored again.

"All right, every one of you is under arrest," Pierce announced.

Held for the library sit-in were: Albert Lee Cook, of Flint, Mich.; Evelyn Pierce, of Buffalo, N. Y.; Janice L. Jackson, of Clarksdale, Miss.; Joseph Jackson, Jr., of Memphis, Tenn.; Ethel Sawyer, of Memphis; Jeraldine Edwards, of Natchez, Miss.; James Bradford, of Memphis; Merideth Anding, Jr., of Jackson, and Albert Lassiter, of Vicksburg, Miss.

# 'Mississippi Nine' loses Lawyer as 'read-in' cases go on appeal

VICKSBURG, Miss. — Attorney R. Jess Brown has withdrawn as a lawyer for the nine students convicted in connection with a "read-in" at a so-called white branch of the Jackson (Miss.) Municipal Library last month.

In filing his letter of withdrawal with the Hinds County circuit court clerk, H. T. Ashford, simply wrote he is "no longer associated with this cause in any manner whatsoever."

IN A STATEMENT to the AFRO, however, Mr. Brown explained that he was retained only to represent the students in the city court. As a consequence, he said he had to notify the court that he no longer was associated with the case under the rules.

Brown, along with Attorney Jack Young of Jackson, represented the nine when they were tried in Municipal Court on breach of peace charges on March 27. They were convicted and fined $100 and given 30-day suspended sentences.

The county court is scheduled to meet this week for hearings and the appeal may be heard during this period. Mr. Young is expected to represent the students.

THE CASES have been appealed to Hinds County Court, apparently the first step in a long legal test of an anti-integration law passed by the 1960 Legislature.

Brown, who for several years has worked closely with the NAACP legal activities in Mississippi, was absent when Young defended four college students who went on trial in Municipal Court two weeks ago.

The four were convicted of breach of the peace charges under another of the 1960 laws after they took front seats on a city bus. Their sentences were identical to those levied in the library incident and the cases also have been appealed.

nearby Tougaloo Southern Christian College, received a $100 fine and a 30-day suspended jail sentence for disturbing the peace.

They refused orders to leave the main city library two weeks ago. Their arrests touched off several demonstrations by Negroes.

# Sit-In Trial Of 9 Negroes Is Postponed

JACKSON, April 10 (UPI).—Hinds County Judge Russell Moore today delayed the trial of nine Negro youths who conducted Mississippi's first sit-in demonstrations.

Moore continued the trial until the May term of court on request of the prosecution.

The youths were convicted in Municipal Court here and are appealing to county court.

Each of the youths, students at

Associated Press

**UNDER ARREST:** Policemen in Jackson, Miss., leading Negro students away from public library Monday. Negroes entered main building, which is used only by white students.

Associated Press Wirephoto

SHOUTING OFFICERS move in to break up Negro crowd that formed outside City Court in Jackson, Miss., before trial of youths in a sit-in case.

# 9 Negroes Convicted In Library Sit-In

By The Associated Press

Jackson, Miss., March 29.—City Court convicted nine Negro college students Wednesday of disturbing the peace by sitting in a white library after police used clubs and dogs to disperse a crowd that gathered in protest.

City Judge James L. Spencer fined the nine students $100 each and gave them 30-day suspended jail sentences. Their attorney, R. Jess Brown, said they would appeal to Hinds County Court.

**Negroes Clubbed**

Shortly before the trial started, a group of whites and a group of Negroes lined a city block in front of the City Court Building.

Police officers stood guard in front of the City Court Building, just watching the crowd.

As soon as the Negroes—approximately 100—started singing and clapping, Chief of Detectives M. B. Pierce said: "That's it! Move 'em out! Get 'em!"

The police and dogs guarding the front of the building rushed at the crowds with their clubs swinging. Negroes who did not get out fast enough were clubbed on the head and back.

The crowd of whites was ordered to leave the area. They were not struck.

During the trial, Judge Spencer said the students who went into the white City library congregated with others in a public place, failed to move on orders from the police, and their presence could have resulted in a breach of the peace.

Two policemen testified they believed the presence of the Negroes in the library could have caused a disturbance.

Spencer said such sit-ins have caused breaches of the peace in other areas.

"Jackson has avoided any such incidents until now," he said. "By the grace of God, we will continue to avoid them."

Defense attorney Jack Young said the only reason the students were arrested was "just because they were in there."

He said the City offered no evidence of intent to commit a breach of the peace.

# First Mississippi Sit-In Seek To Use Public Library

JACKSON, Miss. — (UPI) — Nine Negro college students appeared at the strictly-segregated main city library Monday and were arrested when they ignored police officers' orders to leave.

It was the first sit-in in race-conscious Mississippi although the sit-in movement is more than a year old.

Negroes have staged several demonstrations, however, at Mississippi Gulf coast beaches and several were beaten when they tried to swim at segregated beaches last year.

Police arrived at the scene about 15 minutes after the students from nearby Tougaloo college entered the downtown library.

After several officers questioned a few of the students, Detective Chief M. B. Pierce announced "all right, everyone of you get up and get out of here. There's a colored library on Mill street. You are welcome there."

The students ignored his order and Pierce asked, "You can hear, can't you?"

"All right, everyone of you are under arrest," Pierce announced, and several officers took the students to police vehicles. The students did not protest their arrest.

Pierce, asked what the charges would be, said, "we will work that out."

The students, members of the NAACP Youth organization, began arriving about 11:10 a.m. and were generally ignored by the few persons in the library as they began going through the card catalog. A few of them inquired about books and library workers courteously answered them.

One of the girl demonstrators, Evelyn Prince, told United Press International her group was doing "research and this is the only library in town where we could get the material."

# Negro Students Halted By Police In Mississippi

JACKSON, Miss. (AP)—Police used tear gas and a police dog Tuesday to break up a group of Jackson State College students bent on parading through the business district. The college is a Negro institution.

Officers said they exploded one tear gas bomb and held the snarling dog in front of the students. They also used motorcycles and a police car to clear the street leading to downtown Jackson.

Chief of Detectives M. B. Pierce said the students planned to parade, "But we weren't going to let them. They didn't have a permit."

Edgar Evers of Jackson, field secretary for the Mississippi Branch of the National Association for the Advancement of Colored People, said the Negro students were peacefully marching down the street to protest the arrest of nine Tougaloo Southern Christian College students who participated in a sit-in at the white Jackson municipal library Monday. Tougaloo is a Negro college.

# Race Disturbances Engulf Mississippi As Students Riot

BY THE ASSOCIATED PRESS

Nine Negro college students were arrested when they paraded in a public library at Jackson, Miss., in the first move of its kind in that Deep South state, long a segregation stronghold.

The arrest Monday of the young people from Tougaloo Southern Christian College sparked a singing, chanting sympathy demonstration on the campus of Jackson State College. And the NAACP scheduled a mass meeting in the Capitol city tonight.

Dr. Jacob Reddix, president of Jackson State, and Jackson police quieted the demonstrators at the Negro college and no arrests were made.

The nine Tougaloo students filed quietly into the library traditionally reserved for white persons. Member of the group said they wanted to use the facilities because they were unable to obtain information for term papers at Negro branch libraries.

They were booked on charges of failing to move on when ordered to do so by police, and declined to post bonds of $500 each. The National Association for the Advancement of Colored People said the nine were members of NAACP youth groups.

Mississippi is one of three Southern states in which there is no desegregation at the public school or college level although two Negroes once sought to enter white colleges. In addition several Negrpes tried unsuccessfully to use beaches for white persons along the Gulf Coast.

Pupils boycotting Savannah, Ga. Negro schools have been warned they must apply for readmission by 6 p.m. Wednesday.

The Chatham County (Savannah) Board of Education issued the uitimatum and indicated pupils not meeting the deadline may face expulsion.

The boycott began a week ago after Alflorence Cheatham, principal of Sol C. Johnson High School, was notified his contract would not be renewed. The Board of Education gave no reason for the action but the NAACP said Cheatam had been active in a voter registration campaign.

In Atlanta, eight Negro dentist picketed the Thomas P. Hinman Southeastern dental meeting because they said membership in the American Dental Association apparently was used as an excuse to exclude them.

However, Dr. Arthur E. Anderson, general chairman of the meeting, said sessions were "not segregated but were open by regulation only to ADA members." He said some white dentists were turned away because they did not hold ADA membership.

Meanwhile, Secretary of Defense Robert S. McNamara in Washington ordered heads of the military services and other defense agencies to assure that Negroes and other minority groups are given equal employment opportunity.

In addition, the racial issue still clouded plans for the Charleston, S.C. Civil War centennial observance planned for April 11-12.

Gov. Ernest F. Hollings of South Carolina told a news conference he believed Yankee politics responsible for the situation. But he declined comment on how he felt about the decision to switch the National Centennial Commission's headquarters from a segregated Charleston hotel to the integrated Charleston Naval Base.

The Naticnal Commission made the change after President Kennedy pledged action toward providing Negroes with equal accommodations when they attend any Centennial Commission function in the South.

The New Jersey commission said it had not decided whether to attend the national meeting in Charleston. The commission originally boycotted the meeting when it learned a Negro member would be subjected to segregation. Several other states joined in the boycott.

The Evening Star
P. A-3
Thurs. 3-30-61
Washington, D. C.

**A policeman orders his dog to attack a Negro who was too slow in obeying his order to move away from in front of Police Court at Jackson, Miss., shortly before nine Negro college students went on trial for sitting-in at a white city library. The man with the umbrella was bitten on the left arm.—AP Wirephoto.**

# Negro Group Attacked By Police With Dogs

JACKSON, Miss., Mar. 30 (AP).—Mississippi's Capital City faced an uneasy quiet today after club-wielding policemen, accompanied by trained dogs, waded into a crowd of 100 Negroes outside a courtroom yesterday.

The police action preceded the trial of nine Negro college students charged with breach of the peace for a sit-in demonstration last Monday at a for-whites-only public library. They were convicted and drew $100 fines and 30-day suspended jail sentences.

The nine, all students at Tougaloo Southern Christian College on the northern outskirts of Jackson, staged the State's first mass anti-segregation demonstration.

**Crowd Gathers**

A crowd of Negroes, many students or faculty members at three Negro colleges in the area—Tougaloo Southern Christian, Jackson State and Campbell—gathered outside the City Court Building, before the hearing.

As the defendants started up the steps of the building, the spectators began clapping and singing.

A policeman said: "That's it! Move 'em out! Get 'em!"

The police moved quickly into the Negro group, swinging their sticks and shoving. The German shepherd dogs lunged at the people.

The younger Negroes quickly scattered through a parking lot to safety, but some of the slower ones were clubbed on the head and back. The dogs bit and ripped the clothing of several persons.

**Bootlegger Charged**

Chief of Police M. B. Pierce said G. W. (Red) Hydrick, a 55-year-old Rankin County white bootlegger, was charged with assault and battery and carrying a concealed weapon after he pistol-whipped Negro Thomas Armstrong during the melee. Hydrick was the only person arrested.

Mr. Armstrong, who writes for a Jackson newspaper and does free-lance photography, was chased from in front of the building before he was attacked by the bootlegger.

Police ordered the white people in the area to move out, but did not strike them.

"Call off the dogs . . . slavery is over," the president of the National Association for the Advancement of Colored People wired Gov. Ross Barnett.

NAACP leader Roy Wilkins protested the police action.

**Courtroom Jammed**

The small courtroom was jammed during the hearing. Negroes sat on one side, whites on the other. The defendants sat silently on the first two rows in the Negro section.

In his verdict City Judge James L. Spencer said the presence of the defendants in the white library could have resulted in a breach of the peace. He noted there was no actual disturbance.

Judge Spencer said such sit-ins have caused breach of the peace in other areas. "Jackson has avoided any such incidents until now," he said. "By the grace of God, we will continue to avoid them."

Defense Attorney Jack Young said the only reason the students were arrested was "just because they were in there."

Mr. Young, a Negro, said the city offered no evidence of intent to commit a breach of the peace. He termed the arrests "police state" action.

The defense placed no witnesses on the stand.

Mr. Young said an appeal would be taken to the April term of Hinds County Court.

# Race Disturbances Engulf Mississippi As Students

## Riot

By THE ASSOCIATED PRESS

Nine Negro college students were arrested when they paraded into a public library at Jackson, Miss., in the first move of its kind in that Deep South state, long a segregation stronghold.

The arrest Monday of the young people from Tougaloo Southern Christian College sparked a singing, chanting sympathy demonstration on the campus of Jackson State College. And the NAACP scheduled a mass meeting in the Capitol city tonight.

Dr. Jacob Reddix, president of Jackson State, and Jackson police quieted the demonstrators at the Negro college and no arrests were made.

The nine Tougaloo students filed quietly into the library traditionally reserved for white persons. Member of the group said they wanted to use the facilities because they were unable to obtain information for term papers at Negro branch libraries.

They were booked on charges of failing to move on when ordered to do so by police, and declined to post bonds of $500 each. The National Association for the Advancement of Colored People said the nine were members of NAACP youth groups.

Mississippi is one of three Southern states in which there is no desegregation at the public school or college level although two Negroes once sought to enter white colleges. In addition several Negroes tried unsuccessfully to use beaches for white persons along the Gulf Coast.

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In Atlanta, eight Negro dentist picketed the Thomas P. Hinman Southeastern dental meeting because they said membership in the American Dental Association apparently was used as an excuse to exclude them.

However, Dr. Arthur E. Anderson, general chairman of the meeting, said sessions were "not segregated but were open by regulation only to ADA members." He said some white dentists were turned away because they did not hold ADA membership.

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The New Jersey commission said it had not decided whether to attend the national meeting in Charleston. The commission originally boycotted the meeting when it learned a Negro member would be subjected to segregation. Several other states joined in the boycott.

# "Moving 'Em Out"--Mississippi-Style

At Jackson, Miss, a loosely-held, snarling vicious German shepard police dog lunged at an unidentified colored man, ripping his coat March 29 as 25 police used two of the dogs and flailing blackjacks to chase colored citizens from the area around the court house where nine college students were being convicted on charges growing out of their request for use of books at the public library.

At least one person, the Rev. S. Leon Whitney, was badly bitten by a dog and several were injured by the stick-swinging police officers. The melee followed a curt order from a high-rankling police officer to "Move 'em out!" in reference to the colored citizens. (UPI Telephoto)

# NAACP plans mass protest at Jackson

By The Associated Press

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THE ARREST of the young people from Tougaloo Southern Christian College yesterday sparked a singing, chanting sympathy demonstration on the campus of Jackson State College last night and plans for a mass meeting tonight were announced by the National Association for the Advancement of Colored People.

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## ATLANTA

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Officers said they exploded one tear gas bomb and held the snarling dog in front of the students. They also used motorcycles and a police car to clear the street leading to downtown Jackson.

Chief of Detective M. B. Pierce said the students planned to parade, "But we weren't going to let them. They didn't have a permit."

Edgar Evers of Jackson, field secretary for the Mississippi Branch of the National Association for the Advancement of

Colored People, said the Negro students were peacefully marching down the street to protest the arrest of nine Tougaloo Southern Christian College students who participated in a sit-in at the white Jackson municipal library Monday. Tougaloo is a Negro college.

Evers said the police stopped the Jackson college students and turned loose police dogs. Tear gas was used to break up groups that wouldn't disperse, he said, adding that several Negroes were struck by club-carrying policemen but no one was injured seriously. At least one Negro was arrested, he said.

# FBI Enters Mississippi Sit-in Case

The Washington Post
Washington D.C.

United Press International

The Justice Department announced yesterday that the FBI is investigating an outbreak of violence in Jackson, Miss., where nine Negroes were convicted for conducting sit-ins.

N.Y. 3-31-61

Jackson police, brandishing night sticks and holding two snarling dogs, broke up Wednesday's demonstration by about 100 Negroes in front of the city's Court House.

A Justice Department spokesman said: "We are investigating the situation in Jackson and have received reports from the FBI and local leaders."

P. 5-A

Several Negroes outside the Court House reportedly were struck by club-swinging police, who waded into the crowd shortly before trial of the students on misdemeanor charges.

The Justice Department said, however, that on the basis of reports it has received, "it appears that one Negro was beaten by a civilian —not a police officer." The civilian has been arrested and charged with assault and battery, according to the Justice Department spokesman.

"We have received assurances from responsible leaders in Jackson that no unnecessary force will be used," the spokesman said.

# FBI Investigates Police Rout In Jackson, Miss.

The Birmingham World
Birmingham Ala.

JACKSON, Miss — (UPI) —FBI agents assured that "no unnecessary force" will be used by local officers against Negroes protesting racial segregation, moved in Thursday to investigate a police rout of about 100 Negroes.

The Negroes were chased from the city courthouse Wednesday by 25 policemen brandishing night sticks and holding two snarling German police dogs.

They had gathered in front of a courtroom where nine youths were about to go on trial for staging Mississippi's first sit-in.

A Justice Department spokesman in Washington said "We are investigating the situation in Jackson and have received reports from the FBI and local leaders."

The Mississippi NAACP called a mass meeting Thursday night to protest "police brutality." Among the speakers was Clarence Mitchell, director of the NAACP's Washington bureau.

The state sovereignty commission, an offiical pro - segregation agency, met and announced "a close watch is being kept on recent disturbances in Jackson."

During the brief eruption of violence Wednesday, some of the Negroes were hit with police clubs and at least one was bitten by a dog. A Negro photographer, Thomas Armstrong, was pistol whipped by a white bystander.

Several hours later ,police arrested G. W. Red Hydrick, 55, an alleged bootlegger from nearby Rankin County, for the assault on Thompson.

The Justice Department said it had "receive dassurances from responsible leaders in Jackson that no unnecessary force will be used."

While the Negroes were being chased outside the courthouse, nine Negro college students inside were being convicted of staging a sit-in at the segregated library here. They were fined $100 each on breach of peace charges and immediately filed notice of appeal.

# 9 Negroes Stage Sit-In In Mississippi Library

Birmingham Post Herald
Birmingham Ala.

JACKSON, Miss., March 27 (UPI) —Nine Negro college students staged Mississippi's first sit-in demonstration today and promptly went to jail.

3-28-61

The youths were arrested about 15 minutes after they entered the main city library in downtown Jackson.

They were charged with violating a segregation law passed by the 1960 Legislature which provides that members of crowds at public places must leave when ordered to do so by law officers.

Authorities said they declined to make bail and chose to remain in jail pending their trials later this week in city court. If convicted, each student would face a maximum penalty of four months in jail plus a $200 fine.

**'Wanted to Do Research**

The students began arriving at the library in groups of twos and threes shortly before noon. A librarian asked one Negro girl where she was from and what she wanted. The girl replied she was from nearby Tougaloo Christian College and wanted to do research.

Most of the students went to tables on the library's first floor and began reading. Others checked the card catalog.

One of them, Evelyn Pierce, told UP International her group was "doing research and this is the only library in town where we could get the material."

Only a few white persons were in the library and they ignored the Negroes. A Librarian telephoned authorities and about six policemen rushed to the scene. They questioned a few of the students briefly.

**'Get Out Of Here'**

M. B. Pierce, chief of detectives, then announced:: "All right, everyone of you get up and get out of here. There's a colored library on Mill Street. You are welcome there."

The Negroes continued their library work. "You can hear, can't you?" Pierce shouted. He was ignored again.

"All right, everyone of you are under arrest," Pierce announced and officers escorted the Negroes to police vehicles.

The demonstrators are students at Tougaloo Christian College, which is operated by the Congregation of Christian Church and the Disciples of Christ. They are members of the National Association for the Advancement of Colored People.

38a 1961

WISCONSIN

AUG.1961
MADISON- "STAY-IN"
DEMAND FAIR HOUSING

# State Capital 'Stay In' Demands Fair Housing

## 'Round-clock vigil staged by NAACP

MADISON, Wis. — Undeterred by failure of the State Legislature to act on a pending fair housing bill, the Wisconsin State NAACP prepared this weekend to continue its 24-hour, seven-day-a-week vigil in the State Capitol here until the legislation is enacted or the Legislature adjourns.

Lloyd A. Barbee, president of the State Conference of NAACP Branches and director of the stay-in demonstration, reports that nearly 300 colored and white NAACP members, acting in 16-person relays, have participated in the demonstration since it was initiated July 31.

Bearing a tag reading: "We're Here for Wisconsin Human Rights Legislation," a demonstrator is stationed at each of the 16 columns in the Capitol's high ceilinged rotunda. They are relieved periodically by a new group.

* * *

OBJECTIVE OF THE demonstration is enactment of a bill introduced by Assemblyman Coggs of Milwaukee banning racial or religious discrimination in the sale, lease or rental of housing or other real property.

The bill provides penalties of not less than $100 nor more than $500, or imprisonment for not more than six months or both.

All participants in the stay-in are given instructions about its purpose and methods. "Participants are expected to conduct themselves with quiet dignity," the instructions read. They "should refrain from loud talking and excessive moving around while they are engaged in the Capitol stay-in.

"Speak quietly, if at all; sit or stand straight at all times; use chairs or camp stools if available; otherwise sit on the floor or stand. When entering or leaving the Capitol, check with the NAACP officer."

There have been, thus far, no incidents, disturbances or arrests, Mr. Barbee reports. Nor, he adds, has there been any action by either House of the Legislature since the demonstration began. He anticipates that the Legislature will remain in session for at least another week.

## Woman, 86, joins 'stay-ins' at capitol

MADISON, Wis. (ANP)— An 86-year old woman joined the 'stay-in' demonstration for civil rights legislation Wednesday.

"You have to do things like this," said Mrs. Anna K. Miller of Madison. "You can't get anything for nothing."

The demonstration, more than 108 hours old, started at 11 a.m. Monday when 16 persons walked into the capitol, set up folding chairs, and took places before the 16 pillars in the rotunda.

Mrs. Miller, who stayed two and a half hours, came to Wisconsin in 1902 and was married to William Miller who had been hired as a clerk by Gov. Robert La Follette, the Progressive Party leader who ran for president in 1924.

* * *

"WE MAY not do any good at all with this particular bill," Mrs. Miller said. "But you've just got to let people know about these things."

There has been no violence and no incidents as the 100 racially mixed volunteers, working in 16-person shifts, kept their vigil in the capitol rotunda.

There was also little evidence that their demonstration would speed committee approval of fair housing practices bills.

State Sen. Leo O'Brien, who heads the committee on governmental and veterans affairs which is considering the bills, said the stay-in would have no effect on the committee's operations.

* * *

LEADERS OF the "freedom lobbyists" had accused O'Brien of "bottling up" the bills. During the first night of their stay-in, the volunteers slept on the capitol's marble floor or on chairs surrounding the rotunda.

The "freedom lobbyists" said they would stay in the capitol, day and night, until the bills are passed or until the state legislator adjourns for the summer.

Bernard Mann, an accountant for the Wisconsin Highway Commission, said if the legislatuer adjourns without approving the bills, "We will be back for the next session."

**NOW IT'S A 'STAY-IN'** — Civil rights demonstrators sit in the Wisconsin state capitol rotunda at Madison to dramatize their efforts to convince the Wisconsin legislature it should approve laws against housing discrimination. (Another story on page 19)

ANNISTON- FREEDOM RIDERS

The Afro-American Sat 11-11-61
P.1 Baltimore, Md

**U.S. SAYS THIS MUST STOP** — Attorney General Robert Kennedy moved swiftly last week to put a halt to arrests such as this one of interstate passengers who refuse to bow to Mississippi's illegal segregation practices at Jackson, Miss. Levert Taylor, 20, and Miss Glenda Jackson, both of Shreveport, La. raised to 314 the number of Freedom Riders seized by police at Jackson. The policeman is W. L. Copeland.

# 36 witnesses to bus burning

The Afro-American P.1 Sat. 11-11-61

# tell truth, but you know Ala.

Baltimore, Md.

ANNISTON, Ala. — Although 36 witnesses testified they saw seven defendants on the scene where a bus carrying Freedom Riders was burned, an all - white, all-male jury failed to convict them.

U.S. District Judge H. H. Grooms declared a mistrial and dismissed the jury.

The case, tried before a courtroom crowded with whites, featured intimidation of at least one juror, hostile witnesses and even a prospective juror who admitted membership in the Ku Klux Klan.

The case started last May when a Greyhound bus was stopped inside Anniston and surrounded by a mob. Aboard the bus was AFRO City Editor Moses Newson who said that as the bus left the city, an obstruction in the road punctured a tire.

* * *

**WHEN THE** bus stopped this time, it was surrounded by a mob of howling whites, armed with clubs, tire-irons and chains, who threatened the occupants — some of whom were not connected with the Freedom Ride.

The bus was set afire and completely destroyed. Mr. Newson's camera was lost in the fire. He suffered slight injuries and smoke inhalation along with seven others.

The defendants were Roger D. Couch, William Chappell, Frank B. Johnson, Jerome B. Couch, Jerry Willingham, Jerry Eason, Frank Tolbert and Kenneth L. Adams.

Judge Grooms directed the jury to acquit the 41-year-old Adams because of insufficient evidence. The other defendants, however, were identified by eyewitnesses and through photographs taken at the scene.

* * *

**ONE WITNESS**, who testified she saw "something" being placed on the bus before the fire, said also that she was "all for it." She was Mrs. Harry Simms, wife of a state investigator.

Highway Patrolman M. A. Nunnelly admitted being on the scene but said "I didn't know anybody taking part. I didn't take any names and I didn't make any arrests."

As the jury was being empaneled, Judge Grooms announced: "I have been reliably informed that there is a systematic effort to contact jurors, either personally or through members of their families."

He ordered an FBI investigation and asked jurors to cooperate in the investigation. Two jurors and the wife of a third said they had been telephoned by an unidentified person who "said he was interested in the case and working for the defense to insure they had a fair trial."

The jurors were Alex E. Fitzhugh and Guy I. Salord, both electricians. They were stricken from the jury. Government lawyers asked one question of the jurors: "Has anyone of you ever been a member of the Ku Klux Klan?"

The Afro-American

A hand shot up — the juror was excused.

Earl F. Hamrick reported to the court that he received a Halloween night visit from three masked men. He said they told him "I should conduct myself with leniency."

He, too, was excused from the jury.

Sat. 11-11-61

**MANY OF** the witnesses put on by the government were persons sympathetic with the mob. One who was not was Larry A. Harper of Atlanta, who was en route to his family home at Leeds.

Describing the fire-bomb, he said: "It was something that looked like an orange juice can. It came through the window and hit on the seat where I had been sitting."

If the jury had convicted the men, they could have been sent to prison for 20 years and fined $10,000 each.

Washington Post
8 A 1 Nov 11-2-61

Associated Press

**Freedom riders Levert Taylor, 20, at center, and Glenda Jackson, both of Shreveport, La., are shown as they were arrested yesterday by policeman W. L. Copeland in Jackson, Miss., on breach of peace charges, for refusing to move out of the white waiting room at a bus station. They were in Jackson to test a recent ICC ruling.**

# 'Rider' Bus Glass-Breaker Named

Washington Post

ANNISTON, Ala., Nov. 1 (AP)—A Greyhound Bus lines official testified today he saw one of the eight defendants smash a window in a mob attack on a bus carrying Freedom Riders here last May.

Roy Franklin Robinson of Atlanta, southern regional manager of Greyhound, was the first witness called in the Federal Court trial of eight men accused in the burning of the bus—the first outburst of Freedom Rider violence in Alabama.

Robinson said he rode the bus from Atlanta to Anniston, where it was destroyed, because he had heard reports there might be trouble.

At the Anniston bus station, a crowd of about 300 persons was waiting, he said.

From a large photograph, he identified one of the men as Roger Dale Couch, 19, and said, "he had a piece of metal in his hand broke one of the windows."

After the bus finally left the station with the help of city police, it got only about five miles toward Birmingham when the left front tire went flat, he said, and a rear tire went flat moments later.

NOV.
JURY-ACQUITTED

FREEDOM RIDERS-BIRMINGHAM
HERSCHER ACKER (ROME,GA.)
PARTICIPANT IN FREEDOM RIOT

# Birmingham Reporter Identifies Georgia Man As Rioter

Montgomery Advertiser

ATLANTA (AP) — A newspaper reporter Thursday identified a Rome, Ga., pulpwood worker as one of the white men who took part in rioting at a bus station when the first busload of "Freedom Riders" reached Birmingham last May 14.

The identification of Hershel W. Acker, 30, came from Bud Gordon, Birmingham News reporter and photographer, at a hearing in Gov. Ernest Vandiver's office on on whether Acker should be turned over to Alabama officials on an indictment charging assault with intent to murder.

Asst. Atty. Gen. Henry Neal, Vandiver's legal aide, presided and announced that Vandiver will make the decision later on the basis of Thursday's testimony.

Defense Atty. Bobby Lee Cook of Summerville, who had been expected to present testimony that Acker was in Georgia on May 14, offered no witnesses. He cross-examined state witnesses closely, apparently trying to throw doubts about their identification.

One such move came when he called into the room at different times two older twin brothers of Acker while Gordon was testifying. But the reporter said there was no doubt that Hershel was the man he saw taking part in the rioting.

Fri 7-28-61

Cook in his opening statement told Neal that "Mr. Acker denies that he was in the state of Alabama on May 14. He says that he was over there about three weeks prior to that date."

The indictment charged Acker with beating George Webb, who was identified only at the hearing as a Negro shoeshine boy. There was no testimony about the beating, the only issue at an extradition hearing being whether or not the defendent was in Alabama on that date.

Gordon testified that Acker was one of a group of 8 or 10 men rioting at the bus station. He said they beat up another photographer, Tom Langston of the Birmingham Post-Herald. Gordon took a picture of this but said Acker and his group made him give it to them. They took his camera but gave it back when he agreed to give up the film.

Two Alabama and two Georgia officers testified that Acker first denied when questioned at Rome May 26 that he had been in Birmingham. Later they said, he admitted being there but denied taking part in the disorders. A tip from the FBI led to his questioning and arrest at Rome, an auto license number being the lead involved.

A. M. Bailey, Birmingham city detective, said Acker first told them at a Rome paper plant that he was fishing in Georgia on May 14. After being taken to the Rome police station, Acker admitted being in Alabama, the officer testified.

Similar testimony came from Birmingham detective Vernon T. Hart, sheriff W. Joe Adams of Floyd County, Ga., and Rome city detective W. B. Terhune.

Cook brought out from the Alabama officers that the warrant they brought with them to Rome named Clancy Lake, and not Webb, as the man who was beaten up. There was no further testimony about Lake.

Acker remained at liberty under $2,500 bond pending Vandiver's decision.

Staff Photo—Bill Young

ALL TOGETHER: TWINS AND THEIR ACCUSED BROTHER AT HEARING
*L-R: Twins Nedsell and Edsell Acker and Their Brother Herschell Acker*

Atlanta Constitution
6/
Fri 7-28-61
Atlanta Ga

# Rome Man Identified In Bus Riot

Atlanta Constitution
6/
Fri 7-28-61

By BRUCE GALPHIN

A Birmingham news photographer unhesitatingly identified a Rome, Ga., man Thursday as a participant in the "Freedom Ride" riots at a Birmingham, Ala., bus terminal last May 14.

Atlanta Ga

And at an extradition hearing held in Gov. S. Ernest Vandiver's office, four law enforcement officers swore that the Rome man denied and then later admitted being in Birmingham on the day in question.

Through his attorney, the accused man, Herschel W. Acker, denied at Thursday's hearing that he was in Birmingham on the day of the riot, however.

Acker is being sought by Alabama authorities on a charge of assault with intent to murder. The victim of the alleged assault was a Negro bystander who said he took no part in the violence-dogged Freedom Rides.

Atlanta Constitution

Confronted with look-alike twins in an attorney's effort to challenge his powers of observation, Birmingham News photographer Bud Gordon firmly insisted that Acker was the man he had seen at the Trailways station May 14.

P/C

"I saw him first," Gordon testified, "among a group of eight or 10 men beating up a news photographer.

Fri 7-28-61

"I second saw him when he took a camera away from me. I third saw him when he took a camera from my partner," the newsman continued.

Defense attorney Bobby Lee Cook called in a man, later identified as a brother of Acker, and asked Gordon whether he had ever seen the man before.

Gordon said he had seen the man at the Rome police station with Acker. The man left the room, but later Cook again asked for an outsider to come in.

It was apparently the same man, and Gordon again identified him as the man at the police station. Cook then called in the original outsider, a nearly identical twin. Gordon remained firm in his identification of the accused.

Vandiver's legal adviser, Henry Neal, who was conducting the hearing, asked: "May I inquire if Mr. Acker (the accused) is a twin also?"

Cook replied that he did not think so.

Birmingham detective A. M. Bailey testified that when he had examined Acker at the Rome police station on May 26, the accused admitted being in Birmingham on May 14. "He said he had lied to the FBI," Bailey said.

Floyd County Sheriff W. Joe Adams and Rome detective W. B. Terhune both swore that when first interviewed at a pulp mill near Rome, Acker said he had gone fishing at Big Cedar Creek on May 14.

Later, the sheriff and detective both asserted Acker admitted being in Birmingham on the day in question.

# Jury Clears Man Of Eight With Negro

BIRMINGHAM (AP) — A circuit court jury Tuesday acquitted Herschel Acker of charges of assault with intent to murder growing out of "Freedom Rider" violence here last May.

The jury deliberated 31 minutes before reaching a verdict.

Acker, 30, a pulp mill worker from Rome, Ga., was charged in the beating of George Webb, a Negro, during the outburst of violence at a downtown bus station

Webb, in testifying during the two-day trial, identified Acker as one of several men who beat him up during a white mob's attack on a racially mixed team of segregation-testers.

Bud Gordon, a reporter with the Birmingham News, testified that he saw Acker at the scene of the violence, but said he did not see Acker at the time Webb contends he was beaten. Gordon said he did not recall seeing Webb at the station at all.

38a 1961

# Four White Ministers, 7 Negro Riders Fined

MONTGOMERY, Ala., Nov. 21 (AP).—A State judge has convicted of unlawful assembly 11 Freedom Riders who ventured here less than a week after another group's visit resulted in rioting, bloodshed and martial law in Montgomery last May.

Circuit Judge Eugene Carter ordered $100 fines and 30-day jail terms yesterday for the four white ministers and seven Negroes. The group included Yale University Chaplain William S. Coffin, jr.

The verdict capped a daylong trial, during which Mr. Coffin testified he talked with an assistant to United States Attorney General Robert Kennedy before launching the challenge against bus depot segregation.

The defendants' State Court conviction came in contesting a similar outcome in County Court on the charges stemming from an integration attempt May 25.

**Decision Appealed**

All 11 Freedom Riders, including three other white clergymen from Connecticut, filed notice of appeal to the Alabama Court of Appeals. They were released under $750 bond each.

Judge Carter, who tried the cases simultaneously without a jury, since none was requested, convicted 10 of the defendants on unlawful assembly and breach of the peace charges.

The 11th rider, the Rev. Wyatt Tee Walker, was convicted only of unlawful assembly. But the Atlanta Negro leader drew the same penalty on that verdict as the others did for both offenses.

Montgomery was bristling with United States marshals and National Guardsmen when the biracial group under military escort to quell any violence, went into a white waiting room at a bus station.

They were arrested when all except Mr. Walker sat down at the lunch counter.

Week-long martial rule had been declared four days earlier after another Freedom Rider bus touched off a wild week end of bloody brawling and other racial violence.

**Defendants Listed**

White ministers arrested with Mr. Coffin are the Rev. Gaylord B. Noyce, assistant professor of religion at Yale; Dr. David E. Swift, religion professor at Wesleyan University, Middletown, Conn., and Dr. John D. MacGuire, assistant professor of religion at Wesleyan.

Negro defendants besides Mr. Walker are the Rev. Ralph D. Abernathy of Atlanta, a former Montgomery integration leader; the Rev. F. L. Shuttlesworth of Birmingham; Bernard Lee of Atlanta; George Smith, a Yale student, and Clyde Carter and Joseph Jones, both students at Johnson Smith College at Charlotte, N. C.

# 11 Riders Convicted In Capital

## Group Plans New Appeal From Sentences

MONTGOMERY, Nov. 20 (AP) — Eleven "freedom riders" were convicted today on charges growing out of a bus depot integration incident in the wake of race riots here last May.

It was the second conviction for the group—including Yale University Chaplain William S. Coffin Jr. They had appealed to state court after being given fines and jail terms earlier in county court.

Circuit Judge Eugene Carter, who conducted the one-day trial without a jury, since none was requested, ordered $100 fines and 30-day jail terms for the riders.

All filed notices of appeal and were released under $750 bond.

Ten of the defendants were convicted of unlawful assembly and breach of the peace. The 11th, Wyatt Tee Walker, Atlanta Negro, was convicted only of unlawful assembly. But he drew the same penalty for that as the others did for both charges.

Coffin, son-in-law of pianist Artur Rubinstein testified he talked with a representative of U. S. Atty. Gen. Robert Kennedy before he and the others came here.

**Talked to Official**

Asked on cross-examination if he talked with anyone in Kennedy's office before he and his colleagues came here in the wake of bloody race riots, Coffin said he had a telephone call from Burke Marshall, an assistant attorney general.

The Presbyterian minister, replying to a question about whether the Federal official encouraged the challenge of Montgomery's bus depot segregation, testified:

"Mr. Marshall said he was not intending to interfere but that he wanted us to give this decision (freedom ride) very serious consideration."

Coffin said he also telephoned Martin Luther King Jr., Atlanta Negro integration leader, before the venture.

Also on cross-examination, he testified that the group's attorney fees "very likely will be paid mostly by the National Association for the advancement of colored people."

He amended that later to say he meant the NAACP legal defense fund. Its chief counsel, Jack Greenberg of New York, is one of the lawyers representing the freedom riders.

Defense attorneys brought out that three white men who had pored coffee on the group's seats at a bus depot lunch counter went free.

All 11 freedom riders were arrested at the downtown Trailways bus terminal last May 25 while seeking service at the previously all-white waiting room and lunch counter.

Montgomery still was under martial law in the wake of bloody week-end of racial violence which greeted the arrival of another freedom rider bus five days earlier.

The National Guard officer who ordered the arrests, Col. Ralph Porch of Anniston, told the court the city was "extremely tense" as a result of the week-end rioting and other incidents which followed. He said that in his judgment, the integration attempt at the bus station could have caused another outbreak of violence.

Porch and Sheriff Mac Sim Butler before him, testified that before the freedom riders took seats at the lunch counter, three white men had poured coffee on the seats. Porch described them as "three white toughs trying to create trouble."

The white clergyman arrested besides Coffin are Gaylord B. Noyce, assistant professor of religion at Yale; Dr. David E. Swift, professor of religion at Wesleyan University at Middletown, Conn., and Dr. John D. Maguire, assistant professor of religion at Wesleyan.

Their Negro companions were Ralph D. Abernathy of Atlanta; F. L. Shuttlesworth of Birmingham; Wyatt Tee Walker and Bernard Lee of Atlanta; George Smith, a Yale student, and Clyde Carter and Joseph Jones, both students at Johnson Smith College at Charlotte, N. C.

*11 APPEAL*

# 'Rider' Cases Continue

BIRMINGHAM, Ala. (UPI) — Court cases growing out of the violence attending the arrival of "Freedom Riders" in Montgomery last May will probably be cropping up for some time.

Eleven "Freedom riders" appealed their disorderly conduct convictions before Circuit Court Judge Eugene Carter this week. The group, including four white New England religion professors, had been convicted and sentenced in common pleas court.

Carter upheld the lower court's verdict that the defendants were guilty and ordered them to serve 30 days in jail each and pay $100 fines.

The ruling was immediately appealed by attorneys for the 11 men, and will next be heard by the State Court of Appeals.

One of the defendants, Dr. William S. Coffin, Yale University chaplain, said he was "disappointed but not surprised" by the decision. Dr. John Maguire, assistant professor of religion at Wesleyan College, called Carter's verdict "fundamentally phony."

Col. Ralph Poarch of the Alabama National Guard testified he ordered the arrest of the four white men and seven Negroes to avert a "bloody riot" when the group sought to integrate a bus terminal lunch counter while Montgomery was under limited martial law.

MONTGOMERY* FREEDOM RIDERS

# Judge Convicts Eleven 'Riders'

## Yale Chaplain, 10 Others Fined, Sentenced To 30 Days

By United Press International

MONTGOMERY, Ala., Nov. 20.—Circuit Judge Eugene Carter Monday night found 11 so-called "Freedom Riders" — including the Yale University chaplain — guilty of disorderly conduct for trying to integrate a bus station lunch counter here during May racial strife.

Judge Carter sentenced each defendant to 30 days hard labor and imposed a $100 fine on each.

**Appeals Filed**

The defendants immediately appealed.

Judge Carter ruled within two minutes after both the prosecution and defense waived closing arguments.

"The court finds all the defendants guilty," Judge Carter said. When told that one defendant had only a charge of illegal assembly against him, Judge Carter said "he's just as guilty as the rest."

The circuit judge kept his office open long enough for the 11 to post $750 bond each.

The four New England religion professors and the seven Negroes showed no emotion when the judge snapped out his decision.

The defense put Adjt. Gen. Henry V. Graham, head of the Alabama National Guard, on the stand to testify he once said he was "happy" when the 11 were arrested. However, other similar statements by General Graham during a Federal court case several weeks ago were thrown out by Judge Carter.

Earlier the Yale University chaplain, Dr. W. S. Coffin, said the 11 were arrested in the Trailways terminal while under the protection of the National Guard.

**Defendants Listed**

The defendants include Dr. Coffin and an assistant professor of religion at Yale, Dr. Gaylord Noyce; Dr. David Swift, professor of religion, and Dr. John Maguire, assistant professor of religion at Wesleyan College in Middleton, Conn., and Negroes Bernard Lee of Montgomery, former Alabama State College student here expelled for sit-in demonstrations; Rev. Ralph Abernathy, former president of the Montgomery Improvement Association, and Rev. Wyatt Tee Walkr, executive secretary of the Southern Christian Leadership Conference, both of Atlanta; students Joseph C. Jones and Clyde Carter, both of Charlotte, N. C.; George Smith, a law student at Yale, and Rev. Fred Shuttlesworth of Birmingham, head of the Alabama Christian Movement for Human Rights.

# 11 Face Trial Today In 'Rider' Appeal

BY DONALD F. MARTIN

MONTGOMERY, Nov. 19 (UPI)—Four New England religion professors and seven Negroes face trial in Circuit Court here tomorrow in appeal of their convictions on charges of trying to desegregate a bus terminal lunch counter during "freedom rider" violence in May.

Montgomery County Circuit Court Judge Eugene Carter denied motions to squash the cases against the defendants—including the chaplain of Yale University—when the 11 were arraigned formally last Tuesday.

The men were convicted on charges of disorderly conduct and unlawful assembly in Montgomery County Court of Common Pleas Sept. 26. They immediately appealed to circuit court. They did not request jury trials.

**Arrested In May**

The biracial group was arrested May 25 in Trailways Bus Station after they sat at a formerly "all-white" lunch counter and ordered coffee. When the coffee was served, Sheriff Mac Sim Butler, under orders from the Alabama National Guard, placed each defendant under arrest.

Montgomery was placed under limited martial law by Gov. John Patterson during the time because of bloody rioting which occurred a week before when the first wave of "freedom riders" invaded the capital.

The defendants are Dr. William S. Coffin, Yale University chaplain, and Dr. Gaylord Noyce, assistant professor of religion at Yale; Dr. David Swift, professor of religion, and Dr. John Maguire, assistant professor of religion at Wesleyan College in Middleton, Conn.; and Negroes Bernard Lee of Montgomery, former Alabama State College student expelled here for sit-in demonstrations, the Rev. Ralph Abernathy, former president of the Montgomery Improvement Assn., and the Rev. Wyatt Tee Walker, executive secretary of the Southern Christian Leadership Conference, both of Atlanta; students Joseph C. Jones and Clyde Carter, both of Charlotte, N. C., George Smith, a law student at Yale; and the Rev. Fred Shuttlesworth of Birmingham, head of the Alabama Christian Movement for Human Rights.

Common Pleas Judge Alex Marks found all the defendants guilty and sentenced them to jail terms with fines.

At their arraignment, Dr. Coffin told UPI, "This costs a lot of time and a lot of money, but I think it's worth it." The Yale chaplain said he was "encouraged" by the recent Interstate Commerce Commission ruling integrating interstate travel.

Coffin and Maguire said the ruling came as a result of the "freedom ride" tests of segregated travel terminals and a situation here "which had repercussions on all parts of the country."

On his participation in the "freedom ride" movement, Coffin said he felt it was his duty "to support students actively participating in world issues" after encouraging them to do so in the classroom.

# Jury Indicts 9 Men In Bombing of Bus

BIRMINGHAM, Ala. (UPI)—Nine men accused of bombing the first "freedom rider" bus to enter Alabama have been indicted by a federal grand jury, the government announced Friday.

The incident took place last May 14 outside Anniston, Ala., while the bus was en route from Atlanta to Birmingham.

Atttorney General Robert Kennedy announced the two-count indictment in Washington. He said it was returned Thursday at Birmingham but remained sealed until Friday.

One count of the indictment charges the nine men with conspiring from May 5 to damage the bus, and the second count charges them with carrying out the conspiracy.

Maximum penalty for conviction on the first count is five years in prison and a $10,000 fine. On the second count each could be sentenced to 20 years in prison and $10,000 in fines or both.

Those named in the indictment: Kenneth L. Adams, 41, an oil company operator; William O. Chappell, 39, upholsterer; Jerome B. Couch, 25, an electrician; Roger D. Couch, 19, unemployed; Jerry R. Eason, 22, a flower shop employe; Frank B. Honson, 42, a maintenance worker for the Anniston Housing Authority; Cecil L. Lewallyn, 22, occupation unknown; Frank J. Tober, 54, self-employed store keeper and Jerry Z. Willingham, 21, a valve company employe.

## FBI Nabs 7 Charged In Burning

BIRMINGHAM (AP) — FBI agents Friday arrested seven of nine men indicted by a federal grand jury on charges of burning an interstate bus near Anniston last May.

The other two are accounted for—one is in jail and the other in a hospital.

Burning of the Greyhound bus after it left Anniston May 14 was one of the first major acts of violence involving "Freedom Riders" seeking to crack Southern segregation barriers.

The grand jury, which convened here Monday, returned the indictment Thursday.

BOND SET

Macon B. Weaver, recently named U.S. Attorney for north Alabama, said the two - count indictment charges the nine with conspiracy to violate laws involving persons traveling in interstate commerce.

Seven of the nine were arraigned at Anniston Friday. They are:

Kenneth L. Adams, 41, Anniston; Frank B. Johnson, 42, Anniston; Jerome Byron Couch, 25, Munford; Jerry Willingham, 23, Anniston; William O. Chappell, 40, Anniston; Jerry Ronald Eason, 23, Anniston; and Frank Tolbert, 54, Anniston.

U.S. Commissioner Ruby Price Robinson said $5,000 bond was set for each man and that Eason, Johnson and Willingham posted bond.

The other two are Roger Dale Couch, 19, Anniston, presently in jail at Annistion on a local Burglary count, and Cecil Lamar Lewallyn, 22 ,Annistion, in Anniston Memorial Hospital as a result of an automobile accident Aug. 13.

Weaver said that Eason, Johnson and Roger Couch were arrested May 22 on a commissioner's complaint charging them with participating in bombing and burning the bus and were released on $5,000 bond each.

The bus which burned approximately four miles west of Anniston carried 17 persons, including several Negroes and white persons in the Freedom Rider group.

The Freedom Riders had started from Washington, D.C., under sponsorship of the Congress of Racial Equality (CORE). They said their destinatoin was New Orleans.

ANNISTON TROUBLE

The bus they were on ran into trouble at the station in Anniston. A number of persons gathered at the station and caused some damage to the vehicle.

At the time it was burned the bus had stopped because of a flat tire. A mob surrounded it on the side of the highway and the fire apparently started when a soft drink bottle containing an inflammable liquid was thrown through a window.

Alabama State Investigator Ell Cowling, who had boarded the bus at Atlanta on a tip of possible trouble, stood in the door of the bus and held off a crowd of white people milling around.

Highway patrolmen arrived and two shots were fired into the air to quiet the mob.

Passengers were then allowed to leave the burning bus. Twelve of the passengers received hospital treatment for smoke inhalation.

The Greyhound bus was one of two carrying Freedom Riders from Atlanta to Birmingham that Sunday afternoon.

A Trailways bus carrying an integrated CORE group was boarded at Anniston by white persons who struck some passengers because of seating arrangements.

The Trailways bus proceeded to Birmingham where a white mob met them at the bus station. Several persons were beaten in the fighting on the bus station loading dock and in the bus terminal.

The Freedom Riders later sought to continue their trip by bus to Montgomery and New Orleans. But bus drivers refused to drive them and they flew from here to New Orleans.

# Perjury Charge Hits Anniston Trial Juryman

## FBI Arrests State Man Over Klan

BIRMINGHAM (AP) — The FBI Tuesday arrested on a perjury charge one of the members of the jury that failed to reach a verdict in the "Freedom Rider" bus burning trial four weeks ago.

U.S. Atty. Macon Weaver said the federal complaint charged that the juror gave false information when asked about Ku Klux Klan membership during selection of the jury.

He identified the man as Lewis Martin Parker, 59, a farmer of Hartselle.

Eight men were tried together in U.S. District Court in Anniston, on charges of interfering with interstate transportation and conspiracy growing out of a white mob's attack on a Greyhound bus carrying the first of the "Freedom Riders." The bus was burned outside Anniston.

DIRECTED VERDICT

One of the eight defendants was freed on a directed verdict of acquittal. A mistrial was declared in the case against the other seven when the jury was unable to agree on a verdict.

The arrest of Parker marks the third charge of wrong-doing involving the jury that heard the case.

The first incident occurred even before the trial got under way when Judge H. Hobart Grooms told the jury panel he had heard reports of jury-tampering efforts.

He asked members of the panel to tell him if they had been contacted about the case by anyone outside the court. Two members of the jury panel later told in court about receiving telephone calls at their homes from anonymous persons expressing interest in the trial. Neither was seated on the jury.

Then, when the case went to the jury, the judge excused one of the jurors, saying the juror had told him he had been contacted by masked men at his motel the night before the trial opened. The juror said the masked men had advised him to be lenient. The judge replaced the juror with an alternate.

No formal charges have been filed as a result of either of the two reported incidents of jury-tampering efforts.

QUIZZED ABOUT KKK

At the opening of the trial, the entire jury panel was questioned as a group by Weaver about Ku Klux Klan connections.

One member of the panel—not Parker—indicated he had been a member of the KKK at one time. He was not seated on the jury.

The perjury charge against Parker carries a maximum penalty of $2,000 fine and five years imprisonment on conviction.

Parker was arraigned late Tuesday before U.S. Commissioner Claude Pipes at Huntsville. A preliminary hearing was set tentatively for next Tuesday. Bond was set at $3,000 and he was held in the Madison County jail.

ANNISTON AREA

In all, nine men were indicted in the attack on the bus carrying the integrated team of segregation-testers. All live in the Anniston area.

The seven involved in the mistrial were Frank B. Johnson, 42; Jerome Byron Couch, 25; Jerry Willingham, 23; William Chappell, 40; Jerry Ronald Eason, 23; Frank Tolbert, 54; and Roger Dale Couch, 19. A second trial has been scheduled for February.

Kenneth L. Adams, 41, was freed on a directed verdict of acquittal.

The ninth man, Cecil Lamar Lewallyn, 22, has not been brought to trial because of injuries suffered in an automobile accident.

# Juror in bus case accused of perjury

BY JO ELLEN O'HARA
News staff writer

Federal authorities Tuesday announced the arrest of a juror in the recent "freedom rider" bus burning trial at Anniston on a charge of perjury.

U. S. Attorney Macon Weaver said a federal complaint charged Lewis Martin Parker, 59, of Hartselle, Route 1, gave false answers when asked about present or past membership in the Ku Klux Klan.

**Parker was one of the 12 jurors who were unable to reach a verdict in the trial of eight men charged with burning a Greyhound bus carrying "freedom riders" near Anniston May 14.**

WEAVER SAID PARKER was arrested at his home on the basis of a complaint filed by the FBI at Huntsville Monday.

He said Parker denied being or having been a member of the Ku Klux Klan when questioned about his qualifications as a juror at the outset of the trial at Anniston Oct. 31.

Weaver had asked the entire jury panel if any of the members were or ever had been members of the Klan. One member of the jury panel—not Parker—responded that he had been a member. He was not seated on the jury.

Nine men were indicted on charges of interfering with interstate transportation and conspiracy following the May 14 attack on the bus.

**Eight were tried together. One man was freed on a directed verdict and a mistrial was declared in the cases of the other seven.**

THEY ARE scheduled to go on trial again Feb. 6 at Anniston.

Parker, a farmer and long-time resident of Morgan County, was arraigned before U. S. Commissioner Claude H. Pipes at Huntsville Tuesday. Recommended bond was $3,000.

Penalty upon conviction is $2,000 or five years in prison or both.

**The jury at Anniston reported Nov. 3 to U. S. District Judge H. H. Grooms that it was hopelessly deadlocked after deliberating nine hours and five minutes.**

THE TRIAL had been highlighted by charges of jury tampering, beginning with a dramatic assertion by Judge Grooms that he was considering ordering the U. S. attorney to prepare contempt citations. Grooms said he had been "reliably informed members of the jury have been systematically contacted about a case before this court."

Later, a government witness, Photographer Joe Postiglione, reported that his former wife had received threats that he was "not long for this world."

**One juror, Earl Frankllin Hamrick of Arab, was excused by Grooms shortly before the jury got the case after reporting that four men had appeared at different times at his motel room on Halloween night, wearing Halloween masks. Hamrick said the men advised him that "I should conduct myself with leniency."**

Grooms replaced the juror with an alternate juror, William Harvey.

LEWIS M. PARKER

# Juror in 'Rider' Trial Charged as Perjurer

BIRMINGHAM, Ala., Nov. 28 (AP)—Federal officials today announced the arrest of one of the jurors in the recent Freedom Rider bus-burning trial on a charge of perjury.

United States Attorney Macon Weaver identified him as Lewis Martin Parker, 59, a Hartselle, Ala., farmer.

Weaver said the Federal complaint charged that Parker gave false answers when asked about present or past membership in the Ku Klux Klan.

The trial of eight men charged in the burning of a bus carrying a group of white and Negro segregation-testers ended in a mistrial at Anniston, Ala., earlier this month.

At the outset of the trial, Weaver asked the jury panel if any of the members were, or ever had been, members of the Klan. One man — not Parker — responded that he had been a member. He was not seated on the jury.

Nine men were indicted on charges of interfering with interstate transportation and conspiracy after the attack on the bus—the first outburst of Freedom Rider violence—last May.

All were tried together in Federal Court. One man was freed on a directed verdict. The jury was unable to reach a decision on the other eight. A retrial has been set for February.

The perjury charge against Parker carries a maximum penalty of $2000 fine and five years' imprisonment.

# BUS TRIAL JUROR HELD IN ALABAMA

## Perjury Charge Says He Did Not Respond on Klan Tie

BIRMINGHAM, Ala., Nov. 28 (AP)—One of the members of the jury that failed to reach a verdict in the Freedom Rider bus burning trial four weeks ago was arrested today on a perjury charge.

United States Attorney Macon Weaver said the Federal complaint charged that the juror gave false information when asked about Ku Klux Klan membership during the selection of the panel.

He identified the man as Lewis Martin Parker, 59 years old, a farmer of Hartselle, Ala.

Eight men were tried together in United States District Court in Anniston, Ala., on charges of interfering with interstate transportation and conspiracy growing out of a white mob's attack on a Greyhound bus carrying the first of the Freedom Riders. The bus was burned outside Anniston.

One of the eight was freed on a directed verdict. A mistrial was declared in the case against the other seven when the jury was unable to agree on a verdict. A second trial is scheduled in February.

The arrest of Mr. Parker marked the third charge of wrongdoing involving the jury that heard the case.

The first occurred even before the trial started, when Judge H. Hobart Grooms told the jury panel he had heard reports of efforts to influence it.

He asked members of the panel to tell him if they had been pressed about the case by anyone outside the court. Two members of the panel later told in court about receiving telephone calls at their homes from anonymous persons expressing interest in the trial. Neither was seated on the jury.

Then, when the case went to the jury, the judge excused one of the jurors, saying the juror had told him he had been accosted by masked men at his motel the night before the trial opened. The juror said the masked men had advised him to be lenient. The judge replaced the juror with an alternate.

No formal charges have been field as a result of either of the two reported incidents.

At the opening of the trial, the jury panel was questioned as a group by Mr. Weaver about Ku Klux Klan connections.

One member of the panel, not Mr. Parker, indicated he had ben a member of the Klan at one time. He was not seated.

The perjury charge against Mr. Parker carries a maximum penalty of $2,000 fine and five years imprisonment on conviction.

# Juror Charged With Perjury

## Klan Affiliation Denied By Alabaman At Trial On Bus Violation

By United Press International

BIRMINGHAM, Ala., Nov. 28.—Lewis Martin Parker, 59, a member of the jury that failed to reach agreement in a trial stemming from racial violence at Anniston, was arrested on perjury charges, it was disclosed Tuesday.

United States Attorney Macon Weaver said Parker, a farmer from rural Hartselle, falsely swore he was not a member of the Ku Klux Klan during questioning before selection of the jury.

**Bus Burning Charged**

The jury failed to reach a verdict in the case of eight white men charged with burnihg a bus bringing the first group of self-styled "Freedom Riders" into Alabama May 14. The violence erupted at Anniston to trigger a chain of violent acts.

Weaver said Parker was arrested at his home Monday and released on $3,000 bond after arraignment before a United States commissioner in Huntsville. If convicted of perjury, Parker could be sentenced to a maximum of five years in prison, a $2,000 fine or both.

When Parker was called as a prospective juror, he was asked if he was or had been a member of the Ku Klux Klan. He denied any connection with the group and was seated as a juror.

The trial lasted from Oct. 31 until Nov. 3 when the jury reported members were unable to reach agreement. One Birmingham source said the jury stood at 11-1 for acquittal.

**Trial Reset**

The trial was reset for Feb. 6 for seven of the defendants. An eighth, Kenneth L. Adams, was cleared by directed verdict of the presiding judge because of the lack of evidence against him.

The bus bringing the riders to Alabama was met at the Anniston bus terminal by a group of howling whites. Later the bus was forced to stop several miles outside the city because of a flat tire and the vehicle was stoned and burned.

The incident was the first in what was to be a series of violent outbreaks against riders who came to the state to test segregation barriers in bus terminals.

# Bus-Burn Trial Perjury Charged

Birmingham Post-Herald
P.I. Wed. 11-29-61

Lewis Martin Parker, 59, of Hartselle, one of the members of the Federal Court jury that failed to reach a verdict in the "freedom rider" bus-burning trial in Anniston last month, was arrested yesterday by the FBI and is being held in Madison County Jail at Huntsville on a perjury charge.

U. S. Atty. Macon L. Weaver said the Federal complaint charged Parker with giving false information when he was asked about Ku Klux Klan membership during selection of the jury.

Parker, a farmer and long-time resident of Morgan County, was arrested by an FBI agent at his home at Hartselle, Rt. 1, Weaver said.

Birmingham Ala

Arraigned before U. S. Commissioner Claude Pipes of Huntsville, Parker's bond was set at $3000.

The maximum penalty on conviction of the perjury charge would be $2000 or five years in prison, or both.

Parker served on the jury in the bus-burning trial which lasted from Oct. 31 to Nov. 3, and which resulted in a mistrial when the jury failed to reach a verdict.

The trial has been rescheduled for Feb. 6 at Anniston.

The arrest of Parker marks the third charge of wrong-doing involving the jury that heard the case.

Even before the trial began, Judge H. Hobart Grooms told the jury panel that he had heard reports of jury-tampering efforts.

Grooms asked members of the panel if they had been contacted about the case by anyone outside the court. Two jury panel members later told him in court about receiving telephone calls at their homes from anonymous persons expressing interest in the trial. Neither was seated on the jury.

Judge Grooms replaced a juror when the case went to the jury, saying the juror had told him he had been contacted by masked men at his motel on the eve of the trial. The juror said the masked men advised him to be lenient.

No formal charges have been filed as a result of either of the two reported incidents of jury-tampering efforts.

Weaver, at the opening of the trial, questioned the entire jury panel about Ku Klux Klan connections.

One member of the panel indicated he had been a member of the KKK at one time. He was not seated on the jury.

In all, nine men of the Anniston area were indicted in the attack on the bus carrying the "freedom riders."

Kenneth L. Adams, 41, was freed on a directed verdict of acquittal.

The seven involved in the mistrial were Frank B. Johnson, 42; Jerome Byron Couch, 25; Jerry Willingham, 23; William Chappell, 40; Jerry Ronald Eason, 23; Frank Tolbert, 54; and Roger Dale Couch, 19.

The ninth man, Cecil Lamar Lewallyn, 22, has not been brought to trial because of injuries suffered in an automobile accident.

# FBI Arrests Juror of 'Rider' Trial

Nashville Tenn Banner
P. 3 Fed. 11-29-61
Raleigh N.C.

BIRMINGHAM, Ala. (AP)—The FBI arrested on a perjury charge Tuesday one of the members of the jury that failed to reach a verdict in the "Freedom Rider" bus-burning trial four weeks ago.

U.S. Attorney Macon Weaver said the federal complaint charged that the juror gave false information when asked about Ku Klux Klan membership during the selection of the jury.

He identified the man as Lewis Martin Parker, 59, a farmer of Hartselle, Ala.

Eight men were tried together in U.S. District Court in Anniston, Ala., on charges of interfering with interstate transportation and conspiracy growing out of a white mob's attack on a Greyhound Bus carrying the first of the Freedom Riders. The bus was burned outside Anniston.

38a 1961

NOV.

ALABAMA

FREEDOM RIDERS- CHICAGO WHITE MAN FINED $200

# White Man Fined In Rider Case

SELMA (AP) — A Chicago white man, charged with disturbing the peace after an incident aboard a "Freedom Ride" bus last june, has paid a $200 fine and court costs.

Court officials said Ralph T Fertig, 31, pleaded guilty to the charge growing out of the disturbance June 2. An assault charge was dropped. Both cases were disposed of without trial.

Sheriff Jim Clark arrested Fertig after a crippled white woman who was occupying two seats on the bus, said he tried to sit on her lap. Fertig was with a group of Freedom Riders en route from Montgomery, scene of racial violence several days earlier, to Jackson, Miss.

Fertig disclaimed being a Freedom Rider, but said he was traveling with the biracial group as an observer. His expenses were paid by the Chicago Mission on Youth Welfare, he said.

Free under $1,500 bond since June 3, he was represented by attorneys when his case was called to trial. He did not reappear here.

38a 1961

ALABAMA

SEPTEMBER
BIRMINGHAM- FREEDOM RIDERS
DR. WALTER C. BERGMAN, 62
FARMINGTON, MICH.

# Freedom rider in critical condition

Afro American 9-2
Sat 9-30-61

DETROIT — Dr. Walter C. Bergman, 62, trainer and director of Freedom Riders was reported in critical condition in Grace Hospital Monday with injuries he may have suffered when beaten by Alabama whites last May.

Baltimore Md

Bergman had been hospitalized for an emergency appendectomy Sunday. During the operation his heart stopped beating for a minute and 45 seconds. The heart was re-started by massage. A spinal tap indicated brain damage.

• • •

**MONDAY, HOSPITAL** officials called police when tests on Bergman showed a "pre-existent condition of brain damage."

When the first Freedom Rider's bus entered Birmingham, Ala., last May 15, Dr. Bergman and his wife, Frances, of 25515 Inkster, Farmington, Mich., were beaten and kicked by segregationists. He suffered a swollen jaw and a black eye.

On the same day, another riot was made on the freedom riders in Anniston, Ala., where Jr. Bergman was slugged and knocked down.

* * *

**DETECTIVE GEORGE BLOOMFIELD** quoted Mrs. Bergman as saying her husband had complained of dizziness and nausea since he was beaten in Anniston.

He said the results of police investigation would be turned over to the FBI and the Department of Justice.

POLICE COMMISSIONER L.B. SULLIVAN
FREEDOM RIDERS- MAY 14, 1961

"We'd been ready if . . ."

# Capital police didn't know 'riders' coming, chief says

MONTGOMERY, Ala., May 20—Montgomery Police Commissioner L. B. Sullivan said officers were caught off guard with the arrival of the "freedom riders" bus Saturday "because we didn't have definite information that they were coming here."

He said the police department had been on a stand-by basis all week and had been receiving reports "just about every hour since last Sunday" that integrated buses were on their way.

"But today we received no definite report that they were coming," he said.

**Sullivan was asked if Birmingham police had alerted his office. "Birmingham did not call," he said.**

The police commissioner was asked if the Highway Patrol had warned Montgomery police. "We have been working with Floyd Mann all along," he answered.

L. B. SULLIVAN
. . . Caught off guard

"WE HAVE BEEN getting reports from news media, from other police departments and from crank calls nearly every hour that they were coming this week but they did not arrive."

"We all sincerely regret that this happened here in Montgomery. It could have been avoided had outside agitators left us alone.

**"I sincerely believe there had been an improvement in our strained race relations in Montgomery before these incidents today shattered all that progress," said Sullivan.**

"Providing police protection for agitators is not our policy but we would have been ready if we had had definite and positive information they were coming.

"We will increase the number of patrol units now on duty until after this emergency is over and we sincerely hope to prevent any further violence."

CORE FREEDOM RIDERS MAY 1961
BIRMINGHAM, MONTGOMERY
MR. ROBERT M. SHELTON, ALABAMA
KU KLUX KLAN LEADER

# Evasive Shelton Denies Knowing Of Klan Activity

## One Witness Sent To Jail On Contempt

Alabama Klan leader Robert M. Shelton, hammered by questions from a Justice Dept. attorney, mantained here Tuesday he had almost no knowledge of Klan activities in Alabama.

A threat of a jail sentence for contempt of court from U.S. District Judge Frank M. Johnson Jr. loosened his tongue a little — but not much.

Tension and drama heightened considerably during the second day of a hearing in which the government seeks to have Johnson enjoin Klan groups, and Montgomery and Birmingham police officials, in connection with bus station integration.

**PLEAD FIFTH**

Among the high lights:

— Three men pleaded the Fifth Amendment to questions linking them with Klan groups, refusing to testify on grounds their answers might incriminate them;

— One of the three was sent to jail by Johnson, angered when the witness refused to answer questions;

— An attorney sought to have U.S. Atty. Gen. Robert Kennedy called here as a witness in the hearing;

— A tightening net was drawn about Alabama Klan groups with documents, records of telephone calls, identifications, and recorded license plate numbers.

Shelton, grim-faced and with furrowed brow, fiddled continually with his eye glasses under questioning by John Doar, chief Justice Department attorney here.

**INCREASINGLY VAGUE**

He identified Klan press releases as his, admitted he headed the Alabama Klans, Knights of the Ku Klux Klans, Inc., and that he was formerly an officer in U.S. Klans, Knight of the Ku Klux Klan.

But he grew increasingly vague under Doar's relentless probing. He said he did not know what local Klan groups are chartered in Alabama.

"I have no records involving any names," he said. He also professed to "know nothing of the inner workings of local meetings."

Judge Johnson broke in to tell Shelton: "That's not responsive," when he failed to give a direct answer to the question:

"Do you know any members of the Alabama Klans, Knighs of the Ku Klux Klan?"

When the question was put to him again, Shelton answered, "To authenticate this information, I do not."

Turning a stern eye on the Klan leader, Johnson rapped out: "That's not responsive, read him the question one more time."

Then Shelton said he knew only the Klan members "I work with." He went on to say he did not know how many charters he had issued, except some were "in the area of Tuscaloosa."

Calling a recess, Johnson advised Shelton and his attorney to confer. "I don't want to send Mr. Shelton to jail, without the advice of his attorneys," he said.

After the recess, Shelton testified that he knew of an Eastview Klavern in Birmingham, and to knowing three men — Robert Thomas, Kenneth Adams, Hubert Page, and James (Ace) Williams. But he said he did not know if they were Klan members.

Asked if he knew a J. B. Jurls of Montgomery, Shelton said no.

**DREW JUDGE'S IRE**

He also said he didn't know if there was a Klan "den" here, or in Warrior. Shelton termed a den in Monroeville "inactive."

Earlier a youth implicated by testimony in a bus burning near Anniston went briefly to jail when he drew Johnson's ire.

Cecil Lewallyn took the witness stand with a trapped and stunned expression. He held a piece of paper in trembling hands.

Asked if he were at the scene of the burning bus, Lewallyn quavered: "I refuse to answer . . ."

His voice failed to carry and an attorney compalined he could not hear him. "He's trying to plead the 5th Amendment," said Johnson. Then he turned to Lewallyn and snapped: "Who wrote that out for you?"

**AGAIN DECLINES**

Lewallyn again declined to answer. Pressed by Johnson, he said it was J. B. Stoner, an Atlanta lawyer. But when Johnson sought to question him turtner, he again declined, pleading the 5th Amendment.

"Mr. Marshal, commit this man to jail for contempt of court," said Johnson. The judge a moment later asked local attorney T. B. Hill, a spectator throughout the day, to advise Lewallyn on the 5th Amendment.

"I got the impression that he didn't know what he was doing—possibly," Johnson observed. Later, Lewallyn returned to again plead the amendment as to questions relating to Klan membership. Johnson orderd him released under $500 bond.

Kenneth Adams, Anniston, a beefy and red-faced man, answered all questions as to Klan membership with "I decline to answer on the grounds it might tend to incriminate me."

He was accompanied by Stoner, who identified himself to the court.

**IDENTIFIES BALLOT**

The next witness, James Williams, Gadsden, also pleaded the 5th Amendment in answer to questions related to his Ku Klux Klan connections. But he admitted being in Birmingham the day violence broke out at a bus station with one Robert Thomas. And he identified a ballot as one similar to one he had used in a Ku Klux Klan election.

Hubert Page, Birmingham whom Shelton had earlier testified at one time headed the Eastview Klan group, took the stand to deny any knowledge of Klan activities or that he was a Klansman.

An Anniston free lance photographer, Joe Postiglione, told of seeing a white mob charge a bus as it pulled into the station in Anniston. He also said he saw Kenneth Adams once holding a Klan robe at a Klan rally in an Anniston park.

The surging crowd cursed the bus passengers, and several of them smashed in windows, said Postiglione.

**WARNED EARLIER**

He said he had been previously warned to stay out of the way or get hurt. And he said one man had asked him: "What are you doing with that camera, Buddy?"

The photographer described following the bus five miles out of Anniston and pull off the road with flat tires. He identified several men in pictures he had shot at the bus station.

Before Lewallyn took the stand, a state criminal investigator, Harry Sims of Anniston, had told the court he saw the youth at the bus - burning scene. "When we went to a nearby store to make a telephone call," the officer said, Lewallyn told him, "There's no reason to call for help because we're leaving."

Sims said Lewallyn was wearing a brown sports shirt and cotton wash trousers, with the shirt tail outside the trousers.

The investigator's wife told the court she saw a fire bomb thrown which set the bus afire, and she said the man who tossed it answered the description her husband gave of Lewallyn.

**WOVE INTO PATTERN**

Testimony in the two-day hearing turned to the Anniston incident after other witnesses told of mob rioting in Montgomery and Birmingham.

Federal attorneys wove the Ku Klux Klan into the pattern of violence, but were unable thus far to pin it on any Klan member.

The request for Kennedy to appear as a defense witness was made to Doar by Calvin Whitesell, attorney for Montgomery policle authorities. Whitesell told the Associated Press he wanted to find out what, if anything, the attorney general had to do with the freedom rides.

In Washington, a spokesman for the Justice Department said he knew nothing about the request and could not say whether Kennedy would appear.

A Negro integration leader, the Rev. Martin Luther King Jr., was subpoenaed as a witness by the defense.

A Birmingham newspaper reporter, William A. Mobley of the Post-Herald, told the court Birmingham Police Commissioner Eugene Connor remarked shortly before the Trailways bus reached there that "It's just another bus coming in and there's not any use sending anyone over there."

However, the newsman said, he took the statement as a joke at the time.

Unlike the other defendants, silent and attentive, Connor frequently smiled, grimaced and yawned during the hearing.

Defense Atty. James A. Simpson tried to bring out in cross-examination that police had been alerted for days to watch for freedom riders arriving by Greyhound, but not by Trailways.

An FBI agent, Thomas J. Jenkins, testified that he talked with police several times but nothing was said about a Trailways bus until the day it arrived, May 14.

**SAW POLICE**

The segregation - challenging riders had been traveling by Greyhound, but split up in two groups in Atlanta and started for Birmingham over both routes.

Another reporter, Bud Gordon of the Birmingham News, said he saw uniformed police at the Greyhound terminal and a detective sergeant cruising around the Trailways depot. And he said he saw a black Cadillac believed to be Shelton's.

Still another newsman, Tom Lankford, also of the News, testified that Birmingham police "have always been quick and efficient" in emergencies.

Lankford said uniformed police reached the besieged Trailways terminal within five or six minutes after the violence erupted, and immediately put out arrest orders for men whose descriptions newsmen gave them.

**ABOUT TO WIND UP**

The hearing was recessed shortly after 6:30 p.m. to 9 a.m. Wednesday, with indications that the government was about to wind up its case.

Still on the stand was Charles Price, Southern Bell Telephone district manager in Birmingham. Doar had asked Price to identify from phone company records a call from Kenneth Adams in Anniston to Robert Shelton in Birmingham. Judge Johnson sustained a defense objection to identifying the call from the records as from Adams to Shelton.

Another utility official told of taking a bus trip with freedom riders to reassure a bus driver.

R. F. Robinson, regional manager of Greyhound Lines in Atlanta, said a bus driver had first asked a police escort, then agreed, "If I would ride with them, he would drive."

**SEAT IN BACK**

He took a seat in the back of the bus, he said, after telling the driver not to disclose his identity. In Anniston, he said, he saw windows smashed in, and white men sitting in front of the bus so it could not move.

After pulling out of the station after police arrived, Robinson said a pickup truck and car pulled in front of the bus, then prevented it from passing them. After the bus had stopped with a flat tire, Robinson said, he went to make a phone call and returned to find smoke pouring from the vehicle. He termed the action of state investigator Ell Cowling in facing the mob "Heroic."

He called Cowling "one of the bravest men I ever contacted in my life."

Dfense Attorney Whitesell, representing Police Chief G. J. Ruppenthal and Police Commissioner L. B. Sullivan, pounced on Robinson's statement that there were no uniformed police at the Atlanta terminal when the bus left.

**STAMMERS DENIAL**

He also drew from Robinson the statement that plainsclothesmen on the scene had been sent at the request of the terminal manager.

Earlier, an ex-Klansman stammered a denial that he took any part in violence that greeted "Freedom Riders" there.

A 20-year-old bakery doughnut maker, Jesse Oliver Faggard of the Alton community near Birmingham, testified that he went to the Trailways bus station there May 14 at the urging of a Klan member identified only as "Red."

Faggard told the court he and his father, also an ex-KKK member, were at the bus terminal when a white mob attacked an arriving group of freedom riders. But he said they were not involved in the violence.

The young bakery worker, who faces a charge of disorderly conduct as a result of the rioting, said he first went to the Greyhound station in Birmingham, where another Freedom-Ride bus was due. .

**HAD 'ACCIDENT'**

But he said "Red" told him the Greyhound bus had "a little accident" at Anniston, Ala. — a white mob burned it — and advised him and his father to rush to the Trailways depot.

A detective, Melvin Bailey, had said in Birmingham that young Faggard told officers he went to the Greyhound station in response to a telephone call from a Klansman.

Asked about that in court Tuesday, the youth did not deny making the statement, but said he could not recall just what he had told police.

"I was scared, mister," he explained, "and I don't know what I said."

Another witness, News Director Jim Atkins of Television Station WBRC in Birmingham, told the court he saw Klan leader Shelton at the Greyhound station but not at Trailways.

FREEDOM RIDERS
INJUNCTION HEARING- U.S. DISTRICT JUDGE FRANK M. JOHNSON

# Hearing Set On Injunction For 'Riders'

By THE ASSOCIATED PRESS

A hearing on whether an injunction will be issued against "Freedom Riders" in Alabama is set for Monday before U.S. Dist. Judge Frank M. Johnson.

The hearing was originally scheduled for June 12 when Johnson let a temporary restraining order against "Freedom Rides" in Alabama expire, and postponed the hearing until July 17.

Montgomery Police Department attorney, Calvin Whitesell, first asked the judge to put the "Freedom Rider" groups under injunction in the same suit which had been directed only against police and the Ku Klux Klan.

**JUNE ORDER**

Johnson issued the order June 2 to prohibit the Congress of Racial Equality (CORE) and other "Freedom Rider" groups from financing, sponsoring, assisting or encouraging segregation-testing bus rides in Alabama until further notice.

But under federal court procedure, a temporary restraining order can remain in effect only for 10 days and can be extended for 10 days. However, the judge let the restraining order die on June 12 with a warning that he might reinstate the decree at a later date "if it becomes necessary."

Both the restraining order against CORE and the other "Freedom Rider" groups, and an injunction against Montgomery police, the Ku Klux Klan and four individuals grew out of race riots here and at Birmingham and Anniston.

# Judge Delays New 'Rider' Ban Action

MONTGOMERY, July 17 (AP) — A Federal judge withheld action today on a new request for an injunction to prohibit organized "freedom rides" in Alabama.

U.S. Dist. Judge Frank M. Johnson Jr. directed opposing attorneys to present written briefs before he makes a ruling.

The announcement came at the close of a hearing in which City Atty. Calvin Whitesell, contended that freedom rides create breaches of the peace and unduly burden law enforcement agencies and interstate commerce.

Whitesell had asked for an injunction during another hearing last month which resulted in a court order directing Montgomery police to protect freedom riders from further mob action.

Johnson also issued a restraining order against sponsored freedom rides, but let it expire 10 days later.

The no-bus-violence decree against police, and the temporary order against further freedom rides came in the wake of a weekend of racial violence May 20 and 21, touched off by the arrival of segregation-challeging freedom riders.

**Prosecutes**

When Whitesell appeared in court last month, he came as a defense attorney representing the Police Dept. But after the judge granted the temporary rstraining order against freedom ride sponsors, and the Justice Dept. opposed that action, the city attorney found himself in the role of a prosecutor against organized segregation-testing bus rides.

Justice Dept. Atty. John Doar argued today that there is no justification for an injunction against sponsored rides.

Johnson asked one of the attorneys opposing the requested new injunction, "Why do you continue to agitate, within the law, while you have a case pending in this court?"

The question was addressed to a Yale law professor, Louis A. Pollack, who joined others in representing the Congress of Racial Equality (CORE) and other freedom ride sponsors.

Pollack replied that, in his opinion, opponents of segregation should not give up their fight "merely because a case is pending."

Johnson referred to a suit filed last month seeking a court order against any bus station segregation in the state. This case is awaiting a hearing.

**Sees No Violation**

The first witness at today's hearing, Col. Herman A. Price Jr. of the Alabama National Guard, testified that he saw no law violation by any freedom rider during May 21-29 when martial rule was in force in Montgomery. The statement came under cross examination by Fred Gray, a Negro defense attorney.

Randall McRae, a vice president of Capitol Trailways Bus Line, testified under Whitesell's questioning that gross revenue at the Montgomery terminal in May was about $2000 below that for May, 1960.

Alabama's public safety director, Floyd Mann, told of Highway Patrol preparation to protect freedom riders and said Montgomery police "knew as much as we did about the first such group coming to Montgomery May 20.

**Escort Buses**

Asst. Police Chief Marvin Stanley said police since May 20 have escorted every bus believed to be carrying freedom riders. Further, Stanley said, a supervisor and two officers now meet every bus, train and commercial plane arriving at Montgomery. Police, he said, are "absolutely not" ordered to enforce segregation.

Whitesell is asking for an injunction against Core, the Southern Christian Leadership Conference, the Rev. Martin Luther King Jr., and the Rev. Wyatt Tee Walker of Atlanta, the Rev. Ralph D. Abernathy and the Rev. Solomon S. Seay Sr. of Montgomery and the Rev. F. L. Shuttlesworth of Birmingham.

The case against two other defendants was dropped when defense attorneys said they did not represent them and, as far as they knew, the organizations did not exist. They were listed as the Nashville Student Non-Violence Movement and the Montgomery County Jail Council.

# Alabama Rides Resume As U.S. Court Voids Ban

The Atlanta Constitution
P. 1
Miss. 6-13-61
Atlanta
6-13-61

MONTGOMERY, Ala. (UPI)—A federal restraining order against "freedom rides" in Alabama was lifted Monday and Negro leaders immediately made plans to resume the antisegregation rides which sparked racial violence in this Deep South state.

The temporary order was issued 10 days ago to allow a "cooling off' period and funneled all "freedom ride" activity into Jackson, Miss., where officials planned to relieve crowded jails by working the riders in cotton fields.

Shortly after the "off limits" restriction died on a technicality in Federal District Court here, an official of the "freedom ride" coordinating committee said in Atlanta the protest rides would resume "as soon as possible" in Alabama.

The Rev. Wyatt T. Walker, executive secretary of the Southern Christian Leadership Conference, said he would meet here Tuesday with the Rev. Ralph D. Abernathy to work out plans "to restart freedom rides." Abernathy is president of the Montgomery Improvement Associatian (MIA), an integrationist organization.

There were these other developments:

1. The NAACP said that biracial investigating teams would begin touring Florida's major transportation terminals Wednesday "to observe whether or not the spirit of the recent integration rulings is being followed in interstate travel terminals."

The Atlanta Constitution
Atlanta
Miss. 6-13-61

2. The Congress of Racial Equality announced in Washington that two groups of "freedom riders" will leave Washington Tuesday for trips through North and South Carolina and Florida.

110 ARRESTED

At Jackson, Miss., where 110 white and Negro "freedom riders" have been arrested for challenging bus, train and air terminal segregation, county officers cleared the way to send the "riders" to the state prison at Parchman.

The Atlanta Constitution

Twelve "riders" were convicted Monday and received $200 fines and jail sentences of four months.

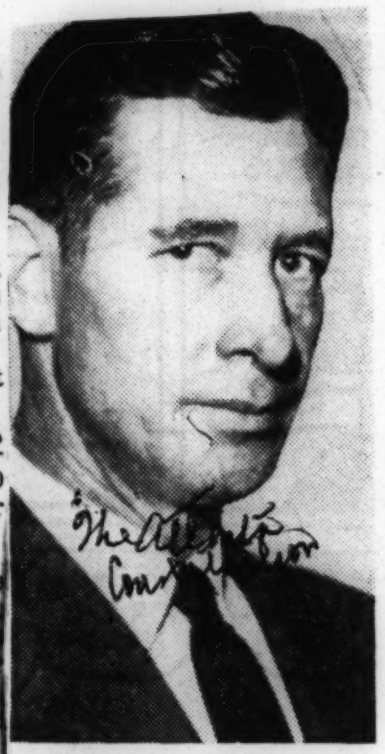
At Montgomery, U.S. middle district Judge Frank Johnson Jr. who placed Alabama off limits to the riders 10 days ago after racial violence in Montgomery Birmingham and Anniston, lifted his ban.

EXPIRED MONDAY

The original restraining order was issued for only 10 days and was due to expire Monday. It could have been extended for 10 more days, but then would have permanently died under federal rules and procedures.

Johnson permitted the order to expire immediately when he found that a techincal mistake had been made by a U.S. district attorney's office, which admitted it had failed to serve CORE and other integrationist groups with one of the documents in the case.

Johnson set July 17 for a further hearing into the case.




CITES MISTAKE
*Judge Frank Johnson*

# 2 Rival Klan Leaders Named In Bus-Violence Injunction Suit

The Washington Post, Washington, D.C.

MONTGOMERY, Ala., May 23 (AP)—Two bitterly rival Ku Klux Klan leaders—Robert M. Shelton and the Rev. Alvin C. Horn—are among the defendants in a Federal court injunction against bus violence.

United States District Judge Frank M. Johnson Jr. signed the order last night in an effort to halt rioting touched off by the arrival of "Freedom Riders" in three Alabama cities.

The injunction was issued against Shelton, Horn, two other men identified as Klan members, and against three KKK groups in Alabama. It prohibits them from interfering with interstate bus travel in Alabama.

Shelton, 31, a former rubber factory employe, was Grand Dragon of the U. S. Klans, Knights of the Ku Klux Klan Inc., before he was ousted last year. He was replaced by Horn, a Talladega minister once indicted for murder.

**Forms New Group**

After he was bounced out by the late Imperial Wizard E. L. Edwards of Atlanta, Shelton announced the organization of a New KKK group—the Alabama Knights, Knights of the Ku Klux Klan, Inc.—and claimed most of the members of the other faction as his followers.

The 49-year-old Horn was Grand Dragon of the Klan for many years, but had resigned in 1957 because of publicity over his marriage to 15-year-old Barbara Richardson at Trenton, Ga., in May of that year.

He was indicted for falsely swearing that the girl was 20, but the charge was dropped on the request of the child-bride's father.

**Murder Indictment Dismissed**

Horn had been indicted seven years earlier for murder in the nighttime slaying of Charlie Hurst at Pell City, Ala. Hurst was shot down by a group of men after telling his son he thought "the Klan is after me."

The murder indictment against Horn later was dismissed.

An employe of a rubber company at Tuscaloosa for many years, Shelton supported Gov. John Patterson in his successful race for office in 1958. Later, the Klansman became a tire salesman doing business with the state.

He lost his job last year and protested he was fired for his

# 'Riders' Undeterred By Alabama Race Riot

The Washington Post, Washington, D.C.

MONTGOMERY, Ala., May 23 (AP)—Undeterred by race riots which upset their timetable, battered "Freedom Riders" promised today to continue their challenge of bus station segregation in the South.

Others will come, too, their spokesmen told a news conference, and a State court injunction which seeks to stop the "Freedom" journeys through Alabama will be appealed to Federal court.

City police today announced the first arrest of anyone accused of taking part in the mob violence which greeted the racially mixed group of bus riders at the Greyhound bus station in downtown Montgomery last Saturday.

Claude Henley, 37, a former Montgomery reserve policeman, was taken into custody, then released on bond, on warrants charging assault and battery for an attack on two NBC television newsmen, photographer Maurice Leavey and sound man H. W. Riser.

The two newsmen were beaten and Leavey's camera smashed during the rioting which left about 20 others pummeled with fists and clubs.

Assistant Police Chief J. R. Eiland said Henley resigned a few days ago.

*Pictures on Pages A 4, A 6.*
*Sen. Byrd deplores Alabama violence. Page A 4.*

Plans for continuing the freedom bus ride were announced at a news conference by the Rev. Martin Luther King Jr. acting as spokesman for the group.

He declined to say when the riders would resume their journey through Mississippi to New Orleans, except that it would be soon.

White as well as Negro students will make the trip, he said. The group was integrtaed when it arrived here, but the only white man aboard, James Zwerg of Appleton, Wis., was hospitalized after a severe beating, and two white girls returned home to Nashville, Tenn.

Meantime, the riders still here turned their attention to a "non-violence worshop" set up, Mr. King said, to "cleanse themselves for the goal ahead."

Picked to lead the workshop was the Rev. James Lawson, former student at Vanderbilt University who was dismissed a year ago for his part in sit-in demonstrations in Nashville.

Another Negro leader, the Rev. Ralph D. Abernathy of Montgomery, told reporters the bus riders hope to stop in Mississippi despite Gov. Ross Barnett's plans to escort them through the State.

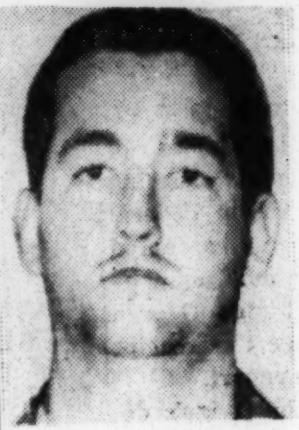
Mr. Abernathy denounced the Mississippi Governor's plan as a "form of kidnaping."

From National Directors when they resume their terday will join the other riders members who came here yesthe Negroes here, came the gress of Racial Equality (CORE), which is worikng with James Farmer of the Condisclosure that four CORE journey.

Mr. King said a Federal judge will be asked to set aside the injunction issued last Friday by Circuit Judge Walter B. Jones in Montgomery. Jones ordered integrationists to cease all so-called "freedom rides" through Alabama.

Although State authorities have warrants charging the group with violating the injunction by coming here from Birmingham, no arrests have been made. The Negroes have been staying at private homes since their arrival.

If the arrests are made, Mr. King said, the Negroes will remain in jail without bond and other students will be sent in to take their place in the segregation test.



Jerry Eason

Frank Johnson

Associated Press

Daleford Roberts

Robert Crouch

*. . . accused of setting fire to bus in Alabama*

3Pa 1961

ALABAMA

CORE FREEDOM RIDERS. MONTGOMERY, ALA.
MAY 25, 1961
1. Rev.Solomon Seay-Shot in wrist
2. Rev.Ralph T.Abernathy and six Freedom Riders FILE SUIT

# Negro Shot; Marshals Go; King Objects

The Atlanta Constitution P.1
Dai. 5-26-61 Atlanta, Ga.

By JEROME BRAZDA

MONTGOMERY, Ala. (UPI)—A Negro integration leader was shot by white youths in a passing car Thursday shortly after the government announced the withdrawal of 500 marshals from this racially tense Alabama capital.

The Rev. Martin Luther King Jr., head of Negro integrationist efforts in the South, who had returned to Atlanta, immediately protested to President John F. Kennedy that "a perpetual reign of terror still exists in Montgomery." King asked that the marshals not leave "at this crucial moment."

**WIRES KENNEDY**

King telegraphed the President of the wounding of the Rev. Solomon Seay and the arrest of a new group of "Freedom Riders" at the bus station here.

Seay said he had just stepped outside his front door when he saw a youth, apparently white, stick a rifle out of the window of an old model car speeding down the highway. "I just happened to have my hand up in front of my face and the bullet struck my wrist," said Seay, executive secretary of the Montgomery Improvement Association, a leading group in the integration fight.

U.S. Atty. Gen. Robert F. Kennedy said in Washington he was reducing the marshal force here to 100 because state and local officials seem to have the "Freedom Rider" situation under control. Kennedy said also that his chief deputy, Byron White, who headed the marshals ordered here in the wake of racial violence, was returning to Washington.

**RIDERS FILE SUIT**

The Rev. Ralph T. Abernathy and six "Freedom Riders" filed a suit here Thursday afternoon challenging the constitutionality of Alabama's segregation laws. The Justice department announced in Washington it would take part in the suit as a "friend of the court."

Edwin Guthman, Justice department press officer, said the suit seeks to enjoin Montgomery police from enforcing segregation in interstate bus terminals, and to block arrests of "Freedom Riders" under an Alabama state court injunction.

The Atlanta Constitution
Dai. 5-26-61

The Justice department will study the legal issues involved and then take a position—certain to be one of backing the "Freedom Riders" in their assault on segregation laws.

**TROOPS PULL OUT**

Meantime, the National Guard troops which have been guarding both Montgomery bus terminals, Union Railroad Station and the airport were quietly withdrawn. They were being kept in readiness, however, should they be needed and the state limited martial law remained. Bus, train and airplane arrivals were watched by sheriff's deputies, police, state troopers and FBI agents.

Two inter-racial groups jailed in Jackson Wednesday after completing bus rides from Montgomery had used the white facilities at the bus station here without challenge. But they were arrested within minutes after they arrived in Jackson and tried to use white facilities in that bus station.

The new arrests brought to 37 the total number of "Freedom Riders" behind bars in the two cities.

**RIOTING ERUPTED**

Rioting erupted when the first group of "Freedom Riders" arrived in this "Cradle of the Confederacy" last week. Ten tense, and at times bloody, days ensued before the students were hustled out of the state Wednesday in what amounted to an armed caravan for a seven-hour trip to Jackson and jail.

Before leaving, they had coffee without incident in the white facilities of the Montgomery Terminal. White waitresses refused to wait on them, however, and Negro waitresses from the Negro lunch counter were brought in.

The seven arrested Thursday when they sought similar service included four white College professors—two of them from Yale—and three Negro college students.

**WARNED BY GOVERNOR**

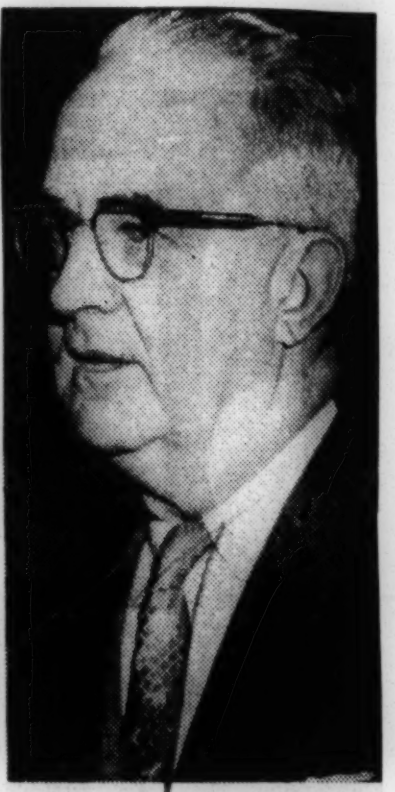
They indicated in advance they would seek service at the lunch counter and were in turn warned in advance by Gov. John Patterson that they would be arrested if they made such an attempt.

State Adj. Gen. Henry V. Graham offered Thursday's group the same armed convoy provided for Wednesday's group. The convoy would have included 50 National Guardsmen and 32 highway patrolmen with instructions to escort the group to the Mississippi border.

The arrests were carried out by Sheriff Mac Sim Butler.

"Now everyone is happy," commented Graham. "This is what they wanted and we have accommodated them. They've been arrested quietly like they wanted to be and now I'm happy too."

A crowd of about 150 bystanders, most of them white, cheered and applauded as the mixed



Associated Press Wirephoto
NAMED IN INJUNCTION
*Eugene Connor*

group was hauled off to jail. Like those previously arrested, they will be segregated at the jail house, in the custom of the South.

The group arrested at Montgomery Thursday was different from earlier groups of "Freedom Riders" in that they had no direct connection with groups planning the rides.

**PROFESSOR ARRESTED**

One of those arrested, Professor John Maguire of Wesleyan University at Middleton, Conn., said he decided to join the "Freedom Ride" movement when he saw his boyhood home in Montgomery pictured in newsreels taken during recent riots.

Although Mississippi is considered the strongest bastion of Southern segregation, the "Freedom Riders" got a comparatively polite welcome. There were a few isolated insults shouted from the crowds that gathered along the route, but mostly the group was treated with courtesy.

They came to Mississippi, however, under extremely unusual circumstances. Carloads of armed National Guardsmen and highway patrolmen escorted the double-deck buses that brought in the two groups. Planes hovered overhead, scanning the surrounding pine woods for snipers. The first group was held up at the border while National Guardsmen checked out a report the caravan would be bombed.

King, top integration leader in the South, returned to Atlanta Thursday before the arrests here. He had announced Wednesday that there would be "Freedom Riders" on every bus leaving Montgomery for Jackson in the next few weeks. This plan was apparently not pushed immediately in view of the appeal issued by the attorney general for both sides to let the situation "cool off."

A reporter asked Gov. Barnett if Mississippi could financially afford to continue police protection for "Freedom Riders" if the trips continue in great number.

"It's very expensive indeed," Barnett said. "I can't predict what the future will hold. We'll cross that bridge when we come to it."

**OFFERED ESCORT**

Alabama's offer to give Thursday's group an escort indicated that "Freedom Riders" would be protected within the state, at least in the near future.

In addition to Maguire, the seven "Freedom Riders" arrested at Montgomery Thursday were the Revs. Gaylord Noyce and William Coffin, both Yale University religion professors, and George B. Smith, a Negro and a student at the Yale University Law School.

Also David Swift, like Maguire a religion professor at Wesleyan University at Middleton, and Clyde Barter and Charles Jones who are Negro theological students at Johnson C. Smith University at Charlotte, N.C.

The leaders arrested were the Revs. Ralph Abernathy, Fred M. Shuttlesworth and Wyatt Tee Walker, and Bernard S. Lee, Atlanta student leader in the segregation movement. All were charged with breach of the peace.

# Lines Drawn for Racial Test

Abernathy could not be reached for comment.

A State Court injunction which sought to keep the racially mixed Riders from continuing their segregation-challenging bus trip was still in force despite Johnson's order.

Sheriff's deputies had orders to arrest the Freedom Riders on charges of violating the State injunction, but they were unable to locate them.

There have been no further reports of violence since the rioting was quelled with tear gas.

Top Negro leaders called a meeting in Montgomery to "mobilize a fullscale exercise of the rights of peaceful citizens, white and Negro, in the South."

The Alabama Knights of the Ku Klux Klan and other segregation groups held an all-night meeting last night in a hotel at Rome, Ga., and offered its "wholehearted support to the Governor and citizens of Alabama." But the Klansmen did not say what action they planned.

In Washington Attorney General Kennedy reported personally by telephone to President Kennedy.

What, if anything, they decided was not immediately disclosed. But informed sources said the Administration was not considering sending troops into Alabama at this time.

The Attorney General spent most of Sunday in his office at the Justice Department.

The "Freedom Riders," all students from Nashville, Tenn., had set out to challenge segregation laws in buses and waiting rooms. They were met at the bus terminal here yesterday by club-swinging whites directed by a man puffing on a big cigar.

Negro leaders, speaking through the Southern Christian Leadership Conference in Atlanta, said student and adult groups from all over the Nation had asked if they could help Montgomery Negroes. Mr. Abernathy and Wyatt Tee Walker of Atlanta said, "groups from all parts of the nation will travel by bus through the South to determine whether constitutional rights to safety from violence while exercising the privileges of American citizens is, in fact, a reality."

The Rev. Martin Luther King Jr., symbol of Negro efforts to shatter all Southern segregation customs, cancelled a speech in Dartmouth College in New Hampshire and flew to Montgomery.

Today's trouble actually began a week ago.

The Congress on Racial Equality began a much publicized Freedom Rid from Washington through the South with the goal of deliberately defying all bus and waiting-room segregation customs. The group made it with minor difficulty through North and South Carolina and Georgia, but ran into violence at Anniston and Birmingham, Ala., last weekend.

A bus was burned. The riders were attacked at Birmingham. The CORE group gave up its ride and flew from Birmingham to New Orleans.

College students from Nashville, who boast what Negro leaders call the "best organized and most disciplined of all the movements over our Southland today," took up the Freedom Ride idea.

Volunteers were picked from 80 trained "non violent" demonstrators.

They rode buses to Birmingham and spent Friday night in the bus terminal because drivers refused to take them aboard a bus for Montgomery.

They finally got on a bus for the Alabama capital yesterday. A small but determined crowd of white men and women were waiting for them at the terminal here.

The "man with the cigar" directed attackers at Jim Zwerg, 21, a white ministerial student, and Zwerg was beaten unconscious. Two white girls with the Freedom Riders, Susan Wilber, 18, and Susan Hermann, 20, sprinted to police headquarters and later caught a train back to Nashville.

Negro rider William F. Barbee was clubbed unconscious. He and Zwerg said later—from segregated hospital rooms—they would continue their campaign.

"From here we go to Jackson, Miss.," Zwerg said. "Then on to New Orleans. They may try to stop us—attack and maybe bomb us. But we're ready for anything."

Associated Press

ROBERT M. SHELTON

. . . Klan leader enjoined

## Rival Injunctions Issued by Federal And State Courts

From News Dispatch

The Justice Department rushed 400 Federal marshals to Montgomery after a brief but vicious attack on 21 white and Negro "Freedom Riders" at the city bus terminal yesterday. The marshals carried pistols and wore yellow arm bands.

Gov. John Patterson angrily insisted that local officers had the situation under control and threatened arrest of any Federal marshals who attempt to enforce the law without a request for Federal intervention.

Patterson wired both President Kennedy and the Attorney General to get the marshals out of Alabama. Patterson also charged that the Justice Department encouraged the Freedom Riders to violate Alabama segregation laws, and "Federal marshals are not welcome in this state."

An injunction from U. S. district Judge Frank M. Johnson Jr. prohibiting any attempt by force to stop "Freedom Riders" from continuing their test of bus station segregation, was issued less than 24 hours after yesterday's bloody race riot.

Johnson put the blame for recent violence here and in two other Alabama cities o Ku Klux Klan members and his order was directed at them "and all persons acting in concert with them."

*Two rival Klan leaders named defendants in Federal suit for injunction in Alabama race riots.*

*Page A6.*

### Marshals Stand Guard

The U. S. marshals and deputies, rushed here last night by Attorney General Robert Kennedy, stood guard today near the bus station and near the home of a Negro integration leader, the Rev. Ralph D. Abernathy.

Three cars of officers were seen parked near Abernathy's residence, but there was no explanation for their presence.

## Lines Set For Test in Bus Dispute

## Rival Kluxers Defendants in U.S. Court Injunction

Shelton and Horn, Long Bitter Opponents

MONTGOMERY, Ala. (AP) — Two bitterly rival Ku Klux Klan leaders — Robert M. Shelton and the Rev. Alvin C. Horn — are among the defendants in a federal court injunction against bus violence.

U.S. Dist. Judge Frank M. Johnson Jr. signed the order Saturday night in an effort to halt rioting touched off by the arrival of "freedom riders" in three Alabama cities.

The injunction was issued against Shelton, Horn, two other men identified as Klan members, and against three KKK groups in Alabama. It prohibits them from interfering with interstate bus travel in Alabama.

### MURDER CHARGE

Shelton, 31, a former rubber factory employe, was grand dragon of the U.S. Klans, Knights of the Ku Klux Klan, Inc., before he was ousted last year. He was replaced by Horn, a Talladega minister once indicted for murder.

After he was bounced out by the late imperial wizard, E.L. Edwards of Atlanta, Shelton announced the organization of a new KKK group — the Alabama Knights, Knights of the Ku Klux Klan, Inc. — and claimed most of the members of the other faction as his followers.

Horn, 49, was grand dragon of the Klan for many years, but had resigned in 1957 because of publicity over his marriage to 15-year-old Barbara Richardson at Trenton, Ga., in May of that year.

He was indicted for falsely swearing that the girl was 20, but the charge was dropped on the request of the child-bride's father.

### ACTION DISMISSED

Horn had been indicted seven years earlier for murder in the night-time slaying of Charlie Hurst at Pell City, Ala. Hurst was shot down by a group of men after telling his son he thought "the Klan is after me."

The murder indictment against Horn later was dismissed.

An employe of a rubber company at Tuscaloosa for a number of years, Shelton supported Gov. John Patterson in his successful race for office in 1958. Later, the Klansman became a tire salesman doing business with the state.

He lost his job last year and protested he was fired for his Klan activity. His company listed it instead as a reduction in personnel.

### AGAINST HEALTH AID

Besides the usual KKK activities of fighting racial integration, Shelton also has been actively opposed to increased state appropriations for mental health and against fluoridation of drinking water, contending they have subversive aims.

He once gave this explanation for his stand against increasing mental health funds: "They can perform an operation on you and give you the mentality of a 3-year-old child. They do this by going in behind the eye and deadening the brain tissues. And when they get you in this condition, they can teach you to be an integrationist or anything else. They have already performed this operation on 500,000 people in Russia."

38a 1961

ALABALA

DESEGREGATED
MOBILE AND MONTGOMERY RAILROAD
TERMINAL RESTAURANTS

# Ala. terminal firm orders desegregation

MOBILE, Ala. — Desegregation of the Mobile and Montgomery railroad terminal restaurants was ordered by the Union News Company as a result of complaints filed by J. L. LeFlore, director of case work for the Mobile Citizens' Committee and veteran civil rights official.

He disclosed that W. J. Bligh, secretary and counselor of the Union News Company, with headquarters in New York city, advised in a letter last week that "definite instructions have been issued to our managers at Mobile and Montgomery that all passengers are to be served in our restaurants."

This brings to six and seven the number of bus and railroad terminal restaurants desegregated by LeFlore and Ernest L. Koen, two "Freedom Commandos," since their first travel survey trip of Feb. 21 on these missions. They have made 10 such trips to date.

* *

**LEFLORE SAID** that complaints were first filed with the Department of Justice and the Interstate Commerce Commission, then the Union News Co. The Mobile complaint was filed on behalf of Mrs. Dorothy Williams, Miss Zora McArthur and Mrs. Juanita Coleman, who were refused service in the so - called "white" restaurant of the Louisville and Nashville Railroad terminal on March 28 while traveling in interstate commerce.

The Montgomery protest was made as the result of LeFlore and Koen being denied service in the Union Station restaurant there in April.

The Montgomery Union Station restaurant was visited by "Freedom Riders" several weeks ago but was closed by the management at the time.

LEFLORE added that a fourstate travel, waiting room and restaurant desegregation survey was made by Koen and himself during the past five months.

The trips included cities in Florida, Louisiana, Mississippi and Alabama, and resulted in Greyhound bus terminal restaurant segregation crumbling in New Orleans, Mobile, Pensacola and Montgomery, and in railroad terminals restaurants at New Orleans, now since Feb. 21.

The desegregation trips have been sponsored by the Non - Partisan Voters League and the Citizens' Committee of Mobile.

## J's First Defensive Speech

IN J's opening campaign speech at Talladega, it seemed to us that for the first time in his 20 years of campaigning he spoke defensively and negatively.

One line in his speech perhaps revealed J's major anxiety. He said: "I'd a put them sorry white folks [freedom riders] in a cell with the blackest Negroes in Atmore Prison."

That came from the former governor who once sent License Plate No. 1 to Dannelly Field to fetch Parson Powell of Harlem to the Executive Mansion for whisky and fellowship.

There is no question that this act would have murdered any 20 other politicians. But J has been a politician all apart from our mortal politicians and he has enjoyed immunity from chastisement by the people. The racial tragedy is the most inflamed emotion of the people of Alabama. Can he spit out the Harlem highball?

Evidently that is something J himself doesn't know. It is even possible that he is not cornballing it in his acknowledged sampling of public sentiment on his candidacy and that his course will be ruled by his findings.

38a 1963

# Alabama Begins Trial Of 'Riders'

## Sheriff Says Military Told Him To Arrest 11 At Bus Station

By United Press International

MONTGOMERY, Ala., Sept. 15.—Montgomery County Sheriff Mac Sim Butler testified Friday he arrested 11 so-called "Freedom Riders" at a bus station here on a prearranged signal from the state adjutant general's legal advisor, Col. Ralph Porch, when the city was under limited martial law.

"When circumstances got to a certain point," Sheriff Butler said, "Colonel Porch gave me a nod and I touched each one on the shoulder and told them they were under arrest for breach of peace."

Sheriff Butler told the Court of Common Pleas, "in my opinion, if an arrest hadn't been made, we would have had a serious riot at or near the bus station."

**Motion To Quash Denied**

The sheriff was the first witness called by the prosecution in the case of a bi-racial group arrested here May 25 when they tried to integrate a bus terminal lunch counter. The 11 were charged with breach of the peace and conspiracy to breach the peace. Their arrest came a few days after violence erupted when another group of so-called "Freedom Riders" arrived in this capital city and were beaten by a mob.

Earlier Judge Alex Marks denied a motion to quash and motions of demurrer filed by defense attorney Fred Gray. Mr. Gray argued allegations in the warrant issued for the arrest of the "riders" tended to elaborate on one offender rather than the group and charged the terminology was too vague. He said the warrant failed to list the names of the defendants as well as the persons whose peace was disturbed.

Atty. Louis Pollak, professor of law at Yale, argued the Federal aspects of the warrant for the defense. He said the "language" of the warrant and the "Determination" of Federal Judge Frank M. Johnson Jr. indicated the warrant was issued to compel segregation. He said prosecution of the case interferes with the Federally protected rights of the defendants to travel freely in Alabama.

In denying the demurrers, Judge Marks, who helped write the arrest warrants, said the fact that all 11 were present at the time of arrest and were arrested was sufficient for identification.

Under examination by Curcuit Solicitor William Thetford and attorney Frank Riggs, Sheriff Butler told the court, at the time of the arrest he was under the military command of state Adj. Gen. Henry V. Graham and was told to take any arrest orders from Colonel Porch.

Earlier this week the group lost its bid to delay the trial when the Fifth Circuit Court of Appeals refused to issue an injunction against state prosecution on criminal charges.

**Defendants Are Listed**

Judge Johnson, the Federal judge who ordered bus integration here five years ago, held Federal procedures did not empower him to enjoin Mr. Thetford from prosecution of the plaintiffs. The ruling came during a case aimed at knocking down racial barriers in bus terminal facilities in the state. The suit attacked the state's breach of peace laws as a method of enforcing segregation on interstate travelers.

The 11 defendants included assistant professor of Yale Divinity School, the Rev. Gaylord Noyce, 34; John Maguire and David Smith, religion professors at Wesleyan College; Yale University chaplin, the Rev. William Coffin; George Smith, New Haven, Conn; Bernard Lee and the Rev. Ralph D. Abernathy, Montgomery; Joseph Charles Jones and Clyde Carter, Charlotte, N. C.; the Rev. Wyatt Tee Walker of Atlanta and the Rev. Fred Shuttlesworth of Birmingham.

38a 1961

ALABAMA

SEPTEMBER
BIRMINGHAM- FREEDOM RIDERS
REV. F.L. SHUTTLESWORTH

# Negro pastor faces trial in 'sit-ins'

The Rev. F. L. Shuttlesworth, who appealed Recorder's Court convictions on three counts involving "freedom rider" sit-ins at the Greyhound Bus Station last May, will go on trial in Circuit Court here tomorrow.

**Recorder's Court Judge William Conway last June sentenced Shuttlesworth to 30 days in jail on a breach of the peace charge and fined him $100 in costs plus 180 days in jail on separate charges of interfering with an officer and refusing to obey the lawful command of an officer.**

The appeal hearings were scheduled before Circuit Judge George Lewis Bailes today but were postponed until Wednesday for jury trial.

The charges against Shuttlesworth grew out of the May 17 "freedom rider" sit-ins during which a group of integrated students were taken into protective custody by Birmingham police.

# Shuttlesworth Loses Appeal

MONTGOMERY, Ala. — (UPI) — The State Supreme Court Friday refused to overrule the disorderly conduct convictions of the integrationist leader, Rev. Fred Shuttlesworth, and [illegible] other Negroes for sit-in attempts in Birmingham. The court offered no expl[illegible]n for its action.

# 'Rider' Cases Grow

BIRMINGHAM (UPI) — Court cases growing out of the violence attending the arrival of "Freedom Riders" in Montgomery last May will probably be cropping up for some time.

Eleven "Freedom Riders" appealed their disorderly conduct convictions before circuit court Judge Eugene Carter this week. The group, including four white New England religion professors, had been convicted and sentenced in common pleas court.

Carter upheld the lower court's verdict that the defendants were guilty and ordered them to serve 30 days in jail each and pay $100 fines.

The ruling was immediately appealed by attorneys for the 11 men, and will next be heard by the state court of appeals.

One of the defendants, Dr. William S. Coffin, Yale University chaplain, said he was "disappointed but not surprised" by the decision.

Dr. John Maguire, assistant professor of religion at Wesleyan College, called Carter's verdict "fundamentally phony."

Col. Ralph Poarch of the Alabama National Guard testified he ordered the arrest of the four white men and seven Negroes to avert a "bloody riot" when the group sought to integrate a bus terminal lunch counter while Montgomery was under limited martial law.

**CHAIR PUT TO USE**

The State of Alabama carried out another execution four minutes after the end of Thanksgiving day. The total is now over 140 in the 40 years the electric chair has been in use.

Joe Henry Johnson, 19-year-old Negro, was electrocuted at 12:04 a.m. Friday for the rape-killing of Miss Dicie Boyd, 62, at Athens two years ago.

Johnson had pleaded for executive clemency but was turned down by Gov. John Patterson.

During his trial, the state introduced as evidence a confession in which the Negro youth admitted killing and raping the woman in a barn near her home.

At his clemency hearing, however, Johnson said "I don't remember doing anything like that . . . but if I did, I ask you to spare my life. Give me another chance."

**McPHEARSON TRIAL**

The third murder trial of John Lewis McPhearson, wealthy Silas timberman, began Monday at Butler.

McPhearson is charged with first degree murder in the slaying of his wife. He was sentenced to life imprisonment at his first trial but the state supreme court threw out the verdict. A second trial resulted in a hung jury.

The state contended that McPhearson murdered his wife for love of another woman. McPhearson has claimed her death from a gunshot wound was accidental during a struggle for possession of a rifle.

**"9-8 ATTACKED**

The "nine-eight" congressional redistricting bill has come under legal attack in Mobile.

Maurice A. Downing, a Mobile attorney, has questioned the legality of the measure which is designed to reduce the state's congressional delegation from nine to eight in elections next year due to population losses.

Downing claims the bill is unconstitutional because provisions requiring the use of paper ballots in the congressional runoff conflict with current state laws governing elections.

The bill was aimed at preventing "single shot" voting.

Circuit Judge Joseph M. Hocklander said he would rule Monday on the petition brought by Downing.

# Court upholds convictions of Negroes

MONTGOMERY, Ala., Nov. 16 —(AP)—The Alabama Supreme Court Thursday reaffirmed its earlier decision upholding the conviction of an integration leader and another Birmingham Negro arrested in 1960 sit-ins.

**It refused to consider its previous action in affirming the ruling of the Alabama Court of Appeals, which upheld fines given the Rev. Fred Shuttlesworth and Charles Billups.**

They were arrested along with 10 other Birmingham Negroes in March, 1960. All were convicted of violating cit yordinances in connection with sit-in protests at Birmingham department and variety store lunch counters.

The Supreme Court took the same action on the 10 other cases two weeks ago.

# 'Rider' Group Found Guilty, Bonds Posted

BY ARTHUR OSGOODE

Eleven "Freedom Riders," including four prominent white ministers, Monday were found guilty of breach of the peace and unlawful assembly in Circuit Court.

Judge Eugene Carter sentenced each one to 30 days in jail and fixed their fine at $100 each.

All were released under $750 appeal bonds.

The charges against them stemmed from a May 25 incident at the Trailways bus terminal, when they were arrested as they sought service at the white lunch counter. The racially mixed group included seven Negroes.

The arrests were made as uniformed National Guardsmen stood on guard outside the bus station, the city having been proclaimed under martial law after a series of racial disturbances during the preceding week.

**TALKED WITH KING**

During the daylong trial, Yale University Chaplain William S. Coffin told of talking with the Rev. Martin Luther King and with Asst. U.S. Atty. Gen. Burke Marshall before making the trip to Montgomery. And Maj. Gen. Henry V. Graham, who was in command during the martial law period, maintained he did not order the arrests because he was angry.

Coffin said he decided to make the trip here after reading of previous bus station violence in Montgomery. He said he first talked to another of the defendants, Dr. John D. Maguire, Montgomery native and professor of religion at Wesleyan University.

Coffin said the group "anticipated little trouble in Montgomery" and planned to go from here to Jackson, Miss. He said they concluded this from learning that two other racially mixed groups had been served at the bus terminal lunch counter.

**TOOK SEATS**

Coffin maintained that it would have been almost impossible for anyone outside the bus station to have observed his group as they took their seats at the counter.

Graham said he decided on the arrests because he felt the action of the defendants threatened to touch off mob violence. But he acknowledged that, "I was provoked, I was irritated, I was also angry. . . ." He further acknowledged saying afterwards that he was "happy" over the arrests, and that the defendants "wanted to be arrested."

Another National Guard officer, Col. Ralph Poarch of Anniston, who served as Graham's legal aide at the time of the arrests, agreed with Graham that no arrests would probably have been made if there had been no possibility of a riot.

Poarch said the city was "extremely tense."

Under cross examination, he said he had not ordered the arrests of "three white toughs" who poured coffee on lunch counter seats though he thought they might be guilty of breach of the peace.

Poarch said it seemed wisest at the time to evict them from the station. He said he could not have dealt with the racially mixed group in the same manner.

Newsman Donald Martin, UPI Manager in Montgomery, testified that when he left the station the previous day with a group of "Freedom Riders" bound for Jackson, Miss., it was his impression that it would have been impossible to see inside the station from across the street.

**'CAUSE RIOT'**

County Sheriff Mac Sim Butler testified he made the arrests when ordered to by Porach. He also said the action of the defendants in seeking to drink coffee together might "very well have caused a riot."

Beside Coffin and Maguire, the defendants included two other college faculty members, Dr. Gaylord Noice, Yale Divinity School professor, and Dr. David Swift, Wesleyan religion professor.

Also in the group were three prominent Negro integrationists, the Revs. Ralph Abernathy and Fred Shuttlesworth, and Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference.

**OTHER DEFENDANTS**

The other Negro defendants were George B. Smith, a Yale law student; Clyde Carter and Joseph Jones, students at Johnson Smith College, Charlotte, N.C.; and Bernard Lee, who was among Alabama State College students expelled for taking part in anti segregation demonstrations.

The cases were tried on appeal of previous convictions in Court of Common Pleas last September.

Coffin said Monday on the witness stand that the NAACP is paying most of the cost of counsel for the 11 defendants, who pay for their own transportation.

Representing them were local attorney Fred Gray, Louis Polak, Yale law professor and Jack Greenberg, general counsel for the NAACP Legal and Education Fund, a post formerly filled by Thurgood Marshall.

# Yale Riders' Conviction Upheld by Alabama Court

*By United Press International*

MONTGOMERY, Ala.

An appeals court Monday upheld the conviction of four white university professors and seven Negro integration leaders of disorderly conduct charges growing out of their attempts to eat together in an all-white bus station restaurant.

The decision came in Circuit Court here shortly after one of the group, Dr. William S. Coffin jr., the chaplain of Yale University, told the court they had been escorted into the restaurant by National Guardsmen.

"It was obvious we were under the protection of the National Guard," Dr. Coffin said. "They told us what to do."

Circuit Judge Eugene Carter sentenced the defendants to thirty days hard labor and fined them $100 each. The case was an appeal of a city court decision.

Dr. Coffin's testimony disagreed with that of prosecution witnesses who contended the group was arrested to prevent recurrence of the rioting which accompanied trips of other Freedom Riders to this Deep South capital.

Col. Ralph Poarch, an Anniston attorney, said "the air was electric with hostility" when the four New England professors, including the Yale chaplain, and seven Negroes tried to integrate the lunch counter at the Trailways terminal last May.

"The primary purpose of the National Guard," Col. Poarch said, explaining limited martial law which was imposed on this city during the Freedom Ride movement, "was to preserve peace and prevent riots.

"When the group sat down at the lunch counter the white waitresses immediately left and the tension was increased to such an extent I arrested the group to prevent harm to their lives and those of other passengers, the crowd of more than 300 outside and other passers-by."

The defendants included Dr. Coffin and an assistant professor of religion at Yale, Dr. Gaylord Noyce; Dr. David Swift, professor of religion, and Dr. John MaGuire, assistant professor of religion at Wesleyan College in Middleton, Conn.; and Negroes Bernard Lee, of Montgomery, the Rev. Ralph Abernathy, former president of the Montgomery Improvement Association, and the Rev. Wyatt Tee Walker, executive secretary of the Southern Christian Leadership Conference, both of Atlanta; students Joseph C. Jones and Clyde Carter, of Charlotte, N. C.; George Smith, a law student at Yale; and the Rev. Fred Shuttlesworth, of Birmingham.

NOV.
MONTGOMERY-FREEDOM RIDERS
11 FREEDOM RIDERS INCLUDING 4 PROMINENT WHITE MINISTERS
FOUND GUILTY SENTENCED FINED

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The Montgomery Advertiser

BY ARTHUR OSGOODE

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JUNE 20, 1961 EN ROUTE ATLANTA-JACKSON,MISS.

FREEDOM RIDERS

38a 1961

# FREEDOM RIDERS N ALABAMA AGAIN

First Since Court Ruling—
14 Jailed in Jackson

New York Times

MONTGOMERY, Ala., June 20 (UPI)—The first group of Freedom Riders to invade Alabama since a Federal judge put the state off limits eighteen days ago was met by a sullen crowd today.

The riders, five Negroes and four whites, got off a Greyhound bus from Atlanta in a pouring rain but did not try to enter the terminal. They said they would proceed tomorrow to Jackson, Miss.

It was just one month ago today that violence erupted here when Freedom Riders arrived to challenge local segregation customs. United States Attorney General Robert F. Kennedy called out Federal marshals, and Gov. John Patterson put the city under limited martial rule before the May 20 violence was controlled.

At least sixty uniformed police, firemen and other officers surrounded the bus terminal here before today's riders arrived. Just six minutes before the bus was due, the fire department was called out to search the terminal because of two anonymous telephone calls saying that bombs would explode.

The crowd of 400 to 500 white persons was kept at a distance by officers.

The Freedom Riders got off the bus and were told they could not enter the terminal because of the bomb threats.

"I understand," said the Rev. Wyatt Tee Walker, the leader of the group.

After the Freedom Riders left in private cars for the Negro area of the city, the crowd continued to stand in the rain around the bus station.

Police patrol cars had met the bus about fifteen miles outside Montgomery and followed it to the terminal because of last month's violence.

On June 2, Federal District Judge Frank M. Johnson Jr. issued a ten-day restraining order putting Alabama off limits to groups sponsoring the Freedom Rides into the South. He let the order lapse on June 12 but warned all concerned that he reserved the right to reinstate it.

Mr. Walker said as his group left Atlanta without trouble that the ride into Alabama was segregated interstate travel has been re-established in Alabama."

Earlier today, fourteen riders from California, three Negroes and eleven whites, rode into Jackson on an Illinois Central train and were quietly arrested when they refused to leave the "white only" waiting room at the railroad terminal.

A total of 131 Freedom Riders have now been jailed in Jackson since the start of the Freedom Ride campaign a month ago.

Some have made bond, but forty-one are still being held at the state prison a Parchman, Miss., and thirty were in Jackson city jails before today.

The California's group, mostly college students from the San Francisco area, alighted from the City of New Orleans passenger train in a drizzling rain and marched in a body into the the white waiting room.

Police Capt. J. L. Ray ordered them to move, and they refused.

A white minister, the Retv. Grant Muse, 40 years old, of Berkeley, Calif., said he decided to make the trip because "I have been preaching about sin, and I think this [segregation] is it."

the state penitentiary had not been treated like felons.

"If they were treated like felons," he said, "they would be out in the fields working like the regular convicts."

Charles R. Oldham, national chairman of the Congress of Racial Equality, had charged in St. Louis that the Freedom Riders "are subjected to the same rules as mixmum security felons."

Sheriff Gilfoy also said today that Price Chatham, a Freedom Rider from New York, could fast as long as he wished.

Sheriff Gilfoy said Mr Chatham, 29 years old, "can eat or not eat, just as he wants."

"We put out wholesome food for them, and whether he eats it comes under the heading of his business," the sheriff said.

Mr. Chatham, a former story analyst for Paramount Pictures from East Rockaway, N. Y., is among the riders who have been transferred to the states penitentiary to serve their breach of peace sentences.

His wife reported in New York that he had written her he would fast until he dies in prison and would resist forced feeding.

ALABAMA

# New Riders Heading for Ala. Capital

Washington Post

United Press International

The first group of "Freedom Riders" to invade Alabama since a Federal judge put the state off limits 18 days ago left Atlanta yesterday for the Alabama capital, Montgomery.

At Jackson, Miss., 14 riders from California—three Negroes and 11 whites—rode into town on an Illinois Central Railroad train and were quietly arrested when they refused to leave the "white only" waiting room at the terminal.

The Alabama-bound riders included the Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, and his wife. Walker said the trip by Greyhound bus was designed to prove that "desegregated interstate travel has been reestablished in Alabama."

Federal District Judge Frank M. Johnson Jr., issued a 10-day restraining order June 2 against sponsors of the Freedom ride movement aimed at testing local segregation laws in interstate travel.

Walker's group of five Negroes and four whites left the Atlanta bus terminal without incident although a white girl refused to get on the Montgomery-bound bus when she saw the Freedom Riders boarding it.

Arrest of the California group in Jackson brought to 131 the total number of riders jailed in the Mississippi capital since the start of the Freedom Ride campaign a month ago.

Some have made bond, but 1 presently are being held at the state prison at Parchman, Miss., and 80 were in Jackson City jails before yesterday.

# Freedom Riders Tell Of Terror in Alabama

The Washington Post
P. 1
Mon-6-12-61

By Elsie M. Carper
Staff Reporter

*This is the first in a series of articles based on first hand observations of the many events caused by the Freedom Riders in the South.*

A young Negro woman from New York was traveling south to be married. In Atlanta she boarded a Trailways bus for the final leg of the journey to Birmingham.

Already aboard were a group of Negroes and whites traveling together and sitting together. They were the "Freedom Riders" touring the Deep South to test whether interstate buses and terminals were open to all travelers as Federal laws and regulations said.

If the facilities were found to be operated on a racially segregated basis, the Riders planned to hold peaceful demonstrations, be arrested and serve out terms.

In this way they hoped to focus national attention on the shortcomings of the South in a limited but highly important area of race relations.

The trip of the Riders from Washington through Virginia, North Carolina and Georgia was nearly as uneventful as the young woman's trip from New York to Atlanta. Only in Rockhill, S. C., where feelings still ran high from recent sitins by Negroes at a lunch counter, was there any trouble. Riders reported they were roughed up in a waiting room.

If the Riders, sponsored by the Congress of Racial Equality (CORE) of New York City, had national headlines in mind, so far they were disappointed. But this was before Alabama.

The Riders split into two groups in Atlanta. Ahead of the Trailways bus was a group in a Greyhound bus. That bus never reached Birmingham.

The arrival of the buses in Alabama had been advertised in newspapers and on radio stations. The schedules were well known. When the Greyhound bus stopped in Anniston, a city of about 31,000 shortly afternoon on Sunday it was met by a gang of toughs with clubs, chains and black jacks. The Federal Government said later they were led by Ku Klux Klansmen.

The hoodlums taunted the passengers, broke windows in the bus and slashed tires. Six miles out of town, when the tires blew out, the mob converged on the bus and destroyed it by fire. Twelve persons, Freedom Riders and other passengers in interstate travel, went to the hospital.

The young woman on her way to be married told a Federal Court in Montgomery Ala., what happened on the Trailways bus that same Sunday afternoon.

The driver, she said, stopped the bus and told the passengers that he could not guarantee their safety unless Negroes moved to the rear and whites to the front.

Wash-6-12-61

When James Peck, a white Freedom Rider, refused to move forward, five white men started beating him. Peck did not say a word, did not fight back and kept his seat. Blood streamed down his face.

This was only a taste of what awaited Peck when the bus reached Birmingham later that Sunday. There another gang of hoodlums beat him, hit him with sections of pipe and kicked him. It took more than 50 stiches to close the wounds.

In the few minutes before the club-swinging men descended on he Riders in the bus station the young woman greeted George Webb, whom she was to marry in a few days.

"Get them niggers," she heard somebody shout and George Webb was knocked to the ground. About 15 men were on him, kicking him. She ran out of the bus station screaming for the police. There were none in sight. When she later saw George his clothes were torn and he was bleeding from the temple.

This was Alabama's first day of trial. Two more were to follow that will haunt the state for years.

**To the Slaughter**

Maurice Levy, an NBC cameraman, who arrived in Montgomery, Ala., six days later with a second group of Freedom Riders, likened the journey to a trip to the slaughterhouse behind the lead steer.

State police escorted the bus to the outskirts of town and then dropped away. City police were nowhere in sight, but the thugs and soon a screaming mob of men and women were there. Levy was knocked to the ground and kicked. His sound camera was smashed into junk.

Twenty persons were injured in three waves of violence that swept around the bus station that Saturday afternoon. Next day, the mob stormed a Baptist Church with 1200 Negroes inside and threatened to burn it to the ground.

Last week, the sorry story unfolded in the United States Court for the Middle District of Alabama. Judge Frank M. Johnson Jr., making no effort to hide his disgust and anger, found two Klan organizations responsible for the violence and said Montgomery police officials deliberately withheld protection. He placed the Klan groups and Montgomery police under injunction and gave a stiff warning to Birmingham police.

Then, in what many lawyers believe was an act of doubtful legality, he issued a 10-day order preventing organizations that have sponsored Freedom Rides in Alabama from bringing in any more Riders. He set a June 12 hearing for the organizations to show why they, too, should not be enjoined.

The order, in effect, provides a cooling-off period that Attorney General Robert F. Kennedy requested and Freedom Riders have rejected.

**The Innocent Suffer**

Judge Johnson said that innocent passengers were being subjected to violence, threats and inconveniences.

There is no question that the organizations and the riders are exercising their Constitutional rights. Bi-racial groups have a right to travel together and to protest peacefully against segregation.

Judge Johnson said that their activity, though, had "an evil result."

"The rights of the public to be protected from evils of conduct, even though the Constitutional rights of certain persons or groups are thereby in some manner infringed, has received frequent and consistent recognition by the Courts of the United States," Judge Johnson said.

*Next: Alabama Invited Violence.*

## *6 More 'Riders' Jailed in Jackson*

JACKSON, Miss., June 11 (AP)—Police arrested six more "Freedom Riders" here today, swelling the number of travelers taken into custody in Jackson to 110.

There were no crowds and no violence.

A group of five white men and one white woman — all from Minnesota — got off a Greyhound bus from Nashville, Tenn., and walked into a Negro waiting room.

Police Capt. J. L. Ray told the group to move on. They made no reply. He arrested them.

The Philadelphia Inquirer

# Slug Bias Foes, Burn Bus

Philadelphia Tribune p-1

ANNISTON, Ala., May 15 (AP).—A group of angry white persons ambushed two buses Sunday, attacking Negro and white "Freedom Riders" who are seeking to knock down bus station racial barriers.

A little later, 60 miles to the west, one of the buses ran into another angry crowd of white men at a Birmingham bus station. The integrated group took a brief but bloody beating and fled.

Mon. 5-16-61

No serious injuries were reported.

Both buses were carrying members of the Congress of Racial Equality (CORE), testing segregated facilities in bus stations.

State Investigator Ell M. Cowling, acting on a tip of possible trouble, was aboard a Greyhound bus attacked near Anniston. He barred the bus door with his body when the crowd of white men tried to board. Two highway patrolmen shot into the air to quiet the crowd of about 200 which had followed the bus from Anniston.

Somebody threw a fire bomb into the bus, sending twelve persons to a hospital, mostly for smoke inhalation. Ten later were released. The bus, stalled about six miles out of Anniston by a flat tire, was destroyed by the blaze.

The CORE members left Washington 10 days ago with six white and seven Negro "Freedom Riders." They split into two groups in Atlanta and took separate buses into Alabama. The trouble started when the Greyhound, carrying nine "Freedom Riders" and five other passengers, reached this northeast Alabama city of about 30,000.

Dr. Walter Bergman, 61, a former Michigan State University professor and a member of the CORE group, said a fight broke out on a Trailways bus at Anniston when the driver said he wasn't going to move until the Negroes moved to the back of the bus. "At that time, about 10 white men attacked Charles Person, a student at Morehouse College, Atlanta," Bergman said.

"And then James Peck stepped forward, then they turned on us. Peck was beaten about the face and got a deep cut on his scalp.

"Then they beat me and were kicking me. And then they threw the Negroes and others over me. There was no other violence until we got to Birmingham."

Bergman said three policemen stood outside the bus during the fight.

The bus continued to Birmingham where Peck was admitted to a hospital in fair condition.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man.

One Negro tried to walk through the group of white men, but a husky white man knocked him against a wall.

Several white men entered from the white waiting room and stood behind the young Negro.

"Hit him," one of them said.

A man slammed his fist into the Negro's face, knocking him to the floor, with blood spurting from his nose.

# Buses of 'Freedom Riders' Burned and Stoned in South

New York Herald Tribune

New York, N.Y. p-1

*By The Associated Press*

ANNISTON, Ala., May 14.—Violence trailed a group of Negro and white persons testing desegregation at interstate bus stations in the Deep South today.

Mon. 5-15-61

A Greyhound bus carrying fourteen persons, nine of them members of the "Freedom Riders," was stoned and burned outside of Anniston in north Alabama. Ten persons were taken to a hospital where they were treated, mostly for smoke inhalation.

At the Trailways station in Birmingham, violence erupted after a group of "Freedom Riders" arrived from Atlanta.

The group that sought to break the segregation barrier left Washington ten days ago. It split into two groups in Atlanta and took separate buses—a Greyhound bus and a Trailways bus—into Alabama.

At Anniston, the bus station was closed, but a crowd of between 150 and 200 persons milled around outside the station.

Joseph Perkins jr., identified as field secretary of the self-styled Freedom Riders, told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut, "because I could hear the air hissing."

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

They sought to enter the vehicle, but were prevented from doing so by Ell M. Cowling, a state investigator who stood in the doorway while the bus driver tried to change the tire.

The crowd milled around outside, Mr. Cowling said, before they had to push through the crowd around the bus to help the people out.

Washington Post p-14

The group, under the sponsorship of the Congress on Racial Equality (CORE), started the journey from Washington with six white and seven Negro "Freedom Riders." Spokesmen said the number has fluctuated at various stops.

On the Anniston bus the CORE group included five Negroes and four white persons. The number on the bus that reached Birmingham, fifty miles west of Anniston, was not known.

New York N.Y.

Several white men, attacked the group inside the Birmingham station, beating a Negro youth and a white man who apparently was accompanying them.

Mon. 5-15-61

The white men, obviously waiting for the arrival of the bus, covered telephone booths and exits. They refused to permit a newsman to use a telephone.

The fighting broke out in several areas around the station in downtown Birmingham. No police were in evidence until several minutes after the outbreak.

A white man left the bus, and shook hands with one of the Negro passengers at the Birmingham station.

The Negroes hesitated momentarily, and then walked into a passageway leading into the waiting rooms.

To the left was a sign that designated the Negro waiting room. The group hesitated, and then a young Negro walked ahead of the group. He walked about ten feet into the white waiting room. The other Negroes followed a few feet behind him.

**Negro Beaten**

Several white men stopped the young Negro man, and one of them told him. "The Negro waiting room is back that way." They turned him around forcefully, and pushed him.

The Negro group turned back into the passageway, but were met by another group of white men entering from the opposite end of the hall.

**The Negro man tried to walk through the men, but a husky** white man knocked him against the wall.

Several white men entered the passageway from the white waiting room. They stood behind the young Negro.

"Hit him," one of them said.

A man slammed his fist into the young Negro's face. He fell to the floor, blood spurting from his nose.

As he got up, the white man hit him again. This time, the Negro fell backward into the arms of the white men. They pushed him up again. The white man slammed the Negro in the face again.

A white man who had been riding the bus with the Negroes tried to interfere. He was beaten in the face until he lay on his back, blood streaming from his nose.

**Followed to Parking Lot**

The injured Negro youth and the white man staggered outside, through the entrance, and into the bus parking area outside.

The group followed them. The Negroes and white men who accompanied them ran from the bus station with the white attackers behind them.

It was all over in about three minutes.

There was no way to determine the number of attackers. Some apparently had been waiting in the bus station before the incident.

An aged Negro woman who was on the bus stood among the milling crowd, crying. "It started on the bus. It started on the bus."

**Newsmen Attacked**

The "Freedom Rider" group and the attackers had disappeared within fifteen minutes after the first outbreak.

Two newsmen were attacked by the crowd outside the bus station. One, Tom Langston of "The Birmingham Post-Herald," was hurt painfully, but was not hospitalized.

Clancy Lake, a radio newsman, was attacked as he sat in his closed automobile broadcasting an account of the violence. He escaped serious injury.

In an alley behind the bus station, a group of photographers had leaped into their automobile, but were blocked by another crowd of white men. They seized several cameras, smashed some of them and made off with the others.

**Police made no arrests immediately.**

3°a 1961 ALABAMA

FREEDOM RIDERS-MONTGOMERY, ALABAMA
REV. RALPH D. ABERNATHY
F.L. SHUTTLESWORTH
WYATT T. WALKER

# Police Seize Abernathy,

The Montgomery Advertiser P. 1

# Shuttlesworth, 9 More

## Integrators Held Under $1,000 Bond

Montgomery Cities
Fri-5-26-61
P.

Three Negro ministers and eight other integrationists were arrested at Trailways Bus Station here Thursday after they bought tickets for a "freedom ride" to Jackson, Miss.

Jailed by Sheriff Mac Sim Butler on breach of peace charges were the Rev. Ralph D. Abernathy of Montgomery, the Rev. D. L. Shuttlesworth of Birmingham, the Rev. Wyatt T. Walker of Atlanta, four white college professors and four Negro students.

They are being held in the Montgomery County jail under a $1,000 bond.

Atty. Charles Conley said five of the defendants — four white college professors and a Negro college student — probably will make bond Friday, but the other six may remain in jail until a hearing set for June 16 before Judge Alex Marks in the County Court of Common Pleas.

**SCHOOL COMMITMENTS**

Conley said those expected to post bond are the Rev. William S. Coffin Jr., 36, chaplain at Yale University; the Rev. Gaylord B. Noyce, 34, assistant professor at the Yale Divinity School; Dr. David E. Swift, 47, professor of religion at Wesleyan in Middletown, Conn.; Dr. John D. Maguire, 28, assistant Wesleyan professor of religion, and George B. Smith, Negro student at Yale.

The attorney said they have commitments at school.

Thursday was the fifth day of the qualified martial rule declared for Montgomery by Gov. John Patterson Sunday night. National Guardsmen continued to assist and supplement local law enforcement officers.

According to a statement issued by the State Military Department, a decree issued by Circuit Judge Walter B. Jones enjoining "freedom riders" from entering the state was not the basis of the arrests.

In the statement, Maj. Gen. Henry V. Graham, state adjutant general and commander of the National Guard units patroling the city, said other such groups coming into Alabama also face arrest.

1-2

". . . they will be arrested if circumstances indicate that their conduct would tend to inflame the tense situation in this city and county which is operating under qualified martial rule and where troops are stationed to maintain law and order and to protect the life and property of the citizenry," the general said.

Montgomery City

Among the arrested Negroes was Bernard S. Lee, 22, of Atlanta, Ga., a former student who was expelled from Alabama State College here last year for leading students demonstrations against segregation.

Gen. Graham was in the bus station Thursday and sanctioned the arrests made by Butler. Also present in the heavily guarded station was Floyd Mann, state director of the Department of Public Safety.

**DIFFERENT SITUATION**

Queried by a newsman on the scene if the arrests represented a change in policy from Wednesday, when two bus loads of integrationists were allowed to leave the city and were escorted to the Mississippi state line, Graham said:

"No, I would not say there has been any change in policy. It was a different situation here yesterday."

**STUDENTS LISTED**

The Negro students are Joseph Charles Jones, 23, and Clyde L. Carter, 39, students at Johnson C. Smith College at Charlotte, N.C., and George B. Smith, 23, student at Yale.

Carter and Jones said they are members of the 'Freedom Ride" teams organized by the Congress of Racial Equality (CORE).

The others said they were simply swept up in the movement for equal rights and were paying their own expenses.

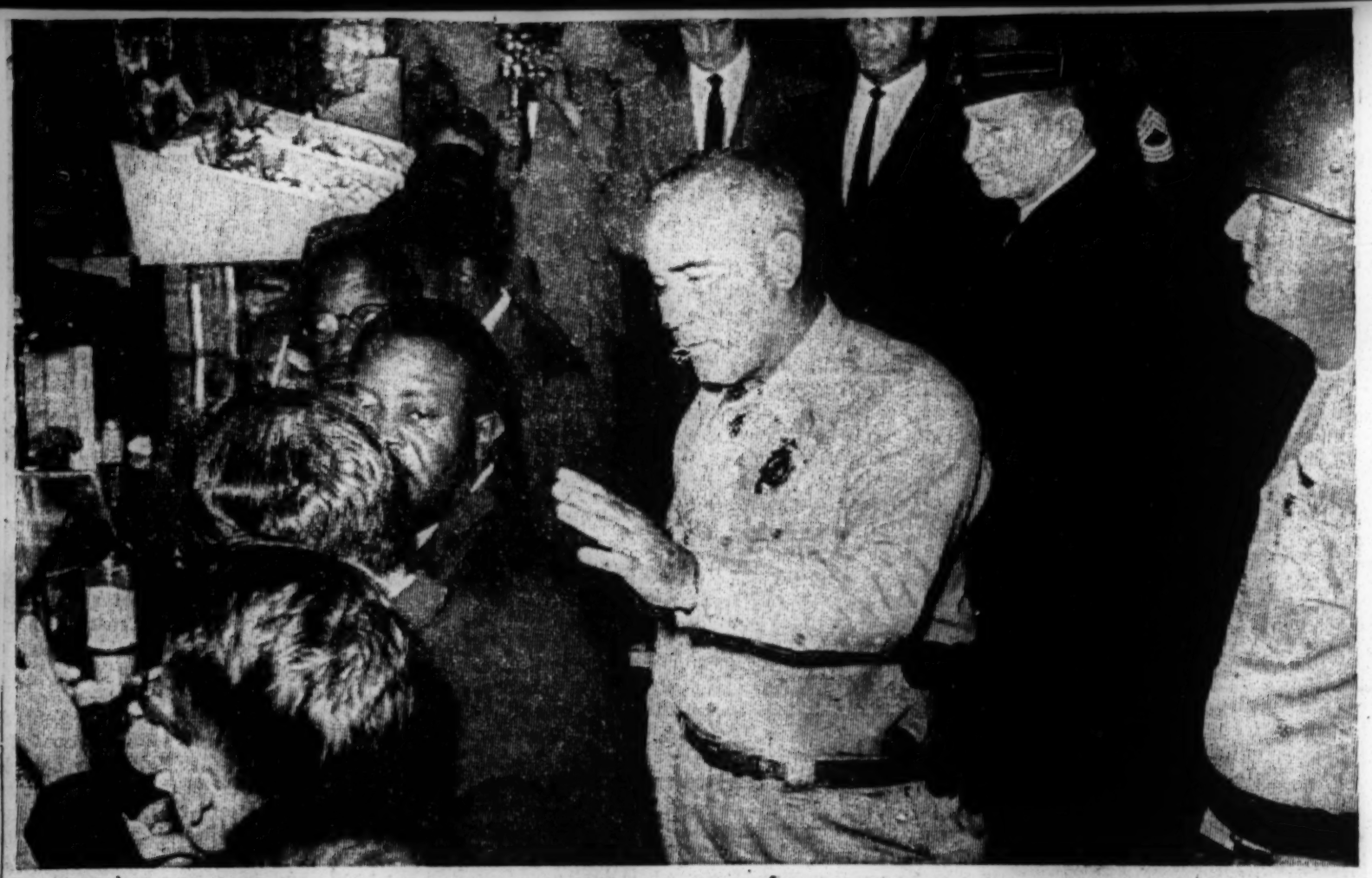
Coffin said the white ministers decided to visit the South last Monday after talking by telephone with the Rev. Martin Luther King Jr. of Atlanta, formerly of Montgomery. The group had intended to go by bus to Jackson and then to New Orleans, he added.

"Our plans are not entirely in our hands," he said. "I have to conduct church services at Yale Sunday, and I hope to be able to do it."

The group arrested Thursday spent the night at Abernathy's house. About 10:30 a.m. Thursday, one of the Negroes came out on the porch of the minister's house and told a Guard sentinel they wanted escort to go to Trailways, saying they planned to board a bus to Jackson at 11:30.

They were accompanied to the station by strong guard and Highway Patrol forces and, as on Wednesday, the troops blocked off the entire block of Lee street on which the station fronts.

The Negroes and the four white professors went inside and bought tickets and then took seats in the white lunch area and ordered coffee.



## SHERIFF COUNTS OFF DINERS TO BE ARRESTED

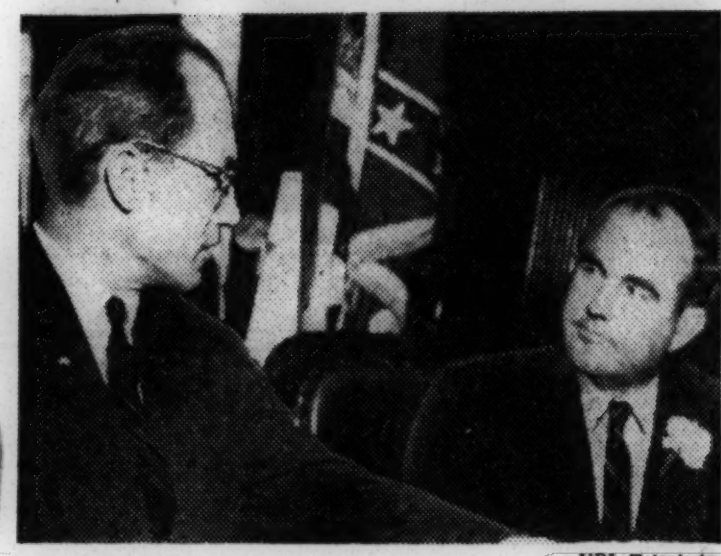
Sheriff Mac Sim Butler counted off the integrated diners in the Trailways Bus Station Thursday morning then had them led away to jail. He's just tapped the Rev. Ralph Abernathy in the picture. Public Safety Director Floyd Mann (wearing hat) is just to his rear. Capt. S. E. Vigny, Montgomery, National Guard military sheriff under martial law, is at right.

## US Marshals Wait at Montgomery Station

—AP WIREPHOTO.

**WEARING ARM BANDS which denote their capacities as federal marshals, this group sits on a wall in Montgomery, Ala., across from the bus station which was the scene of recent racial violence. From left are E. J. McCloy, H. A. Brankley, Joe T. Burton, R. L. Beavers and Tilford Stevenson.**

# MARSHALS KEEPING GUARD IN ALABAMA



—UPI Telephoto.

**DETAILED BY PRESIDENT Kennedy to lead the 400-man U. S. marshal force sent to Montgomery, Ala., to maintain order, Byron "Whizzer" White, (left), confers with Alabama governor John M. Patterson in the governor's office.**

### Stand by to Act Against Further Violence

MONTGOMERY, Ala. (AP) — Federal marshals kept a close watch on racially tense Montgomery Sunday, ready to enforce a court injunction newly issued to forestall further rioting.

But Alabama Gov. John Patterson, meanwhile, angrily threatened to jail the armed federal marshals if they attempt to enforce the law without a request for federal intervention.

**The order from U. S. Dist. Judge Frank M. Johnson Jr. prohibiting any attempt by force to stop "freedom riders" from continuing their test of bus station segregation, came less than 24 hours after Saturday's bloody race riot in which about 20 persons were beaten.**

Johnson put the blame for recent violence here and in two other Alabama cities on Ku Klux Klan members and his order was directed at them "and all persons acting in concert with them."

**CROWD KEPT MOVING**

About 30 white people gathered outside a Negro church where the Rev. Martin Luther King Jr., famed Negro leader, was scheduled to preside over a meeting Sunday night with the "freedom riders" present. But armed U. S. marshals kept them moving, and there were no incidents.

**The federal marshals and deputies, rushed here Saturday by Atty. Gen. Robert Kennedy, also stood guard near the homes of several Montgomery Negro integrationists. Three cars of officers were seen parked near the home of one of them, the Rev. Ralph D. Abernathy.**

One of King's assistants, Wyatt T. Walker of Atlanta, executive secretary of the Southern Christian Leadership Conference, said federal authorities offered protection and "we thought it wise to accept."

Other marshals kept a sharp eye on the bus station — some from the nearby federal building, others watching with field glasses from an apartment house.

A state court injunction which sought to keep the racially mixed group from continuing its segregation-challenging bus trip was still in force despite Johnson's order.

**STATE ARREST ORDERS**

State deputies had orders to arrest the "freedom riders" on charges of violating the state injunction, but they were unable to locate them.

**There have been no further reports of violence since the rioting was quelled with tear gas.**

But Alabama's governor and a high-ranking member of the US attorney general's office clashed sharply over the matter of federal intervention.

Patterson told Byron R. Whizzer White, former All-America football star at the University of Colorado, and now chief assistant to Atty. Gen. Kennedy, that the federal officers may be arrested if they attempt to exercise authority in Alamaba.

White flew here Saturday night to direct the growing task force of U.S. marshals and other federal officers who were rushed here to preserve order in the wake of the bloody race riot.

**'WE DO NOT RECOGNIZE'**

"We do not recognize the federal marshals as law enforcement officers in this matter," the governor told White during a conference at the state Capitol.

The Justice Department officia replied that the federal govern ment "does not share your view on that point" and said the 40 marshals and deputized officer "will continue working to main tain law and order."

A white mob attacked the racially mixed group which arrived here on a Greyhound bus Saturday and beat and clubbed at least 20 persons in a wild two-hour riot. Other groups of rioters ran into violence last Sunday at Birmingham and Anniston, Ala.

**Johnson's order was directed at three Klan groups in Alabama and four individuals who were identified as Klan leaders or members.**

Two of the defendants, Robert M. Shelton of Tuscaloosa, Ala., and Alvin Horn, of Talladega, Ala., are widely known in Alabama for their Klan activities.

**KKK RESTRAINT ORDER**

The restraining order prohibited the three Klan groups and the four individuals and all members or agents of KKK organizations "and all persons acting in concert with them" from attempting to interfere with intersfate bus travel anywhere in Alabama.

Johnson charged in his two-page order, that Klansmen "have by force, violence and threats prevented, and are conspiring to prevent" interstate passengers from riding Greyhound and Trailways buses.

Further, the judge said, members of the three Klan groups "have wilfully damaged and destroyed" property of bus companies and "have threatened and intimidated the drivers in their efforts to provide (bus) service."

The court order was issued against the U.S. Klans, Knights of the Ku Klux Klan, Inc.; Alabama Knights, Knights of the Ku Klux Klan, Inc.; Federated Ku Klux Klan, Inc., Shelton, Horn, Lester C. Hawkins of Montgomery and Thurman E. Ouzts, also of Montgomery.

**RIDERS TO CONTINUE**

The Justice Department complaint, which asked for the restraining order, identified Shelton as head of the Alabama Knights, Knights of the Ku Klux Klan; and Hawkins as an officer in the Federated KKK. Ouzts was not further identified.

**Battered and bruised "freedom riders" whose journey here by bus set off the violent uprising Saturday, vowed to continue the fight even at the cost of their lives.**

Sheriff's deputies were looking for the bus riders with contempt of court warrants. All 21 were cited for contempt under a state court injunction which sought to prohibit the "freedom riders" from continuing their challenge in Alabama.

Three injured bus riders, part of the racially mixed group who came here from racially tense Birmingham on the second leg of their trip from Nashville, Tenn., remained in "good condition" in a hospital.

**GIRLS GO HOME**

Two others, white girl students from Nashville, returned home Saturday night, but the remaining 16 spent the night in private

homes, their whereabouts kept secret.

**The Rev. Abernathy predicted Saturday's race riot will speed up integration in the South.**

**"There is not a shadow of doubt," he declared, "that the government will have to take a greater hand in the affairs of the states."**

The Negro leader vowed that his people are "prepared for any suffering."

From their hospital beds, two of the injured riders — Jim Zwerg, a white exchange student at predominantly Negro Fisk University in Nashville, and William Barbee, a Negro who attends American Baptist Theological Seminary at Nashville — said they are ready to forfeit their lives if need be to combat segregation.

# U.S. SEEMS SET TO USE TROOPS

## Won't Let Racial Violence Erupt Again

By JACK ADAMS

WASHINGTON (AP)—The federal government appears ready to use whatever force it feels is necessary to prevent recurrence of bloody racial violence in Alabama.

And the justice department said Sunday U.S. marshals and other federal officers already sent into that state are on sound legal ground.

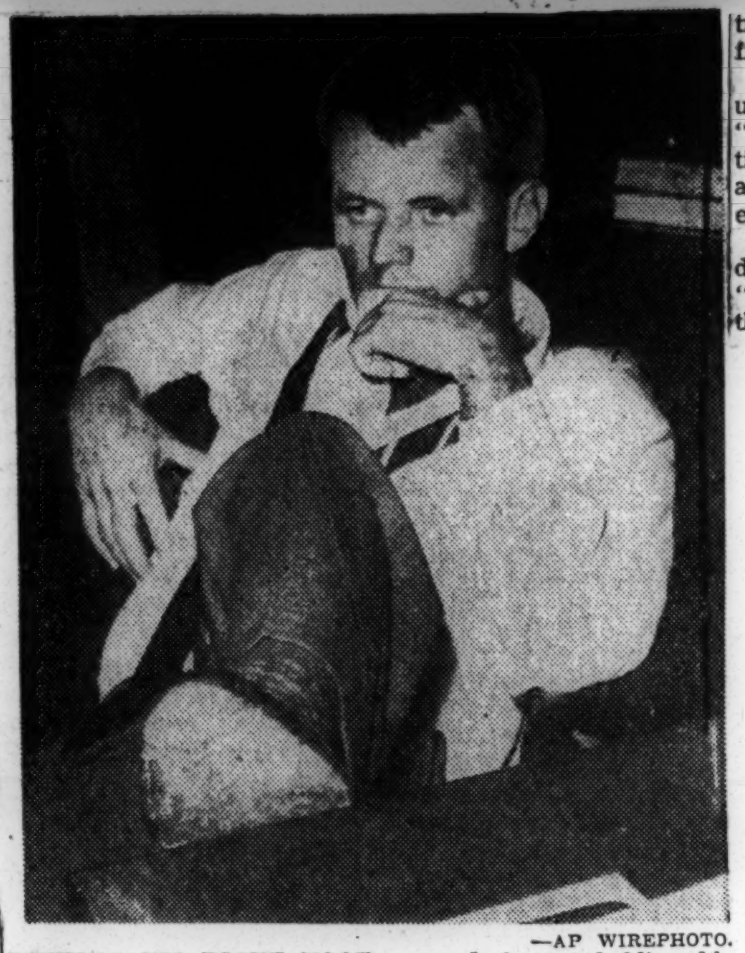
That was the department's reaction to a statement by Alabama Gov. John M. Patterson that the federal agents might be arrested if they encroached on the rights or functions of state officers in controlling disorders.

The department said the governor had been advised the marshals were there to enforce federal law and would do so.

**WON'T TURN BACK**

Prior to the governor's statement, department officials expressed confidence the 500 or so federal officers sent into the Montgomery area would be able to handle the tense situation there in cooperation with local authorities.

But it was apparent here that the federal government is prepared to augment that force, or possibly call in troops, if developments make that necessary.



—AP WIREPHOTO.

**RESTING HIS RIGHT FOOT on a desk and holding his chin, U.S. Atty. Gen. Robert F. Kennedy is deep in thought in the Justice department early Sunday as he worked with aides considering legal measures to be taken following Saturday's racial violence in Montgomery, Ala.**

The impression reporters got in talks with officials was that the government had embarked on a course from which it would not turn back.

**1871 LAW CITED**

The special force of federal officers was sent to Aalabama under an 1871 law which reads: "The president, by using the militia or the armed forces or both, or by any other means, shall take such measures as he considers necessary to suppress, in a state, any insurrection, domestic violence, unlawful combination, or conspiracy, if it

"1. So hinders the execution of the laws of that state, and of the United States within the state, that any part or class of its people is deprived of a right, privilege, immunity or protection named in the constitution and secured by law, and the constituted authorities of that state are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

"2. Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws."

The Justice Department in the current action takes the position that it must prevent any interference with the operation of an adequate interstate passenger bus service.

**SUPPRESSED KKK**

Government legal experts assert the law was adopted in 1871 in order to reduce to writing, "what had previously been assumed to be the president's authority and responsibility to enforce the laws of the United States."

In the same year in which it was enacted, President U.S. Grant made the first use of it by sending troops into several South Carolina counties to suppress the Ku Klux Klan.

It was next used in 1894 by President Grover Cleveland who dispatched troops to Chicago to put an end to violence attending a Pullman strike which had effectively cut off interstate Pullman service.

President Eisenhower invoked two different but related laws in sending U.S. troops into Little Rock, Ark. during the 1956 Central High School integration difficulties.

One of these laws provides for use of military force to put down "unlawful obstructions, combinations, assemblance or rebellion against the authority of the United States."

The other authorizes the president to issue proclamations for "insurgents to disperse," and use the military to back them up.

FREEDOM RIDERS-MONTGOMERY
REV. WILLIAM S. COFFIN, JR.
CHAPLAIN, YALE UNIVERSITY

# Yale Chaplain Freedom Rider

New York Herald Tribune

## *New Group of Seven Takes Off From Atlanta Without Incident*

ATLANTA, May 24 (UPI).—A new group of Freedom Riders, including four white religious professors from Connecticut and three Negro students, left here by bus at 12:30 p. m. today on the Montgomery-Jackson-New Orleans route of the earlier groups.

Times 5-25-61

There were no incidents at the bus station as the seven boarded the bus and sat together in the middle. City detectives and Georgia Bureau of Investigation agents were present along with newsmen.

The latest Freedom Riders held a news conference here shortly before boarding the bus for Alabama. Their spokesman, the Rev. William Sloane Coffin jr., Yale University chaplain, said their action was a spontaneous one set off by news of the action in Alabama.

"People ought to enjoy their constitutional privileges," Mr. Coffin said.

With him from Yale was the Rev. Gaylord B. Noyce, an associate professor in the Divinity School, and George B. Smith, a Negro student in the Yale Law School.

**Professors on Bus**

The Rev. John Maguire and the Rev. David Swift, religion professors at Wesleyan University at Middletown, Conn., were the other two white men in the group, while the other two Negroes, Clyde Carter and Charles Jones, are both theological students at Johnson C. Smith University in Charlotte, N. C.

Mr. Swift is a member of the National Association for the Advancement of Colored People and the only one of the four whites who has "worked in this sort of thing before." However, Mr. Carter and Mr. Jones, who met the other five here, have been active in student nonviolent movements, including the sit-ins at [illegible] Hill, N. C.

Mr. Maguire, a native of Montgomery who went to school in Bermingham and in Virgina, said he saw his old house on television during a news show on the violence at Montgomery and called Mr. Swift and suggested they go and join the freedom riders.

Mr. Coffin, who said he went to Africa last summer with Mr. Smith, said he contacted Mr. Smith and Mr. Noyce after hearing from the Wesleyan professors and the five agreed to go together. Word of their trip reached Charlotte where Mr. Carter and Mr. Jones decided to join forces with them.

Mr. Coffin emphasized that they are "exercising academic freedom" and not representing their universities. "My president doesn't even know I'm down here," he said.

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**Rally in New Haven**

The group from Yale and Wesleyan Universities left New Haven by plane Tuesday at 11 p. m. after a rally on New Haven Green, the Herald Tribuen's correspondent at Yale reported yesterday. Speakers at the rally, who attacked segregation both in the South and in New Haven, included most of those in the group now in the South.

The leader is the Rev. William Sloane Coffin jr., thirty-six, a Presbyterian minister who has been chaplain of Yale for the last three years. He is a nephew of the late Henry Sloane Coffin, former president of Union Theological Seminary in New York, and husband of the former Eva Anna Rusinstein, daughter of the pianist Artur Rubinstein.

Last summer, Mr. Coffin was group leader in Guinea, Africa, of the project called Operation Crossroads-Africa. The project, organized in 1957 by the Rev. James Robinson, pastor of the Presbyterian Church of the Master at 86 Morningside Ave., sends American students to work and study with Africans.

Last summer, Mr. Coffin's group began work on a community center building at Mamou, Guinea.

Also in the Guinea group was Mr. Smith, a third-year law student at Yale. Mr. Noyce is assistant director of religious field work and assistant professor of pastoral theology at the Yale Divinity School.

Rev. William S. Coffin jr.

CORE- FREEDOM RIDERS
MAY 14, 1961
REV. F.L. SHUTTLESWORTH

An editorial—

The B'ham News 5/14

# Shuttlesworth shouts 'Fire'

B'ham, Ala. Thurs. 5-18-61

Police Commissioner Connor late yesterday properly jailed the latest group of so-called "freedom riders" because arrangements could not be made to get them out of the city.

MR. CONNOR IN A STATEMENT said he was going to check with attorneys to see if Rev. Fred Shuttlesworth could be charged with inciting to a breach of the peace.

The commissioner should certainly do so.

**Shuttlesworth yesterday morning called newsmen, wired the governor, did everything possible to inform the public that a bus carrying some Nashville whites and Negroes on a "freedom ride" was coming to this city and he informed them of the arrival time.**

This came three days after violence had broken out in this city because of integrationists' presence here.

THE POLICE WERE in the process of arresting whites who Sunday attacked the "freedom riders." The law was taking its course. The police, even if they failed to keep the peace Sunday, were keeping order and doing their job.

But the city remained tense. There were still at hand men who probably would try once more to attack the integrationists. There was a clear danger of more trouble despite good police efforts.

Justice Oliver Wendell Holmes decades ago described this situation.

**Justice Holmes in an opinion defended the right of free speech but such right, he said, gives no one the privilege of crying "Fire!" in a crowded theater.**

Whatever rights Negroes may have or claim to have, Rev. Shuttlesworth in Birmingham, Ala., yesterday morning was in the equivalent of a crowded theater and he cried "Fire!" He was beyond the point of trying to join in an effort to bring about peaceful integrated bus travel and use of bus terminal facilities.

THE CITY OF BIRMINGHAM should prosecute him. Shuttlesworth cannot be allowed to threaten this city with turmoil. THE BIRMINGHAM NEWS believes there is a case here that can stand up in the courts. Justice Holmes' opinion is still sound.

# Jefferson Court Finds Shuttlesworth Guilty

The Montgomery Advertiser p-1

Montgomery, Ala.

BIRMINGHAM (AP) — The Rev. F. L. Shuttlesworth, Birmingham Negro leader, Thursday was convicted on two breach of peace charges growing out of "Freedom Rides" and the violence that met them here.

In each case he was fined $500 and sentenced to 90 days in jail. His attorneys said he would appeal.

Dec. 6-2-61

Shuttlesworth, on the stand about an hour near the end of the one-day trial, told of two telephone conversations with Atty. Gen. Robert F. Kennedy during the height of racial tension here the week of May 14-20.

In the first call, made by a member of the "Freedom Rider" group, Kennedy asked for suggestions on how to avoid a recurrence of violence that met Freedom Riders arriving here by bus May 14, Shuttlesworth said.

**ESCORT SUGGESTED**

Shuttlesworth told him, he said, that he would suggest an escort for a group of riders stranded in Birmingham on their way to Montgomery. Bus drivers refused to drive them in the wake of previous mob violence.

Shuttlesworth said that in his second conversation when the attorney general called back, Kennedy told him he had assurances of "adequate protection" for the group to go on to Montgomery.

The riders went to Montgomery by bus—under heavy escort—but ran into an attack by a group of white people at the Greyhound station in Montgomery.

The warrants against Shuttlesworth, taken out by Birmingham Police Commissioner Eugene Connor, charged him with breach of the peace and conspiracy to cause a breach of the peace.

**MOB VIOLENCE**

The two counts in each charge stem from mob violence against "Freedom Riders" arriving in Birmingham by bus on May 14, and from sizable crowds that formed at a Birmingham bus station May 17 when another group of integrated riders was trying to leave the city by bus.

The state contended that Shuttlesworth caused the forming of both crowds by giving public notice that the integrated riders were on the way.

Shuttlesworth, in other testimony, said:

—He was not a member of the Congress of Racial Equality (CORE), which sponsored the first "Freedom Ride," and that he did not know any of the riders personally prior to their arrival in Birmingham.

—That he got a $500 money order from CORE headquarters in New York on May 13, the day before the CORE riders arrived, along with a request that he turn it over to the riders. He said he did this.

—That he did not conspire with anyone to put on the itinerary of the "Freedom Riders."

**NO ADVICE**

—That he didn't advise a group of riders, composed of students from Nashville, Tenn., on what they should do about trying to break down racial barriers in Birmingham bus stations.

Connor, in testifying, laid the blame for the violence squarely on Shuttlesworth and the riders.

"I think they (the riders) had more to do with it than anybody," Connor said. "I don't believe they would have come through here if Shuttlesworth hadn't been here," he said. "I think Shuttlesworth had more to do with it than any human being."

Wallace Seymour, operations manager of the Birmingham Western Union office, read into the record several telegrams directed to Connor, Police Chief Jamie Moore and state officials, and signed by Shuttlesworth. The telegrams warned of possible violence and requested police protection for the integrated riders.

## Shuttlesworth OKs Ohio Post

The Montgomery Advertiser

BIRMINGHAM (AP)—The Rev. F. L. Shuttlesworth, Negro integration leader here, announced Friday that he had accepted a pastorate conditionally at Cincinnati, Ohio.

6-3-61

Shuttlesworth is active in efforts to break segregation barriers in Alabama, and said his acceptance depends on commitments here.

Montgomery, Ala.

He is involved in numerous court actions involving integration moves.

He said he would preach at the Revelation Baptist Church in Cincinnati "when I can, but I will keep my residence in Birmingham for at least six months more and probably a year."

38a 1961

ALABAMA

AUGUST
MONTGOMERY- FREEDOM RIDERS
WITHDREW REQUEST FOR A NEW FEDERAL
COURT INJUNCTION AGAINST ORGANIZED
FREEDOM RIDERS IN ALABAMA
(CITY ATTORNEY CALVIN WHITSELL)

## RIDER FOE DROPS PLEA

### Montgomery Aide Withdraws Request for Injunction

MONTGOMERY, Ala., Aug. 14 (AP)—City Attorney Calvin Whitesell withdrew Monday a request for a new Federal Court injunction against organized Freedom Rides in Alabama.

Mr. Whitesell first asked for the injunction June 1 and got a temporary restraining order prohibiting sponsored Freedom Rides for ten day.

Before Mr. Whitesell asked for the dismissal, Dist. Judge Frank M. Johnson instructed opposing attorneys to submit written arguments for and against the requested injunction by next Tuesday.

Mr. Whitesell, said Freedom Rider activity in Alabama had subsided to the point where no injunction was needed now.

38a 1961

ALABAMA

SEPTEMBER
MONTGOMERY- FREEDOM RIDERS
REV. WYATT TEE WALKER

# Walker Gets Long Jail Sentence As "Freedom Rider"

MONTGOMERY, Ala. — (UPI)— The chaplain of Yale University and 10 other white and Negro "freedom riders" were found guilty Friday of conspiracy to breach the peace by failing to use separate facilities at a bus terminal here May 25.

Judge Alex Mars of the court of common pleas sentenced Yale Chaplain Rev. William Coffin and nine others to $100 in fines and 10 days in jail. The Rev. Wyatt Tee Walker of Atlanta, Negro secretary of the Southern Christian Leadership Council, was sentenced to 90 days in jail.

Defense attorneys told the court they would appeal the ruling and posted bond for the defendants.

Mars singled Walker out for the heavier sentence because of his work in publicizing activities of the integrationists. "Very little trouble would have happened in Alabama if so much publicity had not been given to the papers and radio and TV stations" Marks said.

The 11 integrationists were tried as a group and only Walker and Dr. John Maguire, a Wesleyan divinity professor, testified for the defense.

Montgomery County Sheriff Mac Sim Butler told the court he arrested the "riders" to avoid a riot.

"In my opinion if an arrest hadn't been made, we would have had a serious riot at or near the bus station," Butler said.

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In addition to Rev. Coffin, those convicted at Montgomery are assistant professor of Yale Divinity School, the Rev. Gaylor Noyce 34; John Maguire and David Smith, religion professors at Wesleyan College; George Smith, New Haven, Conn.; Bernard Lee and the Rev. Ralph D. Abernathy, Montgomery; Joseph Charles Jones and Clyde Carter, Charlotte, N. C. and the Rev Fred Shuttlesworth of Birmingham.

# 11 Riders Face Trial In Montgomery Today

MONTGOMERY, Sept. 14 (AP) — Eleven white and Negro "freedom riders," with the chaplain of Yale University among them, face trial tomorrow on breach of the peace charges.

The Rev. William S. Coffin of Yale, three other prominent religion professors from Connecticut and several Negro integrationists were in the group arrested during a racial incident at a bus depot here last May 25.

All have been free under bond since a few days after their arrest while seeking service at a normally white-only lunch counter during racial tension and martial law which followed bloody rioting several days earlier.

Ten members of the racially mixed group went into U. S. District Court recently in an effort to stop their trial in county court. But. Judge Frank M. Johnson Jr. refused to grant an injunction.

Johnson's decision was upheld earlier this week when the freedom riders appealed to the Fifth U. S. Circuit Court of Appeals in New Orleans.

Jailed with Coffin shortly before they were to board a bus were three colleagues: Dr. Gaylord Noice, divinity professor at Yale in New Haven, Conn. and two religion professors at Wesleyan University, Dr. John Maguire and Dr. David Swift, both of Middletown, Conn.

The others were George Smith of New Haven, Bernard Lee of Montgomery, Joseph C. Jones and Clyde Carter of Charlotte, N. C., and three integration leaders, the Rev. Ralph D. Abernathy of Montgomery, the Rev. Fred Shuttlesworth of Birmingham and the Rev. Wyatt Tee Walker of Atlanta.

Abernathy succeeded the Rev. Martin Luther King Jr. of Atlanta as president of the Montgomery improvement Assn. Shuttlesworth heads the Alabama Christian Movement for Human Rights. Walker is King's top assistant.

# Riders' Cc Fines, Jail Terms

Eleven "Freedom Riders" received fines and jail sentences in Court of Common Pleas Friday at the end of a day-long hearing.

Among them were the chaplain of Yale University, the Rev. William S. Coffin, and three other white educators on the faculties of Yale and Wesleyan Universities.

So were three Southern Negroes prominent in the fight on segregation barriers: The Revs. Ralph Abernathy and Fred Shuttlesworth, and Wyatt Tee Walker, director of the Southern Christian Leadership Conference.

The mixed group was arrested May 25 at the Trailways bus terminal as they sought service at the white lunch counter. National Guard troops ringed the area at the time, the city having been previously declared under limited martial law.

**ALL WILL APPEAL**

All served notice they will appeal. Each was fined $100, but Walker, who was sentenced to 90 days in jail.

Jail sentences for the other 10 were:

Abernathy and Bernard Lee, both of Montgomery, 10 days; Shuttlesworth, Clyde L. Carter, Coffin, Joseph Charles Jones, John David Maguire, Gaylord B. Noice, George B. Smith, David E. Swift, each 15 days.

Maguire and Swift are both professors of religion at Wesleyan University, and Noice is a divinity professor at Yale. The three are white.

Jones and Carter are Negro students in a seminary in Charlotte, N.C., and Smith is a Negro law student at Yale.

Lee works with Walker in the SCLC headed by Dr. Martin Luther King.

The central argument in the case revolved around two questions: Was there a serious danger of mob violence at the time of the arrests? And, did the necessity to avert possible trouble outweigh the right of individuals to exercise their constitutional rights?

Sheriff Mac Sim Butler testified that, "It was my opinion, at the time, that if an arrest had not been made we would have had a serious riot at or near the bus station."

Col. Ralph Poarch, Anniston attorney and a National Guard staff judge advocate, testified that Butler arrested the 11 at the Trailways bus station lunch counter at his direction.

**DID NOT WARN**

He acknowledged he did not warn the mixed group they might be arrested or in danger. But, he said; "We were in effect walking a chalkline, trying to do our duty as we saw it."

Poarch called the action of the 11 in sitting at the counter "the height of folly." He also testified to threatening crowds outside the terminal.

Dr. Maguire, a Montgomery native, said he returned to the city "to affirm support" of Negroes challenging segregation after he heard of violence here. He said Coffin agreed to come with him after a telephone conversation.

As questioning tended toward a sociological discussion of conflicting points of view on segregation, Maguire said:

**DENY CROWD**

"Racism at any level is not to be tolerated." He said he came here to show that whites also shared the "abhorrence" which Negroes feel at segregation.

Both he and Walker denied that a large and hostile crowd was outside at the time of the arrests.

Deputy Solicitors Frank Riggs and Maury Smith presented the evidence against the defendants. Local attorney Fred Gray and a Yale law professor, Louis Pollak, conducted the defense.

Judge Alex Marks set appeal bonds of $400 for Lee and Abernathy, $750 for Walker, and $500 for the remaining eight.

# Appeal Fails To Prevent 'Rider' Trial

A federal appellate court has refused to prevent the trials of a racially mixed group of "Freedom Riders," including the chaplain of Yale University, in Court of Common Pleas here Friday.

U.S. District Judge Frank M. Johnson Jr. last week had dismissed a request for an injunction to stop Solicitor William F. Thetford from prosecuting the 11 riders. He also refused to grant a temporary injunction holding up the trials until his decision could be appealed.

After Thetford and Judge Alex Marks of the Court of Common Pleas refused to grant a continuance, the 5th Circuit Court of Appeals in New Orleans was asked for the injunction which it subsequently denied.

Thetford said Tuesday that unless a further appeal is taken to the U.S. Supreme Court, the mixed group will be tried Friday.

The group, led by Yale Chaplain William Coffin and including three other white educators, was arrested May 25. They were charged with breach of the peace after seeking to be served together at the lunch counter at the Trailways bus terminal.

The cases were continued three times in Court of Common Pleas, pending the federal court hearing on their plea for an injunction to keep them from being prosecuted.

Johnson refused the injunction, saying that he believed federal law prevented him from interfering with the prosecutions.

The white educators remained in jail here for 28 hours after their arrest, reportedly while friends raised cash bonds for them at their respective schools.

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The white educators remained in jail here for 28 hours after their arrest, reportedly while friends raised cash bonds for them at their respective schools.

# Racial Apathy Termed 'Crime'

NEW HAVEN, Conn. (AP) — Yale university's freedom-riding chaplain declared it is a moral crime for anyone to stand on the sidelines during the fight for integration in the South.

The Rev. William S. Coffin, who was convicted of breach of the peace in Montgomery, Ala., Friday, told 1000 worshippers at the university's Battell chapel much of the evil in the world is due to lethargy.

He condemned those who avoid taking sides on important moral issues. "Some are scared to die, and some are scared to live," he said.

The Rev. Coffin, who has also aided in the training in Puerto Rico of recruits for the peace corps, was fined $100 and sentenced to 15 days in jail for participating in an attempt to desegregate the Montgomery bus terminal last May. He was released on bond.

*PROSECUTIONS OKAYED*

# Defendant Wins Dismissal As 'Riders' End Mix Plea

By ARTHUR OSGOODE

A group of "Freedom Riders" ended their plea for a broad injunction against enforcement of bus station segregation in U.S. District Court here Tuesday.

All defendants but Montgomery County Sheriff Mac Sim Butler also rested their cases. And another defendant, Solicitor William F. Thetford, won a dismissal of the proceedings against him.

Judge Frank M. Johnson Jr. gave the green light to Thetford's prosecuting a group of integrated riders arrested here May 25 after seeking service at the lunch counter at the Trailways bus station.

Johnson said it was his opinion that federal law prevented him from stepping in to stop the prosecutions. But he said it was his opinion, at that point in the proceedings, that the arrest of the 11 riders was "for the purpose of enforcing segregation."

Alabama Atty. Gen. MacDonald Gallion, taking the stand Tuesday afternoon, testified that he has pursued no polices aimed toward segregation of the races at bus terminals.

On the contrary, he said, he has advised a number of Alabama mayors that federal law forbids such segregation.

Gallion said he obtained an injunction against "Freedom Riders" entering Alabama only because: "It was such an explosive and tense time that I sought this injunction to

(Continued From Page 1)

avoid bloodshed and keep the peace in this state."

At this point, Judge Johnson broke in to ask:

"What, if any, action did you take against the persons bringing on the violence?"

**ADVISER TESTIFIES**

Gallion said he took none.

Later, under cross-examination by U.S. Justice Department attorney John Doar, Gallion said the injunction, obtained from Circuit Judge Walter B. Jones of Montgomery, was "the most that I could do under the circumstances."

Doar pressed Gallion as to whether he had taken any steps to acquaint the public or local municipal and court officials with the federal law pertaining to bus segregation. Gallion said it is "not my duty to publicize all federal laws."

The legal adviser to the commander of the Alabama National Guard testified for Sheriff Butler. Col. Ralph D. Poarch said it was he, not Butler, who made the decision to arrest a mixed group sitting at the Trailways lunch counter on May 25.

At that time, said Poarch, local police as well as the sheriff were acting under orders of the National Guard, martial law having been declared here in the wake of bus station violence.

Under cross - examination, Poarch said he ordered the arrests on breach of the peace charges after "a series of incidents bordering on riotous conditions." He said he felt the arrests were warranted in view of the tense situation.

Under cross-examination, he acknowledged that he did not tell the group, which included four white college professors, not to sit at the counter.

Two of the educators, Drs. John D. Maguire and David E. Swift, testified earlier, along with a Negro law student at Yale University, George B. Smith, that they had behaved at the station in an orderly manner.

**'AFFIRM SUPPORT'**

Each of them said he made the trip to Montgomery "to affirm my support" of Negroes challenging bus station segregation.

First witness was John R. Lewis, a Negro student at a Nashville seminary, who said he was beaten unconscious when he arrived here on May 20 with a group of "Freedom Riders." Lewis said Atty. Gen. Gallion served him with a copy of the injunction against the integrated rides as he lay dazed on the ground.

Gallion later denied this, saying Lewis appeared unhurt though "maybe scuffed up a bit."

Attorney James J. Carter, representing three bus companies charged with maintaining segregated facilities, asked each witness for the plaintiffs if bus company employes refused them service or intimidated them.

In each case the witnesses said they had not.

Attorney Calvin Whitesell, representing City Commissioners Earl James, Frank Parks, and L. B. Sullivan, and Police Chief G. J. Ruppenthal, sought by questioning to show that local police have taken no action to enforce segregation in bus terminals.

And Taylor Hardin, representing members of the Alabama Public Service Commission, argued that no evidence had been adduced at the hearing to show the commission in any way enforced segregation.

Fred Gray, local Negro attorney, and Yale law professor Louis Pollack presented the case for the plaintiffs.

The suit seeks a court order forbidding the local and state officials and bus companies from enforcing bus station segregation. It is also aimed at the Alabama breach of the peace statute, which forbids "conduct calculated to provoke a breach of the peace."

Another witness Tuesday was Asst. Police Chief Marvin Stanley, who said that local police have been instructed that they cannot enforce bus station segregation. Stanley also said that a top heavy majority of persons arrested at local bus stations were white, and that few of the arrests involved segregation.

The case is expected to be concluded Wednesday.

# 'Rider' Case Goes Before Judge Today

Four white ministers and seven Negroes, arrested in a "Freedom Rider" bus station incident, go on trial here Monday on their appeals to state court.

Pleas of innocent to breach of peace and unlawful assembly charges have been filed by the group. Circuit Judge Eugene Carter will try the case without a jury, since none was requested.

The "Freedom Riders" include the Rev. William S. Coffin Jr. of New Haven, Conn., Yale University chaplain and son-in-law of piano virtuouso Artur Rubinstein.

**MINISTERS JAILED**

White ministers arrested with him last May were the Rev. Gaylord B. Noyce, assistant professor at the Yale Divinity School; Dr. David E. Swift, religion professor at Wesleyan College, Middletown, Conn., and Dr. John D. MacGuire, assistant religion professor at Wesleyan.

They and the seven Negroes were convicted in county court on charges growing out of their effort to get service at the white-only lunch counter of a downtown bus terminal.

Montgomery was still under martial rule when they were jailed May 25. Five days earlier the arrival of another Freedom Rider bus had touched off a bloody weekend of racial violence.

Negro defendants are the Rev. Ralph D. Abernathy, a former Montgomery integration leader who has moved to Atlanta, the Rev. F. L. Shuttlesworth, a Birmingham integrationist; the Rev. Wyatt Tee Walker and Bernard Lee, both of Atlanta; George Smith, a Yale student, and Clyde Carter and Joseph Jones, students at Johnson Smith College at Charlotte, N.C.

Walker was sentenced to 90 days for unlawful assembly, but was acquitted on the breach of peace charge. Abernathy and Lee drew $100 fines and 10 day jail terms; the other eight were fined $100 and sentenced to 15 days in jail.

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ALABAMA

DEC.
BIRMINGHAM -FEDERAL INJUNCTION PREVENTS
CITY CLOSING BUS RESTAURANT

# U.S. Halts Closing Of Alabama Cafe

BIRMINGHAM, Ala. (AP)—The City Commission Tuesday revoked the license of the segregation-troubled restaurant in the Greyhound bus station, ordering it to close at midnight.

But the federal government promptly asked for and got a temporary restraining order prohibiting the commission from interfering with operation of the restaurant.

U.S. District Judge Seybourn H. Lynne, holding court at Gadsden, Ala., signed the order. It later was filed with the clerk at Birmingham. It takes effect immediately and will stand for 10 days.

The judge set a hearing for Dec. 28 on a possible permanent injunction.

Earlier the federal government asked for an injunction, but did not seek an immediate temporary order until the commission's action Tuesday.

The commission charged that Greyhound Post Houses, Inc., operator of the restaurant, was violating a city ordinance prohibiting the serving of food to customers on an integrated basis.

Ralph D. Sizemore, manager of the restaurant, has been arrested four times on charges of violating the ordinance since Greyhound, complying with a ruling of the Interstate Commerce Commission, ordered desegregation of interstate bus facilities in November.

# Federal Injunction Prevents City Closing Bus Restaurant

BIRMINGHAM (AP) — Birmingham's city commissioners tried Tuesday to shut down the Greyhound Bus station restaurant because of integration, but the federal government stopped them with a court order.

The commissioners voted to revoke the restaurant's license and ordered the eating establishment closed, effective at midnight.

But the U.S. Attorney's office here prepared a request for a temporary restraining order, rushed it to Gadsden, Ala., where U.S. District Judge Seybourn H. Lynne was holding court, and the judge signed it.

The temporary restraining order, good for 10 days, prohibits the city from enforcing an ordinance which requires segregated eating facilities in Birmingham.

It also prohibits the revoking of the Greyhound Restaurant's license.

The judge set a hearing for Dec. 28 on a possible permanent injunction.

Mayor Art Hanes and Police Commissioner Eugene Connor said they would abide by the restraining order.

Hanes said the City Commission acted on a valid city ordinance which was being violated.

He said there is some question whether the ICC, lacking legislative ability, can supercede a city ordinance.

Connor said in a statement:

"For a hundred years every court in the land recognized segregation as the law of the land . . . but without a single act by any legislature or congress the power-hungry Supreme Court cancelled out that law and wrote another.

"I'm not a lawyer, but I know that was wrong."

# 'Bull' Connor Named In U. S. Restraint Suit

## Bus Co. wants him to leave cafe alone

WASHINGTON (NNPA)—The Federal Government went to court Thursday to protect the Greyhound Corporation from Birmingham officials who want to put the company out of the restaurant business because it persisted in serving all passengers in accordance with the ICC ruling that went into effect Nov. 1.

United States Attorney Macon A. Weaver filed suit in the Federal District Court at Birmingham against the city of Birmingham, Mayor Arthur J. Hanes, and Commissioners Eugene Bull Connor and J. T. Waggoner.

Mr. Weaver asked the court to enjoin the city, its officers, agents and employees from arresting, or causing to be arrested, any personnel of the Greyhound Corporation.

**HE ALSO** specifically requested a ruling to forbid the defendants from suspending, revoking or canceling the Greyhound restaurant's license on account of any alleged violation of a Birmingham law forbidding colored people and whites from being served food in the same room.

The latter action is directed against Section 369 of the General Code of the City of Birmingham, which makes it unlawful to serve food to colored and white customers unless these persons are "effectually separated."

In do this, the local law says there must be a "solid partition extending from the floor upward to a distance of seven feet or higher." A separate entrance from the street must also be provided for each compartment.

* * *

**MR. WEAVER** explained that this action was brought at the request of the Greyhound Corporation and their attorneys. The company was served with a copy of a city resolution ordering it to show cause why its license should not be revoked and canceled for violation of laws pertaining to the conduct of the business.

He asserted the "purpose and effect of the arrests and convictions described above, and the license revocation proceedings are to compel Greyhound and its agents to maintain racially segregated restaurant facilities in the terminal."

The Government attorney said Mr. Connor who controls and directs the activities of the Birmingham Police Force in his capacity as Commissioner of Public Safety, has caused the following arrests since the first of November:

Nov. 3 — The arrest of Ralph Sizemore, manager of the bus terminal restaurant in Birmingham, for serving four colored interstate bus passengers.

Nov. 5 — The arrest of W. E. Gleason, a cashier, at the terminal restaurant, for serving a colored person.

Nov. 6. — The arrest of Mrs. Pearl Brown, another terminal cashier, for serving a colored member of the Armed forces.

Nov. 7. — The arrest of Mr. Sizemore for serving three colored persons.

Nov. 8. — The arrest of Mr. Sizemore for serving four colored interstate bus passengers.

* * *

**FOLLOWING THESE** arrests, Mr. Weaver said, an attempt was made to avoid injunction proceedings and to allow these cases to proceed in normal course in the courts of the State of Alabama.

It was assumed, he said, that this had been accomplished as there had been no more arrests at the Greyhound bus terminal since Nov. 8, and the subsequent conviction of Mr. Sizemore, Mr. Gleason, and Mrs. Brown.

However, on Dec. 5, the city ordered Greyhound Corporation to appear before the Commission of the City of Birmingham on Tuesday, Dec. 19, to show cause why its restaurant license should not be revoked and canceled.

All negotiations having failed, Mr. Weaver concluded that he had no alternative but to file suit to prevent the closing down of the Greyhound restaurant because it was complying with the Interstate Commerce Commission order.

Mr. Weaver said the constitutionality of the ICC order issued Sept. 22, barring discrimination in the operation of interstate motor carriers and their facilities, stands undisputed.

*JUDGE ALLOWS 10 DAYS*

# Alter Bus Cafe Ban, Birmingham Ordered

BIRMINGHAM (AP) — U.S. District Judge Seyborun H. Lynne told the city of Birmingham Thursday to amend its ordinance prohibiting the serving of food on an integrated basis.

He gave the city 10 days to do it.

If it doesn't comply, he said, he will issue a preliminary injunction against the city.

Lynne acted in a hearing on a temporary restraining order, which he issued 10 days ago to block the city commission's efforts to close the segregation-troubled restaurant in Birmingham's Greyhound Bus Terminal.

**ICC RULING**

He extended the original restraining order 10 days.

Then he told city attorneys the extension was to give the city an opportunity to revise segregation ordinances so they will not apply to facilities subject to federal Interstate Commerce Commission regulations.

The hassle started in November when the restaurant was integrated in compliance with an ICC ruling on facilities serving interstate passengers.

The manager of the restaurant, Ralph Sizemore, has been arrested four times on charges of violating the city's segregation ordinance.

Early last week the city commission voted to revoke the restaurant's license. The federal government promptly asked for, and got, the temporary restraining order blocking the city commission's action.

The restaurant has remained open.

In court, City Attorney J. M. Breckenridge contended that the federal government "has not presented an iota of evidence" that interstate — rather than intrastate — passengers were involved in the arrests.

He also told the judge, "the U.S. government is pushing itself foward to try to exert pressure in a case in which congress has not given them authority."

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# Ban Sought On Interference With Greyhound Restaurant

Montgomery Advertiser p. 6A
Wed 12-13-61

BIRMINGHAM (AP) — The federal government petitioned Thursday for an injunction to stop the City of Birmingham from interfering with operation of the Greyhound Bus Station restaurant here.

Montgomery Ala.

The restaurant was integrated last month in compliance with an Interstate Commerce Commission ruling. U. S. District Attorney Macon L. Weaver said the injunction was sought at the request of Greyhound officials.

Named in the action, in addition to the city, are Mayor Arthur J. Hanes and Commissioners Eugene Connor and J. T. Waggoner.

Greyhound Corp. officials have been ordered to appear before the city commission Tuesday to show cause why the restaurant license should not be revoked for failing to observe a segregation ordinance.

Weaver said he regrets that the issue could not be resolved in the state courts. He added:

"But if the city insists on closing down the Greyhound restaurant on the basis that Greyhound was violating a city ordinance, I have no alternative but to ask the federal court to enjoin such action."

No immediate relief was asked in the petition, which will be docketed in routine order by U. S. District Court Judge Seybourn Lynne.

Ralph D. Sizemore, 34, manager of the restaurant, has been arrested several times for violating the ordinance. He and two employes have been placed under bond in connection with the charges.

ALABAMA

DEC.

BIRMINGHAM- U.S. GOVERNMENT PETITIONED FOR AN INJUNCTION TO STOP CITY OF BIRMINGHAM FROM INTERFERING WITH OPERATION OF GREYHOUND BUS STATION RESTAURANT

# U.S. COURT ENJOINS FREEDOM RIDERS IN ALABAMA TRIPS

## Judge Cites 'Undue Burden on Interstate Commerce' —Police Also Criticized

By CLAUDE SITTON
Special to The New York Times.

MONTGOMERY, Ala., June 2—A Federal District judge ordered Freedom Riders and their supporters today to halt tests of segregation on public transportation in Alabama.

He also forbade the Montgomery police to withhold protection from interstate passengers no matter what their race. And he enjoined Ku Klux Klansmen and their associates from interfering with such travel.

In his fifteen-page order Judge Frank M. Johnson Jr. conceded that the white and Negro demonstrators might be within their rights. However, he said they had caused "an undue burden and restraint on interstate commerce."

[In Washington the Justice Department made it clear that it disapproved of the injunction against further Freedom Rides. It criticized any legal restraints on a citizen's exercise of his constitutional rights.]

### Riders to Fight Order

Supporters of the Freedom Riders said they would ask the Fifth Circuit Court of Appeals to vacate the order. However, a court official here said such action would have to await the issuance of a preliminary injunction and that the restraining order would remain in force for ten days.

The judge found that city law-enforcement officials had demonstrated "willful and deliberate failure" to protect passengers on a Greyhound bus that arrived here May 20 with a group of Freedom Riders.

The officials included Lester B. Sullivan, the city's Police Commissioner, and Goodwin J. Ruppenthal, the chief of police.

Judge Johnson also said that members of various Klan groups had conspired in and participated in riots here, in Birmingham and at Anniston, Ala.

### Hearings Lasted 4 Days

The stern-faced judge told those involved that his orders must be obeyed. He said:

"I want to make it abundantly clear that this injunction and restraining order will be enforced.

"If there are any such incidents as this again, I am going to put some Klansmen, some city officials, some city policemen and some Negro preachers in the Federal penitentary.

Defiance of these orders could bring unlimited jail terms, according to a District Court source.

Judge Johnson's action followed a four-day hearing, which ended yesterday. He had denied Birmingham's police officials in the injunction as had been requested by the Justice Department.

The action raised doubts over the future of the Freedom Rides, at least in this state. A temporary restraining order names virtually every organization and individual of any significance in the movement.

The organizations included were the Congress of Racial Equality, a Manhattan-based group of whites and Negroes; the Southern Christian Leadership Conference, which is headed by the Rev. Dr. Martin Luther King Jr. of Atlanta, and the Student Nonviolent Movement of Nashville, Tenn., which was formed during the sit-in demonstrations against lunch-counter segregation there.

The fourth organization was the Montgomery City Jail Council. This was set up last week by eleven demonstrators who had been arrested while seeking service at a Trailways bus terminal lunch counter.

The individuals restrained by the court were Dr. King; the Rev. Ralph D. Abernathy of Montgomery, president of the Montgomery Improvement Association, a Negro protest group, and the Rev. Fred L. Shuttlesworth of Birmingham, president of the Birmingham Christian Leadership Council.

Other persons named were the Rev. Solomon S. Seay Sr., a Montgomery integration leader, and the Rev. Wyatt Tee Walker of Atlanta, executive director of the leadership group. Mr. Walker is also a key member of the Freedom Ride Coordinating Committee of Atlanta.

The restraining order prohibits the organizations and individuals named and "all persons acting in concert with them" from:

¶Sponsoring, financing, assisting or encouraging any individual or group in traveling in interstate commerce through Alabama for the purpose of testing segregation laws.

¶Committing any act that is designed to cause violence upon or threats toward any passengers in interstate commerce in Alabama.

¶Otherwise obstructing, impeding or interfering with the free movement of interstate commerce in the transportation of bona-fide interstate passengers in Alabama.

### Judge Explains Order

"This is not a restraining order enjoining individuals or groups who are traveling in interstate commerce through Alabama and through this district on bona-fide trips," Judge Johnson emphasized. "It is only directed to and against those organizations and individuals specifically named."

The judge scheduled a hearing for June 12 at which the integration advocates may show cause why a preliminary injunction should not be issued pending trail of the case.

In commenting on the restrainig order the judge noted that the violent outburst had been caused directly by the Klansmen and others. He also said they had been allowed "by the willful failure of the police authorities to take the usual, adequate, protective measures."

However, he contended that it was "equally true" that supporters of the Freedom Riders, "by their actions in financing and sponsoring and aiding and assisting such non-boda-fide trips, are directly causing an undue burden and restraint upon interstate commerce within the State of Alabama and within this district."

### 'Agitation' Seen by Court

The court recognized, he said, "that this sponsorship, even though it is agitation within the law of the United States, is agitation that constitutes an undue burden upon the free flow of interstate commerce at this particular time and under the circumstances that exist."

Judge Johnson noted that additional facilities and buses had been made necessary and that this had required the companies to run extra schedules and to coordinate them with armed escorts.

The Freedom Riders' actions 'may be a legal right," he conceded.

However, he went on: "The right of the public to be protected from the evils of their conduct is a greater and more important right."

He then pointed out that "the right of the public to be protected from evils of conduct, even though the constitutional rights of certain persons or groups are thereby in some manner infringed, has received frequent and consistent recognition by the courts of the United States."

### Includes C.O.R.E. Group

Mr. Sullivan and Mr. Ruppenthal, through their attorneys, had requested the District Court to issue an injunction against the Congress of Racial Equality and the Freedom Riders.

In his order, the judge said that "even though these sponsors have not been named as defendants in this action by the United States, this court is under a duty to go further in this particular case and grant the public complete relief insofar as possible."

The preliminary injunction involving the city police included Mr. Sullivan, Mr. Ruppenthal, their officers and agents and persons acting with them. They were enjoined from "failing or refusing to provide protection for all persons traveling in interstate commerce in and through the city of Montgomery, Ala."

Judge Johnson said the hearing had brought out that Mr. Sullivan and the others "were aware of the explosive situation that existed in this area" before the arrival of the bus carrying the Freedom Fighters.

Despite this, he asserted "they did not take any of the usual precautionary measures to keep down violence in the city."

The Commissioner "had not even alerted the Montgomery city police, and no special plans had been made to insure the safety of the group of students, to prevent unlawful acts of violence upon their person and to insure the safe conduct of these groups of interstate travelers," the order said.

The ruling continued:

"This Court specifically finds that the Montgomerhy Police Department, under the direction of Sullivan and Ruppenthal, willfully and deliberately failed to take measures to insure the safety of the students and to prevent unlawful acts of violence upon their persons.

"This lackk of protection on the part off the city police of Montgomery continued even after the arrival of the bus."

Judge Johnson held that the failure of the police to act constituted a violation of the equal-protection clause of the Fourteenth Amendment to the Constitution. He also said it had deprived passengers of their rights without due process of law.

A reporter for The Montgomery Advertiser, the order noted, had testified that a city detective had told him on the day of the riot tha the police "'would not lift a finger to protect'" the riders.

Mr. Sullivan denied during the hearing that the police had failed to act and contended that 'there was no indication that there would be trouble."

At the request of Justice Department attorneys, Judge Johnson issued a temporary restraining order May 20 against various Klan groups and persons alleged to have participated in the riots. The only organization among them not included in today's preliminary injunction was the Federated Ku Klux Klan, Inc.

### List of Others Enjoined

Besides the police officials, the injunction included the U. S. Klans, Knights of the Ku Klux Klan, Inc.; The Alabama Knights, nKights of the Ku Klux Klan, Inc.; Alvin Horn, grand dragon of the U. S. Klans; Robert M. Shelton, imperial wizard of the Alabama Knights, and "all persons acting in concert with them."

Others included were Claude V. Henley, a former reserve policeman here and Thurman hearing identified the two as members of the mob that attacked the Freedom Riders here. All of the persons named are enjoined from:

¶Conspiring to interfere with travel of passengers in interstate commerce through Alabama free from racial segregation and other unjunst discrimination.

¶Committing acts of violence, or threatening, intimidating, assaulting or harassing any interstate passengers.

¶Threatening, committing violence or injuring personnel or property of bus companies.

¶Otherwise obstructing, impeding or interfering with the free movement of interstate commerce.

Judge Johnson said the evidence had shown that both the U. S. Klans and the Alabama Knights had taken part in the conspiracy and riots here, in Birmingham and in Anniston.

### C. O. R. E. Maps Appeal

The Congress of Racial Equality plans an immediate appeal of Judge Johnson's order to the United States Circuit Court of Appeals.

Marvin Rich, community relations director at C. O. R. E.'s headquarters, 38 Park Row, said that "we feel that the right to travel on interstate vehicles cannot be abridged, nor can it be limited."

Should the court rule against a stay of execution, C. O. R. E. will continue its fight to win the right of unlimited travel on the public highways at a formal hearing scheduled for June 12, Mr. Rich declared.

He pointed out that Judge Johnson's restraining order had "only legal and technical meaning now" because C. O. R. E. had had no immediate plans for further Freedom Rides in Alabama.

The organization is concentrating its forces in Jackson, Miss., he reported.

# Alabama Passes Anti-Rider Bill

MONTGOMERY, Ala. (AP)—The Alabama Senate gave swift approval Saturday to a bill to prohibit "freedom rides" in Alabama. The House-passed bill was sent to the governor for signature.

Members of the upper chamber voted 24-0 in favor of the measure, setting a maximum penalty of $300 fine and six months in jail for anyone who pre-announces and then carries out a challenge to Alabama's racial barriers.

Specifically, the bill forbids "any act, gesture or communication which is calculated to or will probably so outrage or transgress the sense of decency and morals or so violate or transgress the pattern of life and habits of the people of Alabama as to be likely to cause a riot."

The overwhelmingly endorsed bill, co-sponsored by nearly every member of the legislature, does not mention freedom riders by name.

However, supporters admit its purpose is to discourage segregation-testing bus rides like the one which touched off bloody race riots and led to martial rule in Montgomery last May.

SEPTEMBER
MONTGOMERT -FREEDOM RIDERS
U.S. COURT WILL HEAR RIDER SUIT

# U. S. Court Will Hear Rider Suit

Birmingham Post-Herald
Bell
Sun. 9-3-61

## Seek Desegregation Of Bus Terminals

MONTGOMERY, Sept. 4 (AP)—A hearing opens in Federal Court tomorrow on a "freedom rider" suit seeking to desegregate Montgomery bus stations and protect integrationists from arrest.

Filed last May in the aftermath of bloody racial violence, the complaint asks for a court order to prohibit buslines or city, county and state authorities from "enforcing and pursuing a policy, practice, customs and usage of separation of the races" in buses and terminals.

**Hits Breach of Peace Law**

It also attacks constitutionality of the state's breach of the peace law under which 11 freedom riders, including four white college professors; were arrested May 25 while seated together at a bus station lunch counter.

The law prohibits any "conduct calculated to provoke a breach of the peace" and provides a maximum penalty of 12 months in jail and a $500 fine.

Trials of the 11 defendants in state court have been postponed pending outcome of the hearing before U. S. Dist. Judge Frank M. Johnson Jr.

**Seeks Stop To Arrests**

The suit asks Johnson to prevent authorities from "arresting, harassing, intimidating, threatening and coercing" bus riders who seek to tear down racial barriers.

Among the freedom riders filing the complaint were the Rev. William S. Coffin Jr., chaplain at Yale University; the Rev. Gaylord B. Noyce, assistant professor at the Yale Divinity School; Dr. David E. Swift, professor of religion at Wesleyan in Middletown, Conn., and Dr. John D. Maguire, assistant professor of religion at Wesleyan.

They were arrested with seven Negroes at the bus station while seeking service at the white lunch counter.

38a 1961

ALABAMA

SEPTEMBER
BIRMINGHAM- FREEDOM RIDERS
HOWARD THURSTON EDWARDS ACQUITTED

# Birmingham Man Acquitted Of 'Rider' Violence Charge

BIRMINGHAM (AP). — A circuit court jury late Wednesday acquitted Howard Thurston Edwards of an assault with intent to murder charge which resulted from the Mother's Day "Freedom Rider" violence in Birmingham.

The jury deliberated only a few minutes but held up its verdict while court officials located the presiding judge.

Bud Gordon, a Birmingham News reporter-photographer, earlier identified Edwards as one of the men who beat up a photographer during the rioting.

But Edwards' wife testified he was at their house in suburban Irondale at the time that a white mob attacked an integrated group of bus riders at the Trailways station in downtown Birmingham.

Edwards, 22-year-old Birmingham print shop employe, is charged with assault with intent to murder in the beating of Tommy Langston, a photographer with the Birmingham Post-Herald.

Langston testified that he could not identify Edwards as one of the men who jumped him while he made pictures of the mob beating up the integrated bus riders.

The charge against Edwards carries a maximum penalty of 20 years imprisonment on conviction.

Gordon, of the Birmingham News, said he saw Edwards and about 10 other men chase Langston, hit him and knock him to the ground, and smash two cameras he was carrying.

The state rested its case after Gordon testified.

38a 1961

# Patterson Asks Bobby 'Send Riders Home, Let South Be'

Gov. John Patterson appealed to Atty. Gen. Robert Kennedy Monday to "Please leave the people of the South alone and tell your "Freedom Riders' to go home."

His telegram to Kennedy was prompted by the weekend outbreak of racial violence at Monroe, N.C., which was touched off by anti-segregation picketing.

Patterson also sent telegrams to Gov. Terry Sanford of North Carolina and Mayor Fred Wilson of Monroe, telling them they have the sympathy of the people of Alabama.

Three cities in Alabama—Montgomery, Birmingham and Anniston—experienced racial outbreaks three months ago prompted by the arrival of segregation-challenging "Freedom Riders."

The Alabama governor, in his telegram to Kennedy, denounced what he called "lawless elements from the North who call themselves "Freedom Riders."

"Surely you have ample evidence by now," he said, "that these invaders are nothing more than rabble rousers and law violators whose aim is to create riots and breaches of the peace in the Southern states."

He charges that the movement "is backed and supported by the Communist Party with the intent of dividing out country and creating domestic distrubances at a time of international crisis."

Patterson told the attorney general that "your encouragement of these rabble rousers is bringing about a disregard and disrespect for law and order" and if continued, "will certainly lead to grave consequences."

ALABAMA

GOV. JOHN PATTERSON
TELEGRAM TO ATTY.GEN. ROBERT KENNEDY
(PLEASE LEAVE THE PEOPLE OF THE SOUTH ALONE AND TELL YOUR "FREEDOM RIDERS" TO GO HOME.")

FREEDOM RIDERS
FATHER ALBERT S. FOLEY

# Freedom Riders Bared Truth About South, Insists Priest

## Foley sees movement in victory

NEW YORK — A Southern priest expressed "highest admiration for the Freedom Riders for uncovering some of the truth about race attitudes in the south."

Father Albert S. Foley, professor of sociology at Spring Hill College, Mobile, Ala., spoke to about 100 at a meeting of the newly-formed Bronx chapter of the Catholic Interracial Council.

He said the Freedom Riders had put an end to several Southern illusions and false traditions, and had laid bare for all to see "the bitter and die-hard resistance" of Alabama officials to the orderly processes of law enforcement and to court decisions.

The riders also revealed, said Father Foley, "the glaring discrepancy between the legend of Southern hospitality for visitors and the stark fact that some Southerners, notably the members of the violent mobs, are savagely inhospitable to other American citizens — regardless of their high rank or clergy status."

Father Foley, chairman of the Alabama Advisory Committee for the U.S. Civil Rights Commission and Council on Human Relations, felt that the movement has a good chance to succeed if its leaders coordinate their efforts with those of other organizations.

* * *

**ATLANTA** — In an interview with Ray Moore, news director for WSB-TV, taped in Washington, Atty. Gen. Robert F. Kennedy denied he encouraged Freedom Rides.

On the contrary, Mr. Kennedy said he tried to persuade participants from taking the rides a week before the violence in Montgomery, Ala.

The riders ignored the attorney general's plea for a "cooling off period."

And on the local front, the President's brother said he concerning Rep. John Bell Atlanta schools desegregated in September.

And in reply to a question concerning Rep. John Bell Williams' request that Federal troops be sent to quell recent Chicago violence, Mr. Kennedy said:

Chicago police "are not standing back and waiting for people to be beaten up 10 to 12 minutes and then stepping in."

* * *

**IN OTHER** action in Georgia, Gov. Ernest Vandiver turned over to Alabama authorities a suspect accused of assault with intent to murder in connection with the Birmingham riots against freedom riders.

The governor said he could find "no reasonable basis" for refusing to hand over Herschel W. Acker of Rome, a pulpwood worker, accused of beating a photographer and an innocent bystander.

The suspect was identified by Bud Gordon, a Birmingham news photographer.

And in Macon, the arrest of John E. Glover, 19, paved the way for a test of Georgia's bus segregation laws.

Donald L. Hollowell, Atlanta attorney, filed an appeal immediately after Glover was convicted in City Court by Judge Andrew W. McKenna on a charge of refusing to move to the back from a front seat when ordered by the driver.

* * *

**JACKSON, MISS.** — The number of freedom riders arrested in Jackson since May 24 totaled 294 last week as 15 more were taken into custody at the railroad station's white waiting room.

Like the others, all were charged with breach of the peace.

The majority of the 15 riders, 10 of them white, were University of California students.

* * *

**AND ON** last Monday, James R. Wahlstrom was arrested for the second time since June on a breach of peace charge.

The 19-year-old former University of Wisconsin senior was arrested June 6 and given a four-month sentence, two of them suspended, and fined $200. He was released on bond June 24, returning to Wisconsin where he got a job as a dishwasher before returning to Jackson.

And at the trial of a group of freedom riders last Friday, a German reporter-photographer for Quick magazine of Munich, likened Mississippi to Germany under the rule of Hitler.

"You people condemned us German soldiers and Adolph Eichmann for obeying Hitler's orders without question," said Hilmar Pabel, 50," but now you say we must not question police orders."

Pabel, arrested for failing to "move on," was cleared. Judge James Spencer said there seemed to have been a "misunderstanding."

**FOUR FREEDOM** riders convicted of breach of peace complained at a Los Angeles press conference of harsh treatment in Jackson, Miss. jails.

But Sheriff J. R. Gilfoy claims they distorted the truth. He also charged that two of them — John, 28, and his 23 - year - old wife, Janice — had no right to complain because both have criminal records.

Rogers has "a record that goes back 10 years," said the sheriff.

Also complaining of the treatment received in Mississippi jails were Misses Marcia Rosenblum, white 23, of Los Angeles and Rita Carter, 18, of Berkeley, Calif.

The complaints included the "serving of horse meat and an improper diet" and making women remove their clothes in front of male guards.

* * *

**MONTGOMERY, Ala.** — The Senate Judiciary Committee, during a call meeting last week, unanimously okeyed a bill aimed at outlawing freedom rides.

Earlier, the House passed a similar bill which provides a maximum penalty of $300 fine and six months in jail.

And in addition to approving the anti-freedom ride bill, the judiciary committee also reported out a measure to make it easier to sue out of state newspapers in Alabama courts. The action was taken after the courts ruled against Alabama in a libel suit against The New York Times.

FREEDOM RIDERS
U.S. CHARGES 4 ALABAMA OFFICIALS WITH WITHHOLDING PROTECTIONS

# U. S. Charges 4 Ala. Officials With Withholding Protection Of Riders: "Cooling Period" Urged

## Injunction Seeks Halting Of Interstate Travel Hindrances

By SUSAN WAGNER
(United Press International)

WASHINGTON (UPI) — The federal government moved Wednesday against four officials in Birmingham and Montgomery, Ala., on grounds that they failed to assure protection for the "freedom riders" when they first arrived in the state.

The Justice Department asked the U. S. District Court at Montgomery to enjoin the officials from "interfering with the peaceful movement of interstate travel."

The action would make the four defendants in a government complaint already outstanding against the Ku Klux Klan and certain states rights groups.

The Birmingham officials are Police Commissioner Eugene T. Connor and Police Chief Jamie Moore. The Montgomery officials are Lester B. Sullivan, commissioner of public works, and Police Chief Goodwin J. Ruppenthal.

The department's announcement came as Atty. Gen. Robert F. Kennedy moved to discourage all unnecessary travel in Mississippi and Alabama until the "confusion and danger" growing out of violence against the "freedom riders" has passed.

He issued a special statement which also appealed for a "cooling-off period" in the two states. Besides "freedom riders," he said there are in the area certain "curiosity seekers, publicity seekers, and others who are seeking to serve their own causes."

Kennedy issued two statements during the day. In the first, he expressed confidence that local authorities now would control any outburst against the "freedom riders." In the second, he said the officials were meeting the test but their job was becoming increasingly difficult.

The Justice Department complaint against the Birmingham officials charged that the police deliberately withheld protection when a mob attacked the "freedom riders" in that city on May 14. They also were accused of refusing to prevent assaults on representatives of the Council on Racial Equality.

The department charged that the Montgomery officials had been informed of the expected arrival of the "freedom riders" in their city on May 20 and still failed to protect them.

The federal complaint also sought to add Claude Henley as a defendant in the case. Henley was described as a ringleader of the mob which attacked the riders in Montgomery.

Last Saturday Federal District Judge Frank M. Johnson issued a temporary order restraining the Ku Klux Klan and others from interferring with interstate travel by bus.

Atty. Gen. Kennedy said in his second statement of the day that there was an increasing possibility that innocent travelers — those forced to use buses on business or on other mandatory trips — might be injured.

"A mob asks no questions," he said.

"It would be wise for those traveling through these two states to delay their trips until the present state of confusion and danger has passed and an atmosphere of reason and normalcy has been restored."

# U. S. Enters Suit On Ala. Segregation Law

Atlanta Daily World
Atlanta, Ga.

By SUSAN WAGNER
(United Press International)

WASHINGTON (UPI) — The Justice Department announced Thursday night that it would take part as a "friend of the court" in a suit challenging the constitutionality of Alabama's segregation laws.

Thu, 5-26-61

The action followed an order by Atty. Gen. Robert F. Kennedy withdrawing all but about 100 U. S. marshals from the state because state and local officials appeared to have the "ffreedom rider" situation under control.

The suit was filed in Montgomery, Ala., Thursday afternoon by attorneys for the Rev. Ralph T. Abernathy of Montgomery, and six "freedom riders."

Edwin Guthman, Justice Department press officer, said the suit asked that Montgomery police be enjoind from enforcing segregation in interstate bus terminals. It also sought to block arrests of "freedom riders" under an injunction issued by an Alabama state court.

Guthman said U. S. District Judge Frank Johnson asked the department to take part in the case as a friend of the court.

"We have advised the court that we will comply with this request," the press officer said.

We have asked for an early hearing in view of the importance of the questions involved."

In another indication that the government hoped to concentrate its battle against segregation in the courts, Kennedy said that deputy Atty. Gen. Byron White was returning to Washington. White has been directing the U. S. marshals in Alabama.

The attorney general said the 100 marshals remaining in the state will be available for emergency duty. But he expressed hope they "can be withdrawn at an early date."

Meanwhile in Montgomery, Ala., a Negro leader was wounded by a bullet fired from a passing auto shortly after Alabama authorities jailed a new group of "freedom riders."

The Rev. Solomon Seay said he had just stepped outside his front door when he saw a youth, apparently white, stick a rifle out the window of an old model car speeding down the highway.

"I just happened to have my hand up in front of my face and the bullet struck my wrist," Seay said. He said there were several youths in the car.

Seay is executive secretary of the Montgomery Improvement Association (MIA), a leading group in the integration fight.

The group of "freedom riders" arrested included four white professors and three Negro students who planned to take a bus from Montgomery to Jackson, Miss.

They were arrested and charged with disorderly conduct when they sought service at a segregated lunch bar used without incident by two groups of "freedom riders" who preceded them to Jackson Wednesday.

Also arrested at the same time were three integration leaders who have figured prominently in planning the "freedom rides."

Two inter-racial groups jailed in Jackson Wednesday after completing bus rides from Montgomery had used the white facilities at the bus station here without challenge. But they were arrested in minutes after they arrived in Jackson and tried to use white facilities in that bus station.

P, 5

The new arrests brought to 37 the total number of "freedom riders" behind bars in the two cities.

**WITHDRAWS 500 MARSHALS**

There were these other developments Thursday in the Mississippi-Alabama area which has been the focal point of the two-week-long controversy:

Atlanta, Ga.

Attorney General Robert Kennedy announced withdrawal of 500 of the 600 U. S. marshals he sent into Alabama after mob violence, rioting and bloodshed marked the "freedom riders" appearance in that state.

—Mississippi Gov. Ross Barnett told a news conference in Jackson his state's segregation and other laws are valid until repealed and that violators would continue to be arrested. He renewed his promise to preserve order and prevent violence in Mississippi.

—Alabama Gov. John Patterson, commenting on the new arrests, said state authorities escorted the first batch of "co-called freedom riders" out of Alabama Wednesday to ease unrest. He said the state did so after receiving "assurances they wanted to leave Alabama, that they would not return, that others would not come here to cause new unrest." He said the state was not "committed to escort invaders all over Alabama to permit them to flagrantly violate our laws and customs."

Patterson said the second group of freedom riders "came against the urging of the United States attorney general and in violation of our agreement."

**REJECTS REQUEST**

—The Rev. Martin Luther King left Montgomery and returned to Atlanta. He said Negro leaders could not go along with Atty. Gen. Kennedy's request for a cooling off period. "We cannot in good conscience cool off in our determination to achieve first class citizenship," he said. King repeated his prediction that mass "freedom rides" would be undertaken, but said he could not give exact dates or other specifics at this time. The integration leader said he was sure "no responsible Negro leader" gave Gov. Patterson the assurances Patterson mentioned.

—Authorities here and in Jackson promised speedy trials for those arrested. First hearings in all the cases are now scheduled for Friday.

State Adjutant General Henry V. Graham offered Thursday's group the same armed convoy provided for Wednesday's group. The convoy would have included 50 National Guardsmen and 32 highway patrolmen with instructions to escort the group to the Mississippi border.

In addition to Maguire, the seven "freedom riders" arrested at Montgomery Thursday were the Revs. Gaylord Noyce and William Coffin, both Yale University religious professors, and George D. Smith, a Negro and a student at the Yale University Law School.

Also David Swift, like Maguire a religious professor at Wesleyan University at Middleton, and Clyde Barter and Charles Jones who are Negro theological students at Johnson C. Smith University at Charlotte, N. C.

The leaders arrested were the Revs. Ralph Abernahty, Fred M. Shuttlesworth and Wyatt Tee Walker. All were charged with breach of the peace.

# U. S. seeks to link Klan with violence

The Birmingham News
Birmingham, Ala.

BY CHARLIE GRAINGER AND TRUDY CARGILE
News staff writers

MONTGOMERY, Ala., May 31—The U. S. Justice Dept. sought today to connect Ku Klux Klan leaders with participants in mob violence against "freedom riders" in testimony in an injunction hearing entered its third day.

Wed. 5-31-61

The hearing before U. S. Judge Frank Johnson Jr. is on a government request to restrain police officials of Montgomery and Birmingham from failing or refusing to provide protection to persons in interstate travel.

The original complaint named the Alabama Knights, Knights of the Ku Klux Klan, with Robert Shelton of Tuscaloosa as chief officer; U. S. Klans, Knights of the KKK, with Alvin Horn of Talladega as chief officer and the Federated Ku Klux Klans, Inc.

P-1

**The complaint was amended to include Police Commissioner Eugene Connor and Chief Jamie Moore of Birmingham, Commissioner L. B. Sullivan and Chief G. J. Ruppenthal of Montgomery. It also listed Claude V. Henley and Thurmond T. Outxs, both of Montgomery, charged in Montgomery bus station beatings.**

Records of long-distance calls made from telephones belonging to alleged KKK members to others were expected to be introduced during testimony today.

TESTIMONY yesterday afternoon pointed fingers of accusation at Klansmen in gang attacks on a group of CORE bus riders at Anniston and Birmingham.

Three witnesses questioned about alleged KKK connections sought refuge under the Fifth Amendment, refusing to answer on grounds their testimony might tend to incriminate them.

One reluctant witness, 21-year-old Cecil Llewellen of Anniston was jailed by U. S. District Judge Frank M. Johnson Jr. for contempt of court.

Johnson instructed Llewellen that he had a right to decline to answer questions that might incriminate him but would be required to answer other questions.

**Llewellen recited the Fifth Amendment when asked if he lived in Anniston. Johnson ordered him to answer the question, asserting that such a question would not come under the constitutional guarantee against self-incrimination.**

Llewellen refused and was jailed. He later returned to answer most questions posed by federal attorneys, then was returned to jail. He was released on $500 bond.

AFTER STATING his name, Llewellen was asked by federal attorneys if he lived in Anniston.

"I decline to answer that under the Fifth Amendement on grounds that it might tend to incriminate," Llewellen read from a written note.

"Who wrote that for you?" asked Judge Johnson.

"I decline to answer," said Llewellen.

"I insist that you answer that question. It will not incriminate you," fired back Johnson.

**"J. V, Stoner, a lawyer, of Atlanta, Ga.," was the answer.**

"Where did you see him?"

"MARSHAL, COMMIT this man to jail for contempt of this court!" said Johnson.

Later, as Adams appeared to testify, Atty. Stoner accompanied him. The lawyer asked the judge to instruct the witness to his rights.

Johnson instructed the witness of this constitutional guarantees and told the attorney Llewellen had been aware of his rights when he had refused to answer.

When Llewellen was recalled to testify he said he had met Stoner here through Adams. He chose the Fifth Amendment when asked if he belonged to the KKK.

**Llewellen's ex-wife, Mary Ann Cleghorn, 20, of Anniston, testified he had told her last Fall he was a member of the Klan.**

State Investigator Harry E. Simms, who lives near the site of the Greyhound bus burning near Anniston, linked Llewellen to the scene of the mob violence in East Alabama.

James Oscar (Ace) Williams of Gadsden, yesterday invoked the Fifth Amendment when asked if he is a member of the Klan.

HE LATER ADMITTED that he was in Birmingham Mother's Day afternoon at the Greyhound Bus Terminal after 4 p.m.

Mob violence broke out at the nearby Trailways bus depot shortly after 4 p.m. that day, when a group of bi-racial riders debarked from a bus.

Williams was confronted by a list of alleged officers of the Alabama Knights of Ku Klux Klan and asked if he had voted on the ballot at a meeting of the Eastview Klan Klavern in Birmingham.

**"I did not vote on that ballot," answered Williams, "but I voted on one similar." The witness' name was pointed out on the document by U. S. attorneys.**

Kenneth Adams of Anniston Rt. 3, said by an earlier witness to have been at the scene of the Anniston bus burning, used the Fifth Amendment seven times when asked of his activities.

SHELTON, GRAND WIZARD of the Alabama Knights of KKK, hedged in testimony when asked of his knowledge of Klan leaders and members.

Judge Johnson, at one point sharply admonihsed Shelton to cease evasive answers. He recessed the hearing by telling Atty. James Hammonds of Bessemer, Shelton's lawyer, to "discuss evasiveness" with his client.

"I don't want to put Mr. Shelton in jail," said Johnson.

Shelton returned to request permission to reconsider his earlier answers.

**When cited several names and asked if each were members, Shelton said he did not know whether they are presently Klan members. He said several names mentioned were known to him as having been members of the KKK organization at one time.**

Yesterday's testimony ended with U. S. Atty. John Doar seeking to prove that Adams had made a phone call to Shelton last March 27.

SHELTON TESTIFIED records are kept by individual Klaverns and that he, as an overall organizer, knew most members only by the numbers on their records. He replied that he had sold tires to several men named in questions, but had not known them as Klansmen.

Jim Atkins, of Birmingham, WBRC-TV news director, had earlier testified he talked with Shelton near the Greyhound Bus Terminal the afternoon of the Birmingham beatings.

News Staff Writer Bud Gordon had told the court a black Cadillac with a low-frequency, whiplash antenna parked in the area of the Trailways station had been identified to him as belonging to Shelton.

Hubert Paige, 236 49th-st, n, Birmingham, denied being a Klansman, but said he had bought automobile tires from Shelton.

When asked his license number, Paige promptly told them it was 1A-1429.

**Government attorneys had sought to insert the same number into the records earlier when a Negro cab driver said he took the number from a car carrying a group of men who had beaten three Negroes after the Trailways incidents.**

The Negro, Walter Elder of Birmingham, said he saw three Negros standing on a street corner at Seventh-av and 18th-st beaten by a half dozen white men.

JOSEPH POSTEGLIONE, Anniston free-lance photographer, recounted incidents at Anniston.

The witness said he saw Kenneth Adams at the terminal and at the bus-burning scene. He said he recognized Adams as the same man he had seen holding a robe at a cross-burning rally in the Anniston city park last year.

Posteglione said he told Anniston police twice the morning of May 14 that he had a tip the bus carrying the CORE riders was on its way to Anniston.

He said police did not arrive at the terminal until "10 or 15 minutes" after an angry crowd had surrounded the bus, screaming insults at the riders, and delaying its progress.

# KING LIKELY TO GO TO RIOT SCENE

The Atlanta Journal
Constitution p. 1

## Non-Violence Leaders Called In; 'Whizzer' White Heads Marshals' Team

Atlanta, Ga.

By DOUGLAS KIKER
Atlanta Journal-Constitution Staff Writer

MONTGOMERY, Ala., May 20—Rev. Martin Luther King Jr. is flying back south from Chicago and "will probably" come to Montgomery Sunday to take personal charge of a non-violent integration protest in this strife-ridden town.

Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, announced this minutes after he himself arrived in Montgomery Saturday night in the wake of a day of rioting.

"We are calling in non-violent leaders from all over the South. We are going to see it through. We've got to see it through," he said.

"If we stop now, we've lost all our psychological advantage. We hope and pray nobody will have to die to shake Alabama and Montgomery to its senses. We insist that law and order must prevail," the Rev. Mr. Walker added.

The Rev. Mr. Walker said he was not sure yet exactly how many Negroes would be available Sunday. "We'll just have to wait and see. We are trying to get all we can," he said.

He said the 18 "freedom riders" who were beaten, stomped, and bloodied in Saturday afternoon's riots here were sent here backed by the Southern Christian Leadership Conference, which Dr. King heads.

Byron "Whizzer" White, detailed by President Kennedy to head the 400-man U.S. marshal force coming in here to maintain order was scheduled to land Saturday night at Maxwell Air Force Base.

# 2-DAY MEETING MAPS NEW FREEDOM RIDES

The New York Times

Special to The New York Times.

ATLANTA, May 26—Dr. Martin Luther King Jr. said key integrationist leaders were meeting here today and tomorrow to plan a resumption of Freedom Riders on a "large scale." At the same time, he said, he expects a temporary lull in the demonstrations.

He said the lull was not the same thing as the "cooling off" period Attorney General Robert F. Kennedy had asked for. He indicated the demonstrations would resume by the middle of next week, when final examinations for college students are over.

New York, N.Y.

"If the Federal Government came out with a strong order against segregation in interstate travel and any type of discrimination in terminals, we would have no need for the rides," he also declared.

The strategy meeting included leaders of the Southern Christian Leadership Conference, of which Dr. King is the head; the Congress of Racial Equality, the sponsor of the first Freedom Ride, and the Nashville, Tenn., Christian Leadership Conference, a branch of Dr. King's organization.

# Keep Marshals On Duty, King Urges President

Birmingham Post-Herald

Birmingham, Ala.

ATLANTA, May 25 (UPI)— The Rev. Martin Luther King telegraphed President Kennedy today that "a perpetual reign of terror still exists" in Montgomery, Ala., and asked that Federal marshals not be withdrawn from that city.

King's telegram was sent a few hours after he returned to his office in Atlanta from Montgomery, where he has been for the past several days in connection with the "freedom riders" activities.

Fri. 5-26-61

It was signed by King in his capacity as president of the Southern Christian Leadership Conference.

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The telegram said:

"A perpetual reign of terror still exists in Montgomery. Four official staff members of Southern Leadership Conference, Rev. Wyatt T. Walker, Rev. Ralph Abernathy, Rev. Fred Shuttlesworth and Rev. Bernard Lee are in jail on questionable charges associated with their entering waiting rooms in the Montgomery bus station.

"Another Southern Christian Leadership Conference member, Rev. Solomon Seay, was shot by whites from a passing auto. All this reveals that there is still need for Federal marshals to remain in Montgomery. "Knowing of your determination to preserve law and order and to protect all citizens, I strongly urge you not to withdraw Federal marshals from Montgomery at this crucial moment."

# 'SATURATION' OF RIDERS PROMISED

Atlanta Constitution p. 4

MONTGOMERY, Ala. (UPI) —The Rev. Martin Luther King Jr., said today he expected that there would be Freedom Riders on nearly every bus that leaves Montgomery in the next few weeks.

He said he expected many students seeking to integrate bus terminal facilities would begin riding when Negro colleges begin dismissing students at the end of the term.

King, when asked if the "bus method" of integration will be used in the future said, "very definitely. For the next few weeks this will be the area of concentration."

# 5 Georgians Face Courts Over Riders

The Florida Times-Union
Jacksonville, Fla.

LA GRANGE, Ga., May 29 (AP)— Three men drew heavy fines in recorder's court today for trying to stir up trouble over the passing through the city of a "freedom riders" bus. Two others were bound over to a higher court on more serious changes.

W. C. Hancock, 38, of Hapeville, and C. R. Hammond, 28, of Newnan, were held to superior court on charges of inciting to riot. Hancock was armed when arrested last Wednesday several hours after a group of "freedom riders" had passed through the city en route from Atlanta to Montgomery, Ala.

The recorder's court levied fines of $135 each against C. L. Handley, 29, of Hapeville; Tommy Jones and L. W. Chase, both of Newnan, on charges of idling and loitering.

Times 5-30-61

Police Chief Troy McClung said all five carried membership application blanks, identification cards or other papers indicating their connection with the Ku Klux Klan.

P-22

Three loaded pistols, a blackjack, hammer and billiard cue stick were found in the car the men used in coming to LaGrange, McClung said.

McClung reported they hired small boys to distribute pamphlets advising that a trouble-making group of integrationists was headed for LaGrange.

FREEDOM RIDERS
NAACP

# Wilkins Says NAACP Supports 'Rider's' Ideals

Jackson Daily News

A national NAACP executive said here last night that although his organization may disagree with minor points of the "Freedom Rider" movement it supports their ideals.

Roy Wilkins of New York City, executive Secretary of the National Association for the Advancement of Colored People, told a rally here that while his organization is not often as spectacular as the Congress of Racial Equality movement, he does not oppose the rides.

**SOLID WAY**

"We think the solid way to make progress is to attack segregation and discrimination by tactics generally accepted and used in America, such as in the courts," Wilkins told a crowd of more than 1200 at the Lynch Street Masonic auditorium. "We believe the way to test a law is to set up a test case, carry it through the courts and get a determination. We do not believe you can test a law and get it thrown out by staying in jail," he continued.

"After one spends 20 or 60 or 90 days in jail, the law is still on the statute books and still constitutes a support for segregation," he continued.

But he said the NAACP does "not sneer at those who choose to stay in jail," referring to the endless line of "freedom riders" who have paraded to Jackson jails in the past two weeks, "for they are registering a personal and powerful moral protest against injustices."

"Even though methods may differ. . .here is basic agreement among Negro leaders and organizations in the overall goals and objectives. All methods should be used," Wilkins continued.

He said racial discrimination in the South embarrassed President Kennedy in his discussions with Khrushchev.

**PAYS TRIBUTE**

Wilkins paid a back handed tribute to Gov. Ross Barnett and Jackson police for lack of violence in connection with "freedom rider" movement in Mississippi.

But he said they "put on a face" that all is well between races in the state.

"I don't care how bad we think of Gov. Barnett, we must say that he has performed one of the duties of his office. Some of them won't even listen to you," he continued.

Wilkins said he referred to Barnett's meeting with Dr. Aaron Henry of Clarksdale, state president of the NAACP, here last night.

The Rev. Charles A. Jones of Campbell College, presided at the meeting and announced that six Negro youths had successfully integrated the Jackson Zoo two days ago. He said they sat for two hours on Zoo benches and drank "that pure white water" without interference from police.

Sunday six Negroes, including some of those who returned Tuesday, were detained when they took seats at the zoo. Police released them without charges within 30 minutes of the time they were picked up.

Wilkins said an intensified voter registration campaign began this week in seven Mississippi cities. He did not name the towns.

He called on Negroes to press for registration to vote, for equal treatment by police, an end to segregation in courtrooms, employment in factories with government contracts, access to public accommodations and integration of public education facilities.

The University of Mississippi, he said, "would be a better university with some Negroes there. It'd be a real democratic university," he said, referring to a suit filed in federal court here last week to force the school to admit Negro college student J. H. Meredith of Kosciusko.

CORE FREEDOM RIDERS MAY,1961
MR. HOWARD THURSTON EDWARDS
RIOT SUSPECT HELD TO JURY FOR ASSAULT
BIRMINGHAM

# Riot Suspect Held To Jury For Assault

BIRMINGHAM (AP)—Howard Thurston Edwards Tuesday was bound to a grand jury on a charge of assault with intent to murder.

Edwards, 22-year-old printshop foreman, was identified as one of a band of white men who beat up a newspaper photographer during a bus station race riot here May 14. He was released on $300 bond.

Bud Gordon of the Birmingham News, one of the early witnesses in Edwards' hearing in County Criminal Court, identified him as one of the men who clubbed and stomped Tom Langston of The Birmingham Post-Herald.

IDENTIFIED IN PHOTO

Gordon also identified Edwards as one of the men in a newspaper photograph of the violence, saying he was a man facing the camera with an object — it had the appearance of a length of lead pipe — raised in one hand.

Gordon further said Edwards was one of a group of men who took his camera from him and destroyed the film in it.

Langston was one of several persons — newsmen and integrationists — beaten by the mob. The crowd of white men jumped Langston when he tried to photograph the violence. He suffered cuts and bruises.

Langston testified he could not identify any of the men who beat him. He said he couldn't positively identify Edwards as one of the men in the newspaper photograph.

Edwards was one of four men arrested in the week that followed the racial outburst. The others were charged with disorderly conduct.

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Associated Press

**Howard T. Edwards, 22, a Birmingham, Ala., print shop foreman, has been bound over to a grand jury on a charge of assault with intent to murder in connection with the May 14 riot at a Birmingham bus station.**

38a 1961

ALABAMA

FREEDOM RIDERS -MONTGOMERY
FREEDOM RIDE COORDINATING COMMITTEE
FREEDOM RIDER SCHOOL

# 'Freedom Rider' School Opens in Montgomery

MONTGOMERY, Ala. (AP)—The newly reopened office of the Freedom Ride Coordinating Committee will offer training in non-violent discipline to prospective riders from other parts of the country, Thomas Gaither, field secretary of the Congress of Racial Equality, said here Wednesday.

Gaither said the office was reopened for the purpose of recruiting people in the area for the rides and training prospective riders.

# JUDGE LETS CURB ON BUS TESTS DIE

The New York Times

## Opens Way to New Freedom Rides—12 More Jailed by Mississippi Court

June-6-13-61

By The Associated Press.

MONTGOMERY, Ala., June 12—A Federal judge's refusal to prolong a temporary restraining order left the door open today for new Freedom Rides in Alabama. P. 1

But United States District Judge Frank M. Johnson Jr. warned that he might reinstate his decree against sponsored rides at a later date "if it becomes necessary."

Judge Johnson let the restraining order die after postponing a hearing that was to have determined whether the temporary order would be replaced with a longer-lasting injunction.

The New York Times

The judge issued the order June 2 to prohibit the Congress of Racial Equality and others from financing, sponsorsing, assisting or encouraging tests of segregation in bus stations in Alabama until further notice.

But under Federal court procedure a temporary restraining order which can be issued without notice or hearing, can remain in effect only ten days. Then it can be extended for ten days. After that, it must be lifted or supplanted by a permanent injunction, which requires formal notice and hearing.

### Hearing July 17

Judge Johnson had ordered a hearing for today to determine the future course, but it was postponed until July 17 because C. O. R. E. and the other defendants had not been formally notified of the original court complaint that led to the prohibition of sponsored Freedom Rides.

Both the restraining order against C. O. R. E. and the other supporters of Freedom-Rides and an injunction against Montgomery police, the Ku Klux Klan and four individuals grew out of racial violence here and at Birmingham and Anniston, Ala.

The Justice Department asked for the injunction against Birmingham and Montgomery Police, the Klan, two of its leaders and two other individuals. Judge Johnson cleared police in Birmingham of blame for rioting there, but enjoined the others.

During the hearing on the police and the Klan, Calvin Whitesell, an attorney for Montgomery police officials, asked the judge to restrain the Freedom Rider groups in the same legal action. The judge did.

The New York Times

The Justice Department opposed the complaint against C. O. R. E. and the other organizations. It was represented today as a "friend of the court."

Mr. Whitesell, although he asked for the injunction against Freedom Rides, was still technically a defense attorney.

### C. O. R. E. Stand

Consequently, the C. O. R. E. attorney, Thurgood Marshall of Washington, argued that there was no one to prosecute the complaint. The Negro lawyer is chief counsel for the National Association for the Advancement of Colored People, but he did not appear in that role today.

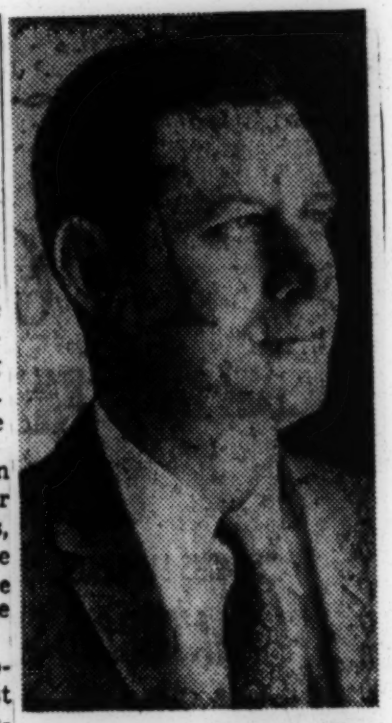
June, 6-13-61

Mr. Marshall asked the judge to dismiss the case against the Freedom Rider groups. The judge withheld a ruling.

Mr. Whitesell was given permission to file a motion for a new restraining order.

Defendants besides C. O. R. E. on the integrationist side were the Southern Christian Leadership Council, the Nashville Student Non-Violence Movement, the Montgomery County Jail Council and five Negro leaders, the Rev. Martin Luther King Jr. and the Rev. Wyatt Tee Walker of Atlanta, the Rev. Ralph D. Abernathy and the Rev. Solomon S. Seay Sr. of Montgomery and the Rev. F. L. Shuttlesworth of Birmingham.

The Jail Council was organized by eleven integrationalists who were jailed here during one challenge to bus-station segregation.



Associated Press

**RULES ON RIDERS: Federal District Judge Frank M. Johnson, who on technical grounds lifted a restraining order against Freedom Riders in Alabama.**

38a 1961

ALABAMA

JUNE

FREEDOM RIDERS-
REV. F.L. SHUTTLESWORTH, BIRMINGHAM
REV. JOSEPH ECHOLS LOWERY, MOBILE
PLAN TO LEAVE ALABAMA

# 2 Freedom Fighters to leave Alabama

BIRMINGHAM — Two of the South's most outspoken fighters for freedom, the Revs. Fred L. Shuttlesworth of this city and Joseph Echols Lowery of Mobile have announced plans to leave Alabama.

Their departure is a bitter blow to citizens pressing for decency and human dignity in the South.

The Rev. Mr. Shuttlesworth, president of the Alabama Christian Movement for Human Rights, has accepted the pastorate of a large church in Cincinnati. He said he plans to retain his legal residence in Birmingham.

The Rev. Mr. Lowery, who has pastored a Methodist Church in Mobile for nine years, has been named area director of promotion and public relations for the Nashville - Birmingham area of the Methodist Church. He will live in Nashville.

Both ministers were defendants in a series of libel suits filed by Alabama's Gov. John Patterson, three Montgomery city commissioners and a former commissioner.

FREEDOM RIDERS- MONTGOMERY
REV. CORDY T. VIVIAN, NASHVILLE, TENN
BEATEN

# Freedom Riders exercising legal right—Justice Dept.

MONTGOMERY, Ala. — The Freedom Riders merely are exercising a Constitutional right, states a brief filed in Federal Court here by the U.S. Justice Department.

The brief was filed by the Department against a ruling by U.S. District Judge Frank M. Johnson Jr. forbidding the Congress of Racial Equality and other groups from sponsoring Freedom Rides in Alabama.

A hearing on the injunction, which was issued June 2, was held Monday.

In a move which probably set a precedent, the Justice Department asked the court to be relieved from the responsibility of presenting the case against CORE, the Rev. Martin Luther King Jr., and other ministers and organizations sponsoring the rides. request of the Justice Department. Later Calvin Whitesell, who represented the Alabama officials charged with allowing violence against the Freedom Riders, announced that Judge Johnson had asked him to present the case against the Freedom Riders.

The effect of this development was to place a Federal Court in the unusual position of having its order defended by the attorney who originally opposed it.

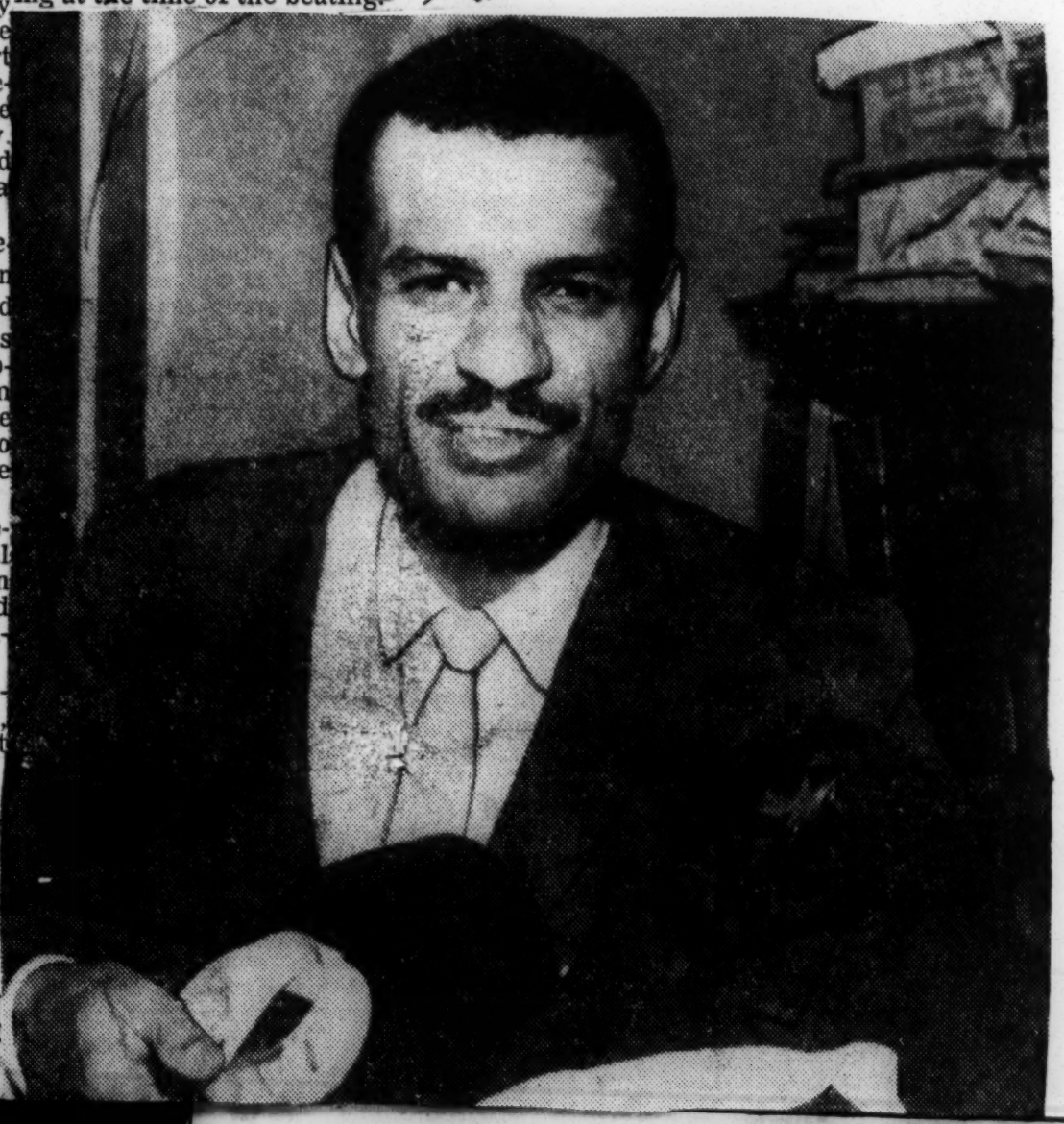
Explaining its brief in support of the Freedom Riders, the Justice Department stated that Judge Johnson overstepped his authority when he ruled that Freedom Riders must not test segregation laws in Alabama.

"....THE COURT lacked the power to restrain these activities," the Justice Department's brief stated.

It included the testing of segregation laws as among the "forms of free speech protected by the First Amendment.

In issuing the injunction, the court took it upon himself to prescribe how travel could be conducted by interstate passengers, the Justice Department argued.

**TELLS OF BEATING** — The Rev. Cordy T. Vivian, 36 - year - old Freedom Rider arrived in Nashville, Tenn. last week after posting bond in Jackson, Miss. He spoke at mass meeting in a Nashville church, telling of beatings in the Mississippi jail. The Rev. Mr. Vivian holds bloodstained clothes of his profession which he was wearing at the time of the beating.



FREEDOM RIDERS
ATTY. GENERAL KENNEDY ASKED FOR NEGRO DRIVER FOR FREEDOM RIDERS

# Says Atty. Gen. Asked For Negro To Drive Riders

The News and Observer

By THE ASSOCIATED PRESS

A bus company official testified Wednesday that Atty. Gen. Robert F. Knenedy urged him vigorously to get a Negro to drive a "Freedom Riders" bus when white drivers refused to move it.

When he replied that no Negro drivers were available, the witness said Kennedy told him, "Well, hell, you can look for one, can't you."

The statement came in U.S. District Court after Birmingham police were cleared of blame for race rioting there, but a similar Justice Department complaint against Montgomery police was left pending.

**Called As Witness.**

Called as a defense witness, Greyhound Supt. George E. Cruitt of Birmingham said Kennedy telephoned him after regular drivers refused to take the bus from Birmingham to Montgomery. Several scheduled trips were canceled before a Greyhound driver finally made the run May 20.

A screaming white mob attacked the Freedom Riders when the bus got here, and the Justice Department contends police "deliberately failed" to provide protection.

With dismissal of the complaint against Birmingham police and one of three Ku Klux Klan factions, who had been put under a temporary no-violence injunction after the rioting here, U.S. Dist. Judge Frank M. Johnson Jr. still is considering possible action against Montgomery police and two other Klan organizations.

The government seeks to compel police to protect Freedom Riders in the future, and to continue the injunction against the Klans.

Cruitt told the court that when he told Kennedy the regular drivers refused to take the bus out of Birmingham for fear of violence after rioting there, the attorney general asked him to get someone else, or drive it himself.

**For Montgomery.**

Among the first witnesses called by defense attorney Calvin Whitesell in behalf of Montgomery police was a high-ranking Justice Department official, John Seigenthaler, who was among those beaten by the screaming white mob near the Greyhound bus station in Montgomery May 20.

Seigenthaler had come here as a representative of President Kennedy to talk with Gov. John Patterson about protection for the Freedom Riders.

In court, he told of seeing bus riders and bystanders clubbed and beaten. He was slugged and hospitalized when he tried to rescue two white girls who were in the Freedom Riders bus group.

Whitesell asked Seigenthaler about names of bus riders in a notebook in his pocket, and when the judge asked the purpose of that line of questioning, the lawyer replied: "I just wanted to know if the Justice Department is working with CORE (Congress of Racial Equality which sponsored some of the rides) and these riders."

Seigenthaler said he got the names in advance in a long-distance telphone conversation with one of the sponsors, not officially connected with CORE, in Nashville, Tenn.

The Justice Department official also was asked whether he called police when the riot broke out. He said he did not.

# *On This Week's Racial Violence In Alabama...*

**DREW PEARSON Says:**

## The Kennedys Are Involved Ironically

WASHINGTON

THERE are tragic ironies behind the mob violence in Alabama which induced Attorney General Robert Kennedy to take the unusual step of sending 400 armed U.S. marshals there to restore order:

### Irony No. 1

It was only two months ago that the same Attorney General Kennedy was standing outside the Senate door calling senators off the floor and asking them to vote for Charles Meriwether, the No. 1 politico of Alabama who used to walk through the Alabama Capitol with his arm around Bob Shelton, imperial wizard of the Ku Klux Klan.

Last week, the same Attorney General asked for an injunction against the Klan to restrain it from more beatings-up of white and Negro bus riders in Alabama.

Senators William Proxmire of Wisconsin, Wayne Morse of Oregon, and Jacob Javits of New York had argued that Meriwether's close co-operation with the Klan was symbolic of Administration support for the wrong forces in Alabama and one of the reasons why he should not be confirmed. Young Kennedy, ignoring this, was the chief backstage wire-puller for Meriwether's nomination as director of the Export-Import Bank.

### Irony No. 2

Governor John Patterson, whose inflammatory statements prior to the arrival of the "freedom riders" in Alabama practically invited violence, was himself a victim of mob rule.

His father was killed by the underworld mob of Phoenix City, Ala. It was at his father's funeral that Meriwether and other Alabama politicians decided to groom John Patterson to run for attorney general and, later, governor.

### Irony No. 3

When Attorney General Kennedy wanted to restore law and order in Alabama, he tried to get Governor Patterson on the telephone. The Governor was "out."

In the past, telephone connections between "John" and "Bobby" have been frequent, friendly, and easy. During the nominating campaign for John F. Kennedy, Governor Patterson was the first Southern leader to come out for him and was one of the faithfuls who tried to line up Southern delegates. All during the presidential campaign Patterson had no trouble telephoning brother Bobby, and vice versa. This was true also during the Senate fight over Meriwether, who was appointed as a political pay-off to Patterson.

But when Bobby wanted to reach John regarding law and order in Alabama, John was out.

### Irony No. 4

Maxwell Field, just outside Montgomery, is the nation's Air University and show place of the Air Force. Yet there have been constant embarrassments to Negro visitors in that area.

Last year two Ethiopian Air Force officers, Maj. Abera Marian and Lt. Johannes Marian, guests of the U.S. Air Force, together with two U.S. Negro officers, Maj. Denzal Harvey and Capt. Philip Jeter, were arrested in downtown Montgomery while parking.

**Montgomery police confiscated a hammer from Major Harvey's automobile and hauled all four to the station house, threatening to book them for "carrying a deadly weapon."**

Later, the City of Montgomery formally apologized, but this did not undo the damage to relations with a country where the United States has been working to win friends against a lot of Soviet inroads.

*Another incident occurred in the Montgomery Trailways bus station when Airman Henry O. S. Mays, a Negro on emergency leave from Eglin field in Florida, stretched out on a bench to sleep. Police Officer Estes prodded him with a nightstick and ordered him to sit up.*

The police officer later alleged that Mays cursed him. But the Negro's story, later supported by Air Force investigators, was that the policeman had punched him, struck him with a nightstick, and pulled a gun on him which Mays knocked out of the officer's hand.

**Air Force investigators found that the Negro airman had been dragged to jail and beaten severely, his right eye swollen shut, lips puffed, face bruised, with three deep cuts over his eyebrow. They also discovered blood on his uniform, his prison mattress and the cell floor.**

Col. C. C. Harris, base commander, met privately with Montgomery City fathers, and reported to Washington that the police chief had expressed his regret. Colonel Harris, instead of demanding security for his personnel, ordered Negro personnel to keep out of Montgomery in the future.

### Irony No. 5

Ben Hardeman, assistant City judge of Montgomery, a strong segregationist, has been recommended by Senators Hill and Sparkman of Alabama to be U. S. attorney with the job of enforcing federal law. If appointed he will have to enforce the law as ordered by Attorney General Kennedy who has now sent 400 U. S. marshals to Alabama.

*Note—The Birmingham News led Alabama indignation in a series of vigorous editorials against Ku Klux Klan lawlessness and the hands-off attitude of Governor Patterson which encouraged that violence.*

Associated Press Wirephoto

**A church-organist "freedom rider" conducts a bus-station prayer meeting during Alabama troubles.**

38a 1961

ALABAMA

FREEDOM RIDERS - MONTGOMERY
MR. JAMES ZWERG, THEOLOGICAL STUDENT
APPLETON, WIS.

# Riot-Battered Zwerg Feels Cause Aided

Advertiser-Journal - p-5B
Montgomery Ala.
Jun. 5 28-61

APPLETON, Wis. (AP)—Injured "Freedom Rider" James Zwerg returned home today and said he was convinced the cause of brotherhood had been advanced by the journey into the South.

Zwerg, 21, was beaten and kicked and left unconscious in the street by a mob which attacked the pro-integrationist group as it arrived in Montgomery last Saturday. He was a patient in Montgomery's St. Jude Hospital until Thursday.

The theological student said he did not hate those who beat him "because they represent a small portion of southern residents."

In an interview at his home he said that "for the first time in my life I received flowers" while in the hospital. "They came from two white Montgomery women who picked them from their gardens. They sent a note which said, 'We want you to know that all the people in Montgomery are not like those who met you at the bus station'."

Zwerg left the hospital with his minister, the Rev. Richard Schroeder, assistant pastor of the First Congregational Church of Appleton. They were escorted to the airport by FBI agents.

Zwerg still showed the signs of the beating. His broken left thumb was in a splint. Purple shadows still showed around his eyes and there were the scars of lacerations near his right eye, and the eye remained inflamed.

Zwerg said he had no plans except to make up the examinations he missed at Fisk University at Nashville, Tenn., and to take up his summer job with the Appleton street department.

38a 1961

ALABAMA

FREEDOM RIDERS
SENATOR OLIN D. JOHNSTON

# Protest Riders Labeled Tools Of Communism

From The Commercial Appeal
Washington Bureau

WASHINGTON, June 8.—Senator Olin D. Johnston (D., S. C.) charged Thursday that so-called "Freedom Riders" are doing the work of the communists.

The South Carolinian called on the nation's press to "quit making an international incident out of every toe that somebody stubs below the Mason-Dixon Line."

He told the Senate he supports former President Harry S. Truman's contention that "Freedom Riders" are "agitators and pests."

He also declared, "There is a communist conspiracy behind the riders' movement."

Senator Johnston said intelligence reports from Communist East Germany have disclosed that communists have opened a school there to teach African Negroes and American Negro communists how to stir up racial trouble in the United States.

He said Gerhard Eisler, former No. 1 American communist and now one of Communist East Germany's leading propagandists, is in charge of the training program.

Agitators are to infiltrate the United States to foment strife to embarrass, harass and humiliate this country, Senator Johnston said.

"I think it is obvious," he declared, "that those participating in the "Freedom Riders'" movement, whether they like it or not, are doing the work which the East German communist race agitation school is training people to do."

# Disregard Cooling Off Plea, ADA Officer Advises Freedom Riders

Washington D.C.

The vice chairman of the Americans for Democratic Action, Joseph L. Rauh Jr., urged "Freedom Riders" yesterday to disregard the Federal Government's request that they cool off. June 5-28-61

Rauh said: "Freedom Riders are exercising their constitutional rights and they are entitled to protection from the Federal Government. P-A4

"If 600 marshals are not enough, 6000 or 60,000 will be," he said. Rauh, also vice chairman of the District Democratic Central Committee, spoke to the annual awards luncheon of the Capital Press Club at the Continental Hotel.

"Segregation," he said after receiving the group's Civil Rights award, "is communisms's ally . . . Simply put, we integrate or perish." The Freedom Riders have traveled by interstate buses to test segregation laws in Alabama and Mississippi.

Bill D. Moyers, at 27, one of the youngest New Frontier executive appointees, filled in as main speaker for Peace Corps Director R. Sargent Shriver Jr., who is out of the city.

Moyers, associate public affairs director of the Corps, said he hoped Peace Corps members would have the same spirit as the Freedom Riders, but he told reporters later the Corps neither encourages nor discourages the Riders.

The awards luncheon followed a forum on Africa and its challenge to mass media conducted by a newspaper editor, a magazine editor, a correspondent and information experts.

Winners of the award, plaques in addition to Rauh, were:

Scholarship, Thomas E. Payne, 19, Cardoza High School, a $250 award; Community Relation, Ruth B. Spencer, former District Board of Education member; Human Relations, Mortimer Lebowitz, president of the Washington Urban League; Communications, Era Bell Thompson, managing editor, Ebony magazine.

Citations went to the Rev. James Robinson, for work with Operations Crossroads African, an international understanding group; the Rev. Lawrence Henry, anti-segregation leader here of the Non-Violent Group; Elwood Davis, chairman of the Citizens for the Presidential Vote of D. C.; Pearlie Cox, for work with the Afro-American where she was society editor.

By Frank Hoy, Staff Photographer

**Shown at the Continental Hotel yesterday after they received plaques from the Capitol Press Club for their contributions in several fields, are (from left) Mortimer Lebowitz, human relations; Ruth B. Spencer, community relations; Era Bell Thompson, communications, and Joseph L. Rauh Jr., civil rights.**

FREEDOM RIDERS
GREYHOUND CORPORATION

Atlanta Daily World
Atlanta Ga. P. 1
Fri. 5-26-61

# Bus Firm Fires 3 In Ala. Incident

CHICAGO (UPI)—The Greyhound Corporation Thursday said it fired three employees at its Montgomery, Ala., terminal "within five hours" after learning they had refused to serve food to Negro freedom riders.

C. D. Cherry, vice president of the corporation, said the firings were issued as part of "a standing policy of operating under the established laws of the land."

"These releases were ordered under a re-statement of the policy Jan. 11, 1961," Cherry said. "The new directive was issued to update company policy in the matter of non-discrimination in Greyhound facilities" in line with a 1960 United States Supreme Court ruling on integration of bus terminal restaurants.

Cherry said the incidents came to the company's attention after J, L. LeFlore ,a Negro leader, said segregatioon ended in the Montgomery terminal only five days prior to the outbreak of racial violence there last weekend.

LeFlore reported to the company that he and another Negro were refused service April 30. He said they complained to the Interstate Commerce Commission, returned to the terminal May 15 and were served.

FREEDOM RIDERS
SENATORS-Strom Thurmond EX-PRES.HARRY S. TRUMAN
ESTES KEFAUVER JUDGE HOMER C. EBERHARDT(GA
HOMER E. CAPEHART Gov.Nelson A.Rockefeller
HARRY F. BYRD
JAMES O. EASTLAND

# 'Freedom Riders' Called Red Agents

The News and Courier Charleston, S.C.

WASHINGTON (AP) — Sen. James O. Eastland, D-Miss., told the Senate Thursday the "Freedom Riders" visit to Mississippi marks the first time the people of his state "came face to face with the world Communist conspiracy."

He said he salutes the people of his state and Mississippi officials for their reaction to the visit from racially mixed bus riders demonstrating against segregation in buses and at bus stations.

Eastland charged that the freedom ride was planned in Europe, "masterminded" by an organization known as the Congress of Racial Equality, and designed to embarrass President Kennedy on the eve of his talks with Soviet Premier Nikita S. Khrushchev.

P-1

"In my judgment," Eastland said, "one of its (CORE's) objectives is to manufacture incidents and thus raise money, from dupes, for the international Communist conspiracy."

"The freedom ride. . .was the master effort of this organization he said.

Eastland said newspapers reported that two riders on the bus were beaten at Rock Hill, S.C., and two were arrested on trespass charges at Winnsboro, S.C., a day later.

Jus 5-26-61

He said one of those beaten was Albert Bigelow, 55, who "ran afoul the law" by attempting to sail a ketch into a Pacific Ocean testing area in 1958 to protest the testing of a nuclear bomb.

Eastland said James Peck, 47, of New York City, one of those arrested, also had been in the ketch with Bigelow. He said Peck has a record of several arrests in connection with racial demonstrations and served a prison term for refusing as a conscientious objector to serve as a noncombatant in World War II.

"The day has come when the Communist movement must be stopped," Eastland said, "and this is part of the Communist movement inside the United States."

# HST Tells 'Rider' To Stay Home

Birmingham News

NEW YORK, June 5 (UPI)—Former President Harry S. Truman told a white "Freedom Rider" today to "stay up North" and let the South work out its own problems.

The rider, James Peck, of New York, walked with Truman during his early morning stroll. He was among a group of integrationists beaten in Birmingham by a white mob May 14.

Tues 6-6-61

Peck questioned the former President during his usual morning walk on statements he made last Friday characterizing the "Freedom Riders" as agitators.

"I'll stick to those statements," Truman said. "Integration can't be done in the manner you're doing it. You should stay up North."

Truman said the United States is making good progress toward integration but is not moving fast enough. He suggested the problem could be solved "with common sense and goodwill" if "the leaders" would get together and decide to solve it.

Truman said a major step toward integration would be the removal of racial signs from Southern waiting rooms.

Peck, still bearing the scars of his beating, said he would join another "Freedom Ride" if he is needed. This was his first personal encounter with Truman, but he came close in 1948 when he chained himself to a White House gate to protest the draft laws.

# 'Stay Home' HST Advises CORE Groups

The Montgomery Advertiser

P-8

NEW YORK (AP) — Former President Harry S. Truman asserted Friday the "Freedom Riders" are agitators who should stay home instead of "stirring up trouble in the South."

Fri 6-3-61

The native Missourian's remark drew a prompt reply from James R. Robinson, membership director of the Congress of Racial Equality, sponsor of the Freedom Riders, who said: "I don't think Mr. Truman's remarks will make any difference to the Freedom Riders or others who are supporting this movement."

Montgomery Ala.

Truman's comment was made during his regular morning walk from the Hotel Carlyle. He and Mrs. Truman are visiting their daughter and son-in-law, the Clifton Daniels, and grandchildren.

The former Democratic president said persons interested in the welfare of Negroes in the South should advance the cause of civil rights in an "orderly and legal manner."

He said "good will and common sense" would solve strained relations in the Southern states.

# Eastland Says State Met Reds As Freedom Riders

The Montgomery Advertiser

Montgomery Ala.

WASHINGTON (AP) — Sen. James O. Eastland, D-Miss., told the Senate Thursday the Freedom Riders visit to Mississippi marks the first time the people of his state "came face to face with the world Communist conspiracy."

Fri 5-26-61

He said he salutes the people of his state and Mississippi officials for their reaction to the visit from racially mixed bus riders demonstrating against segregation in buses and at bus stations.

P-2 A

Eastland charged that the Freedom Ride was planned in Europe, "masterminded" by an organization known as the Congress of Racial Equality (CORE), and designed to embarras President Kennedy on the eve of his talks with Soviet Premier Nikita S. Khrushchev.

"I salute the people of Mississippi for their courage, their intelligence and their patience," Eastland said. "This is the first time they have come face to face with the world Communist conspiracy. They have acted well."

Eastland charged that persons with long records of association with Communist fronts are among those in the top echelons of CORE.

He pictured CORE as "The war department of those who sell hate, collect donations and sow the seeds of discord in this country."

"Since its inception," he alleged, "its creed has been one of lawlessness and its tactics have followed the pattern set by Communist agitators the world over."

"'Peace Riders' is a revered Communist term, an old Communist technique."

# Rocky Hails Negro Push

The Montgomery Advertiser

P-1

ALB.NY, N.Y. (AP) — Gov. Nelson A. Rockefeller said Monday Negroes had been patient and considerate in seeking equal treatment and "this nation could have had a much rougher time."

June 6-61

The Republican governor declared that Negro "Freedom Riders," persons challenging segregation in Southern bus stations, "are asking in a quiet way for their rights as American citizens."

Montgomery Ala.

Rockefeller described the Rev. Martin Luther King, leader of the Negro Southern movement against segregation, as "a great American."

The Rev. Mr. King will be a dinner guest of Rockefeller's Friday night at the governor's temporary, official residence in a downtown hotel.

Rockefeller said in regard to the "Freedom Riders" and the civil rights question:

"I think we can feel very grateful for the fact that some of the minority groups in this country have been as patient as they have and as considerate in their approach to these questions. One would visualize that this country could have a very much rougher time."

# 'Riders' Related To Communists

The Commercial Appeal P-12

## Eastland Cites Records Of Members Of CORE —Stennis Speaks

Memphis, Tenn.

From The Commercial Appeal Washington Bureau

WASHINGTON, May 25. — Senator James O. Eastland (D., Miss.) charged Thursday that the organization promoting "Freedom Ride" demonstrations in the South "follows the pattern set by communist agitators the world over."

And he said some of the members of the advisory committee of the Congress of Racial Equality (CORE) have records of associations with communist front organizations.

### Both Senators Speak

Senator Eastland and Senator John Stennis (D., Miss.) in separate Senate speeches commended Mississippi officials and citizens for the way "Freedom Riders" were handled in their state.

Jus 5-26-61

A Senate resolution by Senator Jacob K. Javits (R., N. Y.) to place Congress on record as approving the use of Federal marshals in Alabama was debated briefly and laid aside.

Senator Stennis said Southerners attempting to cope with outside agitators should be commended rather than censured.

Senator Eastland, chairman of the Senate Internal Security Subcommittee, presented a formidable collection of information about the associations of persons connected with CORE.

He charged that James Peck, 47, of New York City, a "Freedom Rider" injured in Birmingham, was a conscientious objector who spent three years in Federal prison in Danbury, Conn., during World War II when he refused all Federal service. And he said Peck has been arrested in numerous incidents and demonstrations since then, many for causes supported by communists.

He said A. J. Muste, a member of the CORE advisory committee, was described by FBI Director J. Edgar Hoover in 1957 as a man "who has long fronted for the communists."

### Activities Cited

"Muste has been connected or associated with no less than 32 communist-front organizations or activities," Senator Eastland said.

The Mississippian also presented the records of others connected with CORE.

He charged the agitations in Alabama and Mississippi were deliberately devised as a prelude to President Kennedy's forthcoming meeting with Soviet Premier Nikita Khrushchev with the objective "to embarrass the President and the United States in the handling of international affairs."

# Byrd Deplores Mob Action

The Washington Post

RICHMOND, May 23 (AP) Sen. Harry F. Byrd (D.-Va.) said today he deplores the racial violence in Alabama but added "It must be realized that it was deliberately provoked by a mixed group of outsiders."

Washington, D.C.

The Senator said that although the "purpose of the Alabama invasion was to create trouble and provocation was great, I feel that the violence was not justified and was most unfortunate."

Federal marshals were sent to Montgomery and the National Guard was called out to deal with riots which resulted after "Freedom Riders" testin gsegregation arrived in the city.

5-24-61

Byrd said Virginia "has been the target for the NAACP and the Warren Court (U. S. Supreme Court) and the executive branch of the Federal Government since the 1954 (public school) integration decision.

"If there should be any such deliberate efforts to provoke citizens of Virginia to violence for propaganda purposes, I earnestly hope that Virginia's record against violence will prevail and be maintained.

"As has been demonstrated many times in the past seven years, the Virginia people of both races have shown their desire to avoid violence in seeking a solution."

Byrd, Virginia's senior Senator and leader of the State's dominant Democratic organization, said that throughout his "public career I have urged against violence in every form.

# Riders Irritate Old Wounds, Judge Warns

The Atlanta Constitution

Atlanta, Ga. P. 6

5-26-61

By REG MURPHY
Constitution Political Editor

JEKYLL ISLAND—The president of the Georgia Bar Association warned here Thursday that troubles now sweeping the South "may well open old wounds" when the nation needs to concentrate on its future.

Judge Homer C. Eberhardt of the Georgia Court of Appeals never referred specifically to the "Freedom Riders" in his speech to several hundred lawyers, but they obviously were his subject.

And a colleague on the Court of Appeals. Judge John Sammons Bell, said, "to preclude tyrannical government by the few, it is an absolute necessity that justice and politics be separated."

Both Eberhardt and Bell were featured speakers at the second session of the 78th annual meeting of the bar association here.

Eberhardt questioned whether the nation could afford "irritants" such as the "Freedom Riders" when America is in such a race with Russia.

The judge said that the courts are the proper place for handling issues such as civil rights, but he pointed out some seeming discrepancies in the decisions which have been issued recently by the U.S. Supreme Court.

"Surely we could with profit devote more effort toward matters upon which our national security rests, and concentrate a little less upon irritations that may well open old wounds," Eberhardt concluded.

Warning of the perils of mixing politics and the courts, Judge Bell said: "The grave responsibility is thrust upon lawyers and judges to see to it that politics and partisanship do not permeate the judiciary nor its adjunct enforcement agencies, for where this diffusion occurs there exists a totalitarian state."

Bell said the 1961 Legislature's action adding two judgeships to the Court of Appeals "will allow us more time to be devoted to the research so necessary to the proper deciding of cases."

The association will wind up its convention Friday by electing new officers and hearing a concluding address by Whitney North Seymour of New York, president of the American Bar Association.

# Thurmond Blames 'Freedom Riders'

The Commercial Appeal

## Kefauver Calls Violence In Alabama 'Reprehensible'

Memphis, Tenn.

From The Commercial Appeal
Washington Bureau

WASHINGTON, May 23.—Senator Estes Kefauver (D., Tenn.) Tuesday called the racial violence in Alabama "reprehensible" and charged local officials "have been negligent of their obligations to control brutality."

"I pray that those who have inflicted this damage, that those who have condoned it, and that those who have turned their backs upon it, will seek forgiveness in their souls," the Tennessean said.

Senator Strom Thurmond (D., Ala.) said, however, that "this is not a one-sided issue."

"The self-styled 'freedom riders' set out deliberately to create trouble at all costs," the South Carolinian said. "Their avowed purpose, publicly expressed, was not to work toward the creation of better race relations, but to incite incidents. They . . . were encouraged by both a large part of the press and the Administration. In fact . . . consulted with the Interstate Commerce Commission and the attorney general before they began the agitation trip."

# Capehart Lashes At 'Riders' For Breaking Southern Laws

The Montgomery Advertiser

Montgomery Ala.

WASHINGTON (AP) Sen. Homer E. Capehart, R-Ind., said Sunday he's opposed to southern segregation laws but disapproves also of "Freedom Riders" defiance of such laws.

P.-7A

Capehart accused the justice department of encouraging the 'freedom riders' testing of southern bus terminal segregation laws. And he said U.S. marshals shouldn't have been sent into Alabama to deal with rioting which resulted from the breaking of state segregation statutes.

**RADIO TALK** Mon. 5-29

Appearing on a taped radio interview program (radio news conference — non-network), the Indiana Republican implied John Seigenthaler, a justice department aide, had no business being at a Montgomery bus station on May 20 when rioting broke out. Seigenthaler was knocked unconscious while trying to help a white girl escape from a mob.

The Justice Department has said Seigenthaler was in Montgomery to try to prevent violence and this was suggested to Capehart but he replied:

"Well, I gave you my opinion and observation on it and that's my opinion and observation.

**VOICES FEELINGS**

"I'm opposed to permitting any group of people to organize for the purpose of violating the laws. I'm opposed to those (sic) kind of laws, as I told you, but I'm likewise opposed to organizing for the purpose of violating laws.

"That's the trouble with the world today — allover the world — you got nations that if they don't like their government, they throw them out with force, just as they did in Korea, just as they did in Cuba, just as they are doing around the world.

"Now, we're adopting this same technique here. We're adopting the technique of taking the law into our hands and organizing to do things, to create trouble and I'm opposed to it. I think it's wrong."

38a 1961

ALABAMA

GOV. ORVAL E. FAUBUS
CORE FREEDOM RIDERS
MAY 1961

# FAUBUS SEEKING AID TO ALABAMA

## Arkansas Solons Asked to Back State Envoys

LITTLE ROCK, Ark. (AP)—Gov. Orval E. Faubus asked the Arkansas congressional delegation by telegram Monday to join with Alabama congressmen in demanding that extra federal marshals be withdrawn from racially torn Montgomery, Ala.

In another telegram, Faubus criticized Atty. Gen. Robert F. Kennedy for sending the marshals to Alabama. He said Kennedy aides might in effect have encouraged the situation. In a third telegram Faubus offered sympathy to Alabama Gov. John Patterson.

Faubus said the Montgomery situation was "brought about by outside agitators and provocators as was the case in Little Rock in 1957."

That was the year Faubus used National Guardsmen to prevent Negro children from attending High School here, and former President Dwight D. Eisenhower later used troops to carry out the court-ordered integration.

Kennedy sent federal marshals to Montgomery after white rioters beat members of a traveling biracial group called the "Freedom riders." Patterson countered by putting the Montgomery area under martial law.

Faubus' telegrams were inspired, he said, by a telegram he received Sunday from Kennedy. He declined to release the next of the Kennedy telegram but said it appeared to be "a sort of explanation" for the attorney general's action in Alabama.

# The Montgomery Story—An Echo Returns

Thusly, the old Confederate capital, Montgomery, Alabama, is again the sounding board, the intermittent echo of a past, although buried, that never died.

In the shadow of the seat of government where Jefferson Davis took the oath as the first and only president of the ill-fated Confederacy, history is writing another chapter in the annals of race relations after nearly a hundred years of the struggle toward freedom.

When one reads from a press release stating that President Kennedy's personal representative suffered a mild concussion Saturday when he was attempting to protect a white girl who was being attacked, it shows that not even the representative of the highest official functionary in the land is immune from insult and mob violence.

So on goes the Montgomery story.

It is a sorry spectacle for the world at this time to find that in our own country among ourselves, that we not only have an unfriendly attitude toward our fellow citizens, but would defy the cardinal laws of our land.

Surely the Montgomery story has not netted anything worthy of pride in the recent history enacted from time to time ever since Mrs. Parks' case precipitated the struggle toward outlawing separate seating for the races in public buses.

It also is to be regretted that the governor of the state found himself with no other option than declaring martial law. But failure to defend law and order at the outset, made the need for National Guardsmen inevitable.

The Montgomery story continues; as the nation reads, the world also reads.

# There Must Be Better Means

Into the South last week came an interracial group which called itself the "Freedom Riders." Their avowed purpose was to test the segregation practices in the cities along the route to New Orleans, leaving Washington, D.C. and traveling by bus. The riders represented CORE (Congress on Racial Equality).

It is history now what happened as a result of this jim crow-testing episode. Not only the people of Birmingham and Alabama know but the whole world knows what happened as a result of this planned test.

The persons responsible for the violence against the bus passengers were wrong and should be dealt with by local police and the courts.

The "Freedom Riders" knew in advance that something was likely to happen to them, and apparently, they were ready to accept any eventuality. But even though they were willing to take the risk of their course, their act could have triggered a reaction that could have caused many innocent persons to suffer physical injury.

The South is tense with emotional excitement over the race question. The rapidly falling barriers of segregation and discrimination, the more or less sudden changing of old habit patterns of life and co-existence between the races, has kept feelings on edge. Violence and personal injury to innocent persons who do not care to be involved in the conflict, can result from hasty and unwise actions on the part of a few who may take the extreme approaches to solving complex problems.

Calm, quiet, intelligent approaches are the best ways to solve complex problems of this sort. Fanatical emotionalism on the one part, only begets fanatical extremism as a reaction.

The courts have decided the issue of interstate transportation and use of facilities. Dramatizing the lag between the legal right and the social fact, it seems to us, only gives the Communist adversary additional propaganda weapons to use in furthering their cause of capturing the undecided areas of the world. There must be better means than this.

38a 1961 ALABAMA

FREEDOM RIDERS ) ATTY.GEN. KENNEDY
BUS CASE BEFORE ICC ) ATTY.GEN. GALLION

# Bob Kennedy, Alabama Officia

the Atlanta Constitution

# Clash in Bus Case Before ICC

8.8

WASHINGTON (UPI) — U.S. Atty. Gen. Robert F. Kennedy and Alabama Atty. Gen. MacDonald Gallion submitted sharply conflicting views Monday on proposed rules banning segregation in bus travel.

Jue, 7-21-61

Kennedy, who drafted the proposed rules, prodded the Interstate Commerce Commission to issue them. But Gallion called the proposals an unwarranted intrusion on the rights of Alabama citizens.

Atlanta, Ga.

The opposing views were submitted to the ICC just before the deadline for comments. The commission has set Aug. 15 for a hearing on the proposals.

Kennedy submitted to the ICC a survey of 294 bus terminals in 17 states. It said racial segregation existed in 97 terminals in 12 states.

Gallion told the ICC Kennedy's proposals—submitted in the wake of the freedom riders Southern tour—are part of an effort to "encroach upon the personal and property rights of the citizens" of Alabama.

Kennedy said the survey—conducted by the FBI — disclosed segregation in 89 bus terminals in Florida, Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas and Tennessee. Nine terminals with segregated facilities were found in Kentucky, Virginia, North and South Carolina, he said. No open discrimination was found in Delaware, Maryland, Missouri, Oklahoma or West Virginia.

Gallion said the proposals "would serve to make an informer, a law enforcement officer and a judicial officer of each and every person, firm or corporation engaged in the business of rendering interstate transportation service."

38a 1961

ALABAMA

FREEDOM RIDERS
ALABAMA ATTY. GENERAL MacDonald Gallion

# 'VIP Riders' Expensive, Gallion Says In Selma

P. 4 B The Montgomery Advertiser

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By ELIZABETH COLEMAN
Advertiser Correspondent

SELMA (Special) — Guest speaker at the Thursday meeting of the Selma Exchange Club was Alabama Attorney General MacDonald Gallion, who discussed recent "Freedom Riders" activities in the state.

Dis. 7-7-61

He also gave a behind - the-scenes report on his recent appearance on the Dave Garroway "Today" television program.

More Gallion Riders

Following a brief background of "Rider" events, Gallion said "another type of Riders is getting started, which is costing the taxpayer a bit of money.

"This is called the 'VIP' (Very Important People)."

Continuing, Gallion said "On June 27 a C-131 plush, expensive-to-operate jet, furnished by President Kennedy, arrived at Maxwell Air Force Base. The plane was logged as being on official business and carrying Frank Reeves, Negro, White House aide to the president.

"Reeves was met by dignitaries of the base. He was escorted to Tuskegee to attend the fourth anniversary celebration of the Tuskegee Civic Association."

**RABBLE ROUSING**

As it turned out, Gallion added, "This meeting was used for nothing but rabble rousing!"

Gallion pointed out, in a forceful tone, "This man Reed has not paid his income tax in four years . . . his excuse being 'I can't pay it'. Could you or I say that and get by with it?"

In reference to his recent appearance on the Dave Garroway show, Gallion said that he almost didn't get on it. He said that the attitude up there (New York) towards a Southerner presenting his version of the activities going on in the South are strictly monitored.

Adv. 7-7-61

The attorney general brought his talk to a close with the statement that "The hour is getting very late. The point of no return is just around the corner.

"If we want to save ourselves we had better raise our voices

38a 1961

ALABAMA

MONTGOMERY- FREEDOM RIDERS
JUSTICE DEPARTMENT WARNS ALABAMA JUDGE

# Justice Department Warns Alabama Judge

Atlanta Daily World

MONTGOMERY, Ala. (UPI)—The U.S. Justice Department Monday told a federal judge if he banned the "freedom ride" movement in Alabama he would be denying the constitutional [illegible] of individuals. Wed. 7-19-61

City law enforcement officers argued, however, that "continued agitation" by "freedom riders" hindered interstate passenger travel in the state and set the stage for breaches of the peace.

Th arguments came in a hearing before U.S. Middle District Judge Frank M. Johnson, Jr., to determine whether he should enjoin the Congress of Racial Equality (CORE) and othe rpro-integration groups from continuing their "publicity campaign" in Alabama and the South.

After more than two hours of testimony, Johnson ordered briefs filed by Aug. 22.

Montgomery officials requested the injunction after Johnson let die a preliminary restraining order against the sponsors of the "freedom ride" movement. The preliminary restraining order, which under federal procedure is only good for 10 days unless renewed, prohibited CORE and its allies from sponsoring, financing or encourging the segregation-testing bus rides.

Johnson also slapped an injunction against several chapters of the Ku Klux Klan, Montgomery law enforcement officers and various individuals following racial violence at Anniston, Birmingham and the Greyhound bus station here during the week May 14-20.

38a 1961

# Couple Fined After Local Bus Incident

By ARTHUR OSGOODE

A couple arrested during a nob disturbance at the Greyound bus station here were found guilty of disorderly conduct by a Circuit Court jury Tuesday.

Frederick Gach was fined $25, his wife Anna $50.

The jury deliberated for approximately two hours before returning the verdict. The Gaches announcel through their attorney, Clifford Durr, that they do not plan to appeal.

Earlier, they heard Durr compare their actions during bus station rioting with that of the Biblical Good Samaritan, and City Prosecutor Dave Crosland say they provoked additional violence after police had rioters under control.

**CROSLAND CHARGES**

Durr observed that they had attracted the hostility of a mob because they protested the beating of a Negro who was lying unconscious in the street. Such a sight, he said, "if you are a human being, it will disturb you."

As to charges that the couple used profanity, Durr pointed to their denial that they did. He also told the jurors that if people were arrested for using swear words "our jails would be full."

Crosland said police at the scene "did everything they could do" to protect the couple from the hostile crowd. He also commented that the "Freedom Riders" came to Montgomery "to create a breach of the peace."

Crosland said that the Gaches, in refusing a police escort from the scene, were likely to cause additional outbreaks on the part of the crowd.

During the trial, which began Monday, testimony conflicted on whether Mr. and Mrs. Gach had used profanity.

Police officers testified that Mrs. Gach had cursed them because she said they failed to act to protect victims of the mob.

Both the defendants denied cursing at any time.

The Gaches and police witnesses agreed that they were pushed by a hostile crowd.

The trial was an appeal of a Recorder's Court conviction in which Gach was fined $100 for failing to obey an officer and both he and his wife fined $100 for disorderly conduct.

**CHARGE DISMISSED**

The charge of failing to obey an officer was dismissed after Judge Eugene Carter sustained a demurred by Durr that the ordinance setting out the offense was an amendment incorrectly added to an earlier statute.

Durr withdrew a motion for a mistrial earlier, after several jurors backed up a fellow juror when he said he had expressed no opinion on the case before hearing the testimony.

Durr said that two courtroom spectators had heard Frank Doby say that there was no use in listening to the testimony because he had already made up his mind. Doby and several other jurors said that a remark he made had been misinterpreted while he was joking with a Negro attendant.

Doby said he told the attendant that: "I've already made up my mind about you."

Durr in withdrawing his motion apologized to the jurors for the "misunderstanding."

Gach is a student at Auburn University. Mrs. Gach has recently taken a job in Dallas, Texas.

ALABAMA

# Couple denies profanity use during rioting

MONTGOMERY, Ala., July 11 —(AP)— An Auburn University pharmacy student and his wife yesterday denied using profanity before they were arrested in the May 20 riot at the Greyhound Bus Station here.

Frederick A. Gach and his wife, Anna, testified yesterday in State Court in their appeal of a City Court conviction on charges of disorderly conduct and refusing to obey an officer.

**The couple protested against the mob beating of "freedom riders" and were arrested.**

Both denied using profanity. Police officers testified that they cursed policemen.

MRS. GACH, who says she attended both high school and college with Gov. Patterson, testified that she heard of the trouble at the bus station and went to see about her husband. She said that after joining him, both were attracted by a crowd beating a fallen man.

She said she called out to the crowd to "Cut it out," and said she then asked two policemen standing nearby for help and "they said to mind my own business, and if I didn't like what was going on, I didn't have to look at it." Gach said he also asked a policeman to intervene.

**Both said they were threatened by the crowd and were afraid to walk along the crowded street. Gach said he and his wife later refused an escort of one policeman, who he said was a man that he and his wife had vainly urged to stop the earlier beating.**

Police Lt. R. D. Moody, who offered them the escort, quoted Gach as saying, "I'm going to stand here in the middle of the street, and I'm not going anywhere."

FREEDOM RIDERS-MONTGOMERY
MR. AND MRS. FREDERICK A. GACH
ARRESTED MAY 20,1961 FINED JULY 11, 1961

For False Improvement—

Birmingham Post-Herald

# Indicted Man Says He Will Sue FBI

for 9 mon. 9-4-61

Birmingham Ala.

ANNISTON, Sept. 3 (UPI)—Kenneth Adams, one of nine area white men indicted by a Federal Grand Jury for burning a "Freedom Rider" bus, said yesterday he will sue the "integrationist FBI for false imprisonment and violation of constitutional right."

Adams, 41, of Anniston, who was released from the Calhoun County Jail yesterday after being held since Thursday, said the indictment was "part of a plot by the FBI to frame nine law-abiding white citizens, including myself."

Adams said he was held in jail "because I refused to allow the FBI to humiliate me with fingerprinting and photographing. The FBI kept me under false imprisonment from Thursday morning until yesterday afternoon."

Adams was the last of the nine men to be released under $5000 bond on charges of burning the bus and forcing the 17 passengers in the interracial group to disembark in a "reckless disregard for lives."

The indictments were returned in Birmingham Thursday, but kept secret until announced by the Justice Dept. in Washington Friday.

The men were charged with conspiring from May 5 to damage and set fire to the bus and with carrying out the conspiracy by breaking windows and tossing an explosive inside shortly after it left Anniston.

A group of howling whites, wielding clubs and knives, met the bus when it arrived at Anniston from Atlanta. The mob stoned the bus and then followed it out of town, tossing the incendiary bomb through an open window.

Several passengers were treated for burns and smoke inhalation and the $30,000 bus was destroyed.

Adams said by staying in jail, "I have proved the FBI doesn't have the right to force any citizen to suffer the indignity of being photographed and fingerprinted."

He added, "When this case goes to trial, we will positively prove the "Freedom Riders" set the bus on fire from the inside." However, he refused to say how the nine white men could prove this charge.

# 'Rider' suit under study by Johnson

The Birmingham News p. 35

Birmingham Ala. 9-7-61

MONTGOMERY, Ala., Sept. 7—(AP)—After a day and a half of testimony a federal judge has taken under consideration a "freedom rider" suit, but there was no indication when a ruling might come.

Testimony by Asst. Fire Chief R. C. Talley yesterday closed a hearing before U. S. Dist. Judge Frank M. Johnson Jr. on a suit attacking Alabama's breach of the peace laws and seeking to forbid enforced segregation in buses and bus stations.

**"Dangerous electrical conditions and grease accumulations" caused the closing of the Greyhound and Trailways depots May 15, Talley testified. He said the depots were reopened several days later after the conditions were corrected.**

Adj. Gen. Henry V. Graham said the 11 freedom riders," among those who filed the suit, were arrested because he considered their effort a "breach of contract."

HE SAID he "had become exasperated with the situation" and "was tired of those people flaunting their sense of Christian ethics in my face."

Graham said the action by the 11 who tried to get service at a Trailways bus station customarily patronized by white persons only was "immoral and was definitely calculated to provoke a breach of the peace."

Capt. Roland Sevigny of Montgomery, Graham's liasion officer with the sheriff's office during martial rule last May, said the situation was "definitely explosive. The only reason we arrested the "freedom riders" that day was to prevent bloodshed."

38a 1961

ALABAMA

AUGUST
MONTGOMERY-FREEDOM RIDERS
ATTY.GEN. ROBERT KENNEDY
DENIES BACKING ORIGINAL RIDERS

# Robert Kennedy Denies Backing Original Riders

The News & Courier
8-1
Wed 8-1-61
Charleston S.C.

ATLANTA, Ga. (AP) — Atty. Gen. Robert F. Kennedy said Monday night he did not encourage "riders" on a journey that was punctuated by riots in Montgomery.

On the contrary, he said, his representatives tried during the week preceding the Montgomery incident to persuade "riders" not to make such trips.

Kennedy defended the administration's actions in sending federal marshals to Alabama in an interview with Ray Moore, news director for WSB-TV. The interview, taped in Washington, was broadcast Monday night.

Kennedy said the first he knew of the riders taking rides was after receiving information of a bus burning in Anniston, Ala. President Kennedy, he said, tried to get in touch with Gov. John Patterson of Alabama "to get assurance that they would handle this themselves so that the federal government could stay out of it."

The attorney general said Patterson wouldn't talk to the President. Later Patterson sent word he wanted to talk to a representative of the President, and John Siegenthaler of the attorney general's staff went to Montgomery.

Kennedy said Patterson assured Siegenthaler the state had the means, the will and the ability to protect the riders. The Alabama governor, he added, gave assurance that people traveling across the state would not be molested.

"Twelve hours later," Kennedy said, "Mr. Siegenthaler was lying on the ground in Montgomery unconscious, having been beaten by this mob . . .

"All of these things are just a small minority of the population giving the city, the area and the whole state a bad name."

Moore called attention to the request of Rep. John Bell Williams of Mississippi that federal troops be sent to Chicago to take care of it's race trouble.

Kennedy replied that Chicago police "are not standing back and waiting for people to be beaten up for 10 or 12 minutes and then stepping in. If they know there is going to be disorder, they come in and try to deal with the trouble. That's all we're asking.

"If there had been a concentrated effort on the part of the authoritiess in Alabama, we would not have had to send marshals in there . . . I have no apologies to make."

June, 1961

FREEDOM RIDERS - EDITORIAL
MR. GROVER C. HALL, JR.

MONTGOMERY, ALABAMA - JACKSON, MISS.

38a 1961

ALABAMA

# Riders' Handling An Ironic Contrast

By GROVER C. HALL JR.

Editor, The Montgomery Advertiser
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., June 24 — An ironic difference in the receptions of "freedom rider" pilgrims at Montgomery and Jackson, Miss., went unremarked.

It is Montgomery that splashed the world's front pages with its mob violence response to the first riders, whereas in Jackson not a single rider has a scratch or bump to show for his Mississippi invasion.

**YET IT NOW** is in Jackson that riders are routinely sent to jail whereas in Montgomery they are protected during their stay and sent on their way without any interference whatever.

**The irony was thickened last week as the city's attorney denied before a federal judge, Frank Johnson Jr., that the city was in any way trying to maintain segregation at the bus stations. The Alabama Public Service Commission demurred likewise.**

The contention was made in a suit by the Negro preacher, Rev. Ralph Abernathy, that the previous arrest of himself and associates on a charge of breach of peace was in fact an effort at imposing segregation.

• • •

**AS THIS SUIT** was being heard, nine "freedom riders" from Atlanta arrived as advertised at the Greyhound Bus station. The city had some 60 patrolmen and plainclothesmen on duty to insure order.

About 300 whites stood in a drenching rain to look on in curiosity, but there was no disorder. What attracted them was the spectacle of the station and area being cleared by police due to a bomb threat.

**The bomb threats were phoned to the station shortly before the riders arrived in late afternoon (three white girls, one white man, four Negro men, one Negro woman).**

All persons were ordered from the station while the fire department searched for the bombs, of which actually there were none.

The riders spent the night in the Rev. Abernathy's home and were off to Jackson the next morning.

**BRIELY . . .** About $360,000 in federal money was **approved for 21 counties and 20 cities** which suffered damage to public property during the spring flood. . . . Dr. Wernher von Braun, director of the George C. Marshall Space Flight Center at Huntsville, **addressed a joint session of the legislature,** being introduced by Gov. John Patterson. . . . From Washington came an **accounting from Atty. Gen. Robert Kennedy of the extra expense involved in dispatching U.S. marshals to Montgomery** during the "freedom rider" disorders—$225,000. . . . Employment figures took a **vigorous leap upward in May,** the main factors being accounted weather and seasonal. . . . Montgomery prepared once again for **a wrangle over fluoridation** of its water. . . . The Public Service Commission **denied permission** to the Great Southern Railroad Co. **to abandon, for lack of business,** its station at Cuba, Ala.

FREEDOM RIDERS
U.S. MARSHAIS OTHER
LAW OFFICERS

# U. S. Sends Armed Posse To Quell Alabama Violence

Chicago Defender Chicago, Ill. 5-(20-26)-61 P. 1

## Mobs On Rampage At Montgomery

WASHINGTON (UPI) — The federal government — acting on President Kennedy's orders Saturday dispatched from 350 to 400 armed and steel helmeted U. S. Marshals and other law officers to Alabama to Quell the racial violence that has rocked the state.

The sending of the federal enforcement agents climaxed a series of moves announced by Attorney General Robert F. Kennedy, the president's brother. The action came after a mob at Montgomery, Ala., beat members of a mixed group of "Freedom Riders."

The chief executive directed the attorney general to take all necessary steps to deal with the strife.

A Justice department spokesman estimated that most of the marshals and deputies had taken up stations in Montgomery by Sunday noon. They will carry sidearms, riot clubs and wear steel helmets and identifying arm bands.

**SAFETY GUARNTEE**

Their assignment is to guarantee "safe passage" in interstate travel. Violence has flared on two successive weekends in Alabama over the "Freedom Riders" who are testing bus segregation practices in the south.

Earlier, a mob of white men and shrieking women attacked and mercilessly beat members of a mixed group of "Freedom Riders".

The outburst occurred at the Montgomery bus station when the Freedom Riders arrived from Birmingham.

Even before the federal officers were ordered in, President Kennedy had a personal representative on the scene trying to ease the building racial tension.

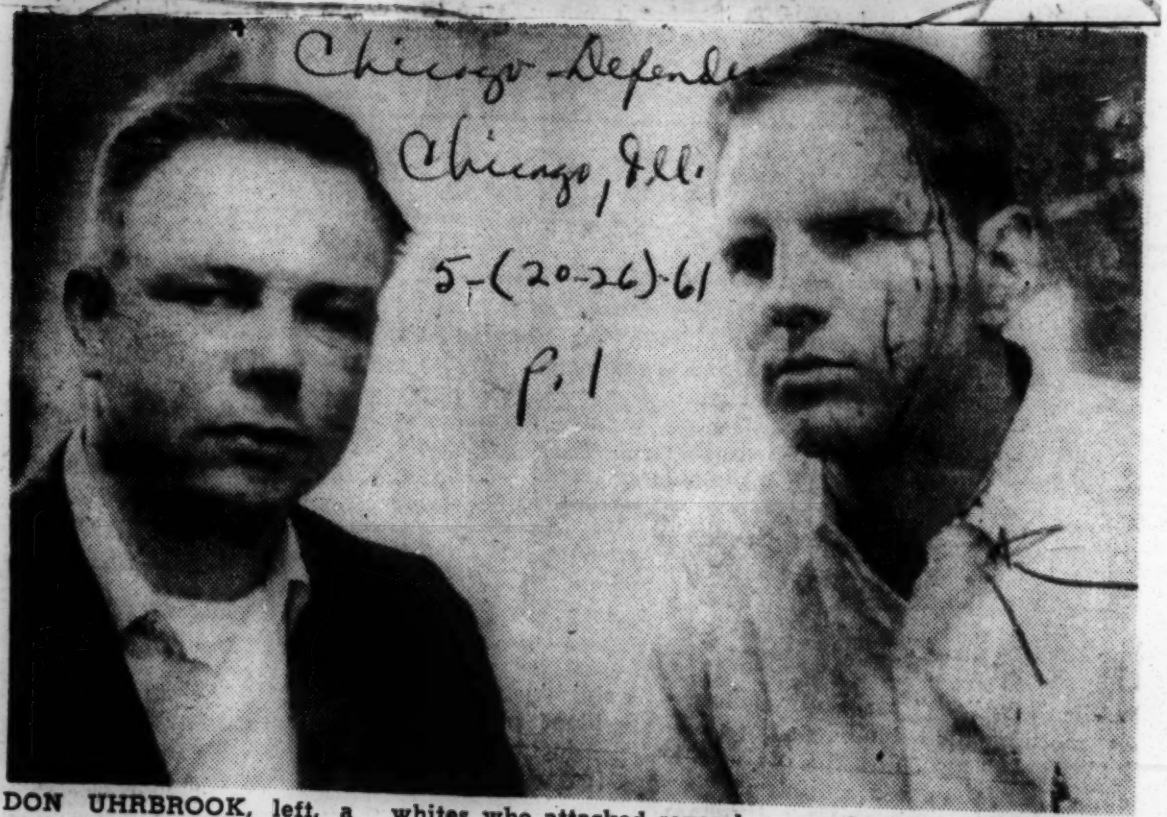
The representative, John Seigenthaler, 32, was among those beaten by mob.

**DEFENDS GIRL**

Seigenthaler was not accompanying the Freedom Riders, but he incurred the mob's anger when he tried to save a white girl the angry whites were chasing. Before he could get her into his car he was struck from behind and left dying unconscious on the pavement.

James Zwerg, the only white youth among the Freedom Riders, was the most seriously beaten.

"Kill the nigger-loving - - - -," several women screamed when the Appleton, Wis., youth stepped from the bus.



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**DON UHRBROOK, left, a Time-Life photographer, and writer Norm Ritter, were attacked and beaten by members of the same mob of whites who attacked several "Freedom Riders" when they arrived in Montgomery, Ala., aboard a bus from Birmingham. Uhrbrook and Ritter were beaten as they attempted to cover the rioting which broke out at the Montgomery bus terminal.—UPI telephoto.**

Alabama Gov. John Patterson said, "I have no sympathy for law violators whether they be agitators from outside Alabama or inside-the-state troublemakers."

Patterson issued his statement about an hour after police, armed with tear-gas bombs, broke up a crowd of angry white toughs who beat and stomped Negroes and whites at the Greyhound Bus terminal.

# U.S. Accuses 4 Officials Of Not Protecting 'Riders' In Two Alabama Cities

## Asks Court To Prevent 'Interfering'

The Courier-Journal Louisville, Ky.

By SUSAN WAGNER
United Press Writer

Washington, May 24.—The Federal Government moved Wednesday against four officials in Birmingham and Montgomery on the ground that they failed to provide protection for the "freedom riders" when they first arrived in Alabama. P-1

The Justice Department asked United States District Court at Montgomery to enjoin the officials from "interfering with the peaceful movement of interstate travel."

The action would make the four men defendants in a Government complaint already outstanding against the Ku Klux Klan and certain States-rights groups. Thurs. 5-25-61

**Officials Are Named**

The Birmingham officials are Police Commissioner Eugene T. Connor and Police Chief Jamie Moore. The Montgomery officials are Lester B. Sullivan, commissioner of public works, and Police Chief Goodwin J. Ruppenthal.

The Department's announcement came as Attorney General Kennedy moved to discourage all unnecessary travel in Mississippi and Alabama until the "confusion and danger" growing out of violence against the "freedom riders" has passed.

*Edward R. Murrow reports discrimination against African diplomats in Washington. Story on Page 6.*

He issued a statement which also appealed for a "cooling-off period" in the two states. Besides "freedom riders," he said, there are in the area certain "curiosity seekers, publicity seekers, and others who are seeking to serve their own causes."

At Montgomery, Negro integration leaders said they would pay no attention to Kennedy's appeal for a cooling-off period.

**Issues Two Statements**

Kennedy issued two statements during the day. In the first, he expressed confidence that local authorities now would control any outburst against the "freedom riders." In the second, he said the officials were meetin gthe test, but their job was becoming increasingly difficult.

The Justice Department complaint against the Birmingham officials charged that the police deliberately withheld protection when a mob attacked the "freedom riders" in that city May 14. They also were accused of refusing to prevent assaults on representatives of the Council on Racial Equality.

The Department charged that the Montgomery officials had been informed of the expected arrival of the "freedom riders" in their city last Saturday and still failed ot protect them. Thurs. 5-25-61

**Seeks To Add Ringleader**

The federal complaint also sought to add Claude Henley as a defendant in the case. Henley was described as a ringleader of the mob that attacked the riders in Montgomery.

Saturday, Federal District Judge Frank M. Johnson issued a temporary orderr estraining the Ku Klux Klan and others from interfering with interstate travel by bus. P- 30-51

Attorney General Kennedy said there was an increasing possibility that innocent travelers—those forced to use buses on business or on other mandatory trips—might be injured.

"A mob asks no questions," he said.

**Asks Delay Of Trips**

"It would be wise for those traveling through these two states to delay their trips until the present state of confusion and danger has passed and an atmosphere of reason and normalcy has been restored."

In his first statement of the day, the Attorney General appealed to all persons in Alabama and elsewhere to "use restraint and to weigh their actions carefully." He said this was especially important in view of President Kennedy's forthcoming meeting with Soviet Premier Nikita S. Khrushchev.

"Whatever we do in the United States at this time which brings or causes discredit to our country can be harmful to his mission," the Attorney General said.

**4 Charged In Anniston**

Four persons have already been charged in Anniston, Ala., with setting fire to a bus carrying the "freedom riders" May 14.

Kennedy said he had been in frequent contact with both Alabama and Mississippi officials and in turn was relaying the latest information to his brother, the President.

Informed sources said Mississippi Governor Ross Barnett had assured the Attorney General that State and local enforcement officers would do all they could to maintain order.

# Alabamans Use Clubs And Knives

BIRMINGHAM, Ala. — (ANP) — White and Negro "Freedom Riders" who set out to crash Deep South" segregation barriers were attacked by white men in two cities Sunday, May 14.

A crowd of about 100 white men, some armed with clubs and knives, attacked a Greyhound bus on which nine members of the Congress on Racial Equality (CORE) were riding at Anniston, Ala. There were 13 other persons on the bus, including an Alabama state investigator.

Another group of white men at Birmingham attacked James A. Peck of New York City, editor of a "CORE" publication and one of the leaders of the tour. Peck and a Negro student from Morehouse college, Atlanta, were hospitalized.

The CORE group planned to defy segregation customs in bus terminals at Montgomery, Ala., Monday and then move to Jackson, Miss. The tour began in Washington, D. C., earlier this month.

The Anniston attack destroyed the bus, and three persons were hospitalized for treatment for smoke inhalation.

When the bus tried to leave the terminal at Anniston, a group of about 100 white men appeared, threw chocks beneath the wheels to keep it from moving and began to slash the tires. One man sat down in front of the bus and dared Driver O. T. Jones to start.

State Investigator E. L. Cowley, who got on the bus in Atlanta, prevented the occupants from leaving the bus, and Anniston Police Chief J. L. Peek held back the crowd outside.

The bus was able to leave, but a tire went flat just outside the city. The mob, which had followed in private automobiles, began throwing stones at the windows. Someone tossed an incendiary device in one window, and the bus caught fire.

The mob disappeared as soon as the flames broke out, and the passengers left the bus. The interior of the vehicle was destroyed.

"When the bus caught fire they just disappeared," CORE's Negro filed secretary, Joseph Perkins Jr., 27, said. "Some of them were standing back in the woods beside the road."

Perkins said "only about 20 or 25" members of the crowd were active and the others watched. He said the crowd "was not hostile after the fire."

No arrests were made.

Those hospitalized at Anniston for smoke inhalation were identified as Genevieve Hughes, 28, Chevy Chase, Md.; Edward Blakenheim, 28, Tucson, Ariz., both white; and Mae Frances Mosely, 24, Negro.

Perkins said he was ready to continue the tour, aimed at breaking racial barriers in bus terminals through its original schedule. But Charlotte Devree of New York City said she would not talk about the incident "until I'm out of Alabama."

"How would you feel if you had almost been killed?" she asked.

In Atlanta, where the CORE group met no difficulty, Dr. Martin Luther King Jr., wired Alabama Gov. John Patterson and U. S. Atty. Gen. Robert Kennedy condemning "disgraceful and unprovoked violence" and demanding federal action to "end the tyranny in Alabama and other states . . ."

# Three Bus Trials Are Postponed

The trials of three men in connection with the May 14 rioting and beatings at the Trailways Bus Terminal have been postponed to June 8 at 9 a.m. in Recorder's Court.

The cases originally were set for 9 a.m. today but lawyers for the defendants requested the postponement.

The defendants are Jesse Thomas Faggard, 48; his 20-year-old son, Jesse Oliver Faggard, both of Alton, and Melvin Dove, 40, Vandiver.

The Faggards are charged with disorderly conduct, aiding and abetting and conspiracy. Dove is charged with disorderly conduct.

They were arrested by Det. V. T. Hart and A. M. Bailey after being identified from a Post-Herald photograph taken during the beating.

# Jailed 'Riders' Seek Way Out

## Birmingham Officials Say Arrangements Must Be Definite

By The Associated Press

BIRMINGHAM, May 18.—Ten student integrationists jailed here after racial disturbances Thursday sought to get out of Birmingham.

They were jailed Wednesday after a tense four-hour situation at the Greyhound bus terminal.

Police Chief Jamie Moore said they were held in protective custody.

A spokesman said a lawyer was trying to free the group, but the city jail reported no attorney had been to see them.

Police said the students would remain in jail until definite arrangements were made for them to leave Birmingham.

Five Birmingham Negroes, jailed for protective custody at the same time, were released Thursday and, from Washington it was reported that United States Atty. Gen. Robert Kennedy was making a new effort to prevent further racial demonstrations here.

**Bus Drivers Balk**

It was the second such group to be stymied here in efforts to break bus station segregation barriers in the Deep South. The "Freedom Riders" are sponsored by the Congress of Racial Equality.

The first group met violence at Anniston and Birmingham. This group rode two buses from Atlanta—a Greyhound and a Trailway.

A mob set the Greyhound bus afire at Anniston and 12 passengers, including some integrationists, were treated for smoke in their lungs. The bus was destroyed.

The second bus met with violence in the Trailways station, with several integrationists beaten by white men. Four white men have been arrested at Birmingham.

The first group finally got off to New Orleans aboard a plane Monday night after three false starts and two bomb threats at the municipal airport.

The group of eight Negroes, a white girl and a white man, were balked when they sought to leave aboard a Greyhound bus Wednesday for Montgomery. Greyhound drivers refused to drive the bus.

**Insist On Schedule**

Police Inspector Bill Haley said the group would have been released within 30 minutes after they were taken into custody if they had been willing to leave town.

But a Birmingham Negro leader, Rev. F. L. Shuttlesworth, himself jailed with them and then freed on bond, said:

"These students came here to ride out on a regularly scheduled bus and that's what they still hope to do. That is our irrevocable position. The challenge has to be made."

The students are from colleges at Nashville, Tenn. They said they are bound for New Orleans.

# Arrest Seven Students 'Freedom Riders'

BIRMINGHAM, Ala. — (UPI) —A bi-racial group of students from Nasville, Tenn., tried to resume the anti-segregation "Freedom Ride," but were taken into "protective custody" after bus drivers refused to transport them to New Orleans.

The students had ben stranded in the downtown Greyhound bus terminal for four hours before City Police Chief Jamie Moore ordered them taken off to jail.

Seven of the eight students, one a white girl, were loaded into a paddy wagon while a local Negro integrationist, the Rev. F. L. Shuttlesworth who had met the group on its arrival, and two Negro friends were placed in a police car. A Negro girl went to a telephone and was not picked up immediately.

**ALA. COPS JAIL SHUTTLESWORTH**

As the police vehicles sped away from the terminal, some cheering went up from about 100 white persons kept across the street from the terminal by police armed with billy sticks and a police dog.

One was heard to shout "You better use a club on him," referring to Shuttlesworth.

There were eight Negroes and two white students in the group which left Nashville but a Negro and a white male student were arrested by police for refusing to move to the rear of the bus as it neared the terminal.

# Mixers Finally Catch A Bus

## Police Cordon Sees Them Safely Aboard

Jackson Daily News
Jackson, Miss.
5-20-61
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**BULLETIN**

**BIRMINGHAM, Ala. (UPI) — A group of white and Negro freedom riders, frustrated 18 hours at the Birmingham Greyhound bus station here, were loaded onto a bus bound for Montgomery and left the city.**

**The Negroes, loaded on the bus through two files of police sat in the bus with two Greyhound supervisors and at least one police officer. Several took positions on front seats on the bus.**

**The driver was Joe Cavanaugh, who earlier refused to drive the Negroes.**

BIRMINGHAM, Ala. (AP) — A band of young Negroes and white persons today renewed efforts to crack racial barriers on buses in Alabama but drivers continued to refuse to carry them.

"I have only one life to give and I don't intend to give it for CORE or the NAACP," Joe Cavanaugh, a Greyhound bus driver, told the group as they tried to board his bus for Montgomery.

The bus did not leave as the integrationists stood around the loading platform, following their usual pattern of waiting.

Cavanaugh said he had heard of "a big caravan" waiting down the road to stop any attempt at integrated bus riding in Alabama.

Large crowds which gathered at the Greyhound terminal here late Friday night had dwindled to small groups of onlookers early today.

The prospects of the youths riding integrated out of here aboard a regularly scheduled bus appeared dim as this city entered its seventh straight day of mounting racial tension.

They tried to board three buses and ride integrated Friday. But none of the buses left the station.

**SPEND NIGHT WAITING**

Then they settled down in the white waiting room and said they wouldn't try again until daylight. They made no effort to board buses leaving late Friday night and early today.

The youths entered the station, carrying tickets to Montgomery, Ala., at 2:45 p.m. Friday. They said they intended to stay "until we get a bus to Montgomery."

Drivers, apparently fearful of violence, refused to take out buses carrying the integrated group.

Buses for Montgomery weren't cancelled—they just didn't leave the station—when the group tried to board them.

The threat of violence remained, as it has since a white mob jumped the so-called "freedom riders" of the Congress of Racial Equality last Sunday and beat some of them unmercifully. The integrated CORE group was testing bus station segregation in the South.

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**CROWD DISSIPATES**

A crowd, building up to several thousand at one time, gathered in the area around the station Friday night but it thinned out as the night wore on.

President Kennedy reportedly tried—and failed — to reach Alabama Gov. John Patterson, then settled for talking with Lt. Gov. Albert Bountwell about the explosive stalemate at the bus station. What was said wasn't revealed.

Jackson, Miss.

At Birmingham, the Birmingham Post-Herald reported that a Justice Department spokesman said Gov. Patterson had told a presidential aide that he aims to give full protection to all travelers in Alabama.

The governor couldn't be contacted for comment.

The statement was contrary to what he said earlier this week—that he couldn't guarantee the "freedom riders" safe conduct on their segregation-testing tour in Alabama.

**INJUNCTION PROHIBITED**

At Montgomery, State Court Judge Walter B. Jones issued an injunction prohibiting "freedom riders" or their supporters from "entry into and travel within the state o fAlabama in the so called 'freedom ride' and other acts of conduct calculated to provoke breaches of the peace."

The injunction, requested by Alabama Atty. Gen. MacDonald Gallion, could mean five days in jail and a fine for the riders.

One of the integration leaders, the Rev. F. L. Shuttlesworth, Birmingham Negro minister, was arrested on charges growing out of the Sunday and Wednesday incidents. He was charged with conspiring to cause a mob to gather. He was freed on $2,000 bond.

The Friday night crowd, kept away from the bus station about a block in all directions by policemen working with dogs, grew to about 3,000 shortly before midnight, police estimated. Then their numbers began to thin out.

Inside the station, in the early hours, the 19 Negroes and 3 white persons, most of them college students from Nashville, Tenn., tried to sleep in the white waiting room —leaning back in seats, or resting their head in their hands, or putting their head on a companion's shoulder.

The group is composed of students from several colleges at Nashville—Fisk, American Baptist Theological Seminary, Tennessee A&I, and Peabody Teachers College—along with two who said they were not students.

Policemen carrying billy sticks walked around the large waiting room, asking people without tickets to get out.

**WHITES REMOVED**

At least half a dozen times during the night they forcibly removed white men after minor disturbances—arguments, sharp remarks, and one door-shoving incident.

One white man objected to a Negro sitting down near him.

"I can't do anything about it," the policeman replied.

The white man moved.

The 22 in the station during the night included seven who were taken to the Tennessee line and turned loose by Birmingham city police early Friday, only to return to Birmingham by car in a matter of hours.

# Riders Will Continue At Any Cost, Leaders Announce in Alabama

The Atlanta Constitution p. 1

Atlanta, Ga. Wed. 5-24-61

## Louisiana, Mississippi To Be Next

By BRUCE GALPHIN and MARION GAINES
Constitution Staff Writer

MONTGOMERY — Negro integration leaders vowed Tuesday to continue the "freedom ride" from Montgomery to Mississippi and Louisana no matter what the cost.

They announced no time of departure, but swore they would go to Jackson, Miss., and New Orleans in the near future.

If the battered group of riders now in Montgomery is arrested under a state injunction, then more volunteers for the freedom ride are waiting, they asserted.

**JOINT CONFERENCE**

These intentions to defy Alabama and Mississippi officials were announced at a joint press conference by the Rev. Martin Luther King Jr., of Atlanta; the Rev. Ralph Abernathy, Montgomery Negro leader; CORE executive James Farmer; freedom rider John Lewis, and Nashville student leader Diane Nash.

"Freedom is worth any price," Miss Nash asserted.

Asked about the chance of a rider's being killed, King replied "We are not martyrs. But . . . death can sometimes serve to arouse the conscience. Unearned suffering is redemptive."

Lewis, a bandage on his head as a result of a beating here Saturday, announced that most of the riders already have tickets to leave Montgomery.

**WITHOUT BAIL**

If they are arrested, he added, all are prepared to go to jail without bail.

"I am sure that if these students are arrested, others will flow in constantly," King declared. He noted that college sessions are almost over for the summer and said there had been numerous volunteers for the ride from all over the country.

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King announced that the existing state injunction against the freedom ride demonstrations will be challenged in federal court. But until and unless it is dissolved, jailed students will not post bond, he added.

Atlanta, Ga.

King defended the riders against charges that they are deliberately provoking trouble.

"Would you think the presence of a rich man in Montgomery causes robbery?" King demanded.

Wed. 5-24-61

**IMMORAL REQUEST**

It is "not only practical but immoral," to ask people to forego their constitutional rights, he declared.

As to the bad publicity abroad, he said, "the continued existence of segregation in America damages our image more than anything else I know . . . We seek to bring all this to the surface, to get rid of it," he said.

It was Abernathy who announced the riders' intentions to travel through Mississippi, where state troopers reportedly are poised at the Alabama border to stop the riders.

Abernathy said the group would not be satisfied with being escorted through Mississippi without being allowed to stop at Jackson.

**GUARD PATROLS**

Steel-helmted National Guard troops continued to patrol the streets here Tuesday, but there was a business-as-usual atmosphere about this white-columned city on the banks of the Alabama River.

Atty. Gen. Robert F. Kennedy, who ordered 500 U.S. marshals into Alabama to keep the peace after members of a group of freedom riders were attacked last Saturday, said Tuesday the federal officers would be removed at the earliest possible date.

**WHITE REPORTS**

He made the evaluation after conferring early Tuesday morning with Byron R. (Whizzer) White, who made a fast trip to Washington to report on the situation. White is in charge of the U.S. marshals here.

Meanwhile, Tuesday a Montgomery man, Claude V. Henley, 37, was booked on an assault and battery charge lodged by two National Broadcasting Co. employes who accused him of leading a mob of club-wielders at the Greyhound bus terminal last Saturday.

It was revealed that Henley until recently had been a reserve police officer here. Assistant Chief J. R. Eiland said that Henley resigned "a week or 10 days ago."

NBC newsmen Maurice Levy and H. W. Risser identified Henley as the man who assaulted them and destroyed their cameras.

Henley was released on $200 bond.

**LEGISLATURE CONDEMNS**

The Alabama Legislature, returning to Montgomery Tuesday after a recess, adopted a resolution condemning both the freedom ride and the presence of federal marshals in Montgomery.

The House adopted the resolution on a voice vote, although two Mobile legislators declined to sign it. The Senate adopted it 35 to 0 on a roll call vote.

In a news conference late Tuesday afternoon, Alabama Gov. John Patterson again stated his contention that the presence of federal marshals was responsible for disorders here, particularly the Sunday night riot at a Negro church.

Patterson said that if the riders wanted to leave Alabama, he would be glad to have them escorted to the state line.

JUNE
FREEDOM RIDERS-MONTGOMERY
INJUNCTION

# Ban On 'Ride' Backers Expires In Legal Snarl

## Injunction Hearing Set For July 17

A restraining order against "Freedom Ride" sponsors in Alabama expired Monday.

But U.S. District Judge Frank M. Johnson Jr. made it clear that he would reimpose the order "if it becomes necessary."

The order, with a time limit of 10 days, expired as a legal snarl-up postponed a decision as to whether sponsors of integrated bus riders were to be placed under an injunction.

The hearing on whether the temporary order would be replaced by an injunction with no fixed time limit was put off until July 17.

**CHANCE TO STUDY**

The issue was to be argued before Johnson Monday. The judge postponed the hearing when it developed that attorneys for CORE and other integrationist groups had not been served with copies of the original complaint, on which three Klan groups and Montgomery police officials were enjoined 10 days ago.

Johnson held that, since CORE and the other "Freedom Ride" sponsors had been added as "indispensable defendants" in the case, they were entitled to a chance to study the complaint.

In the aftermath of bus station violence here, Johnson issued a temporary injunction against three Alabama Ku Klux Klans groups and City Commissioner L. B. Sullivan and Police Chief G. J. Ruppenthal.

At the same time he issued a temporary restraining order against CORE, the Southern Christian Leadership Conference, the Rev. Martin Luther King, and other integration leaders.

**DECLINED TO EXTEND**

Unlike the injunction, which could remain in effect indefinitely, the restraining order automatically expired after the 10-day limit set by federal statute.

Johnson could have extended it for an additional 100 days, but declined to do so.

The hearing got under way Monday under unusual circumstances. The plaintiff in the case was the U.S. Justice Department, but department attorneys wanted no part in presenting the case against CORE.

This job fell to Calvin Whitesell, originally the attorney for defendants Sullivan and Ruppenthal.

In relieving the government attorneys of the unwanted job of seeking a temporary injunction against integration leaders, Johnson had requested Whitesell to take over as a "friend of the court" and present the evidence.

**TAKES FEDERAL CASE**

Thus Whitesell, who first opposed the government, took over the government's case.

It was Whitesell who made the motion, which Johnson granted, that CORE and related groups be added as defendants. The judge did so on the theory that both sides in the inflammatory situation needed to be restrained in the interest of interstate commerce and public order.

Chief NAACP attorney Thurgood Marshall argued at the hearing Monday that it could not properly be held because in "a case in controversy, you've got to have two sides."

Since both Whitesell and the Justice Department were appearing as "friends of the court," he contended, there was no plaintiff in the case.

After continuing the case to next month, Johnson left the question of whether he might reimpose the restraining order in doubt.

**VEHEMENT PROTEST**

Whitesell moved that the order be reimposed after the defendants were served with copies of the complaint. The judge instructed him to offer his motion in writing.

Government attorney John Doar, asked by Johnson what was the government position, recommended that the case be dropped.

Whitesell hotly protested that such action would be "a travesty of justice."

Johnson assured him that the continuance of the case was "no fault of yours, Mr. Whitesell. It is the fault of those who were instructed to see that the papers were served."

Representing CORE at the hearing was attorney Carl Rachlin. Marshall represented the Southern Christian Leadership Conference, King and other SCLC members.

Attorney Fred Gray told the judge that two other defendants, the Montgomery Jail Council and the Student Nashville Non-Violent Movement, "really do not exist."

# FBI Warned Birmingham Several Times Before Riots, Agent Tells Court Hearing Iniunction Plea

## FBI Says Chief Said He Would Be Out Of Town

MONTGOMERY, Ala.—The hearing into a federal request for an injunction restraining certain Montgomery and Birmingham officials from interfering with interstate bus travel, went into its second day with testimony by an FBI agents that he had repeatedly warned Birmingham officials of the advent of the "freedom riders" who were attacked there.

Meanwhile, a defense attorney asked the Justice Department to bring Attorney General Kennedy here as a witness to testify what, if anything, he had to do with the segregation - challenging freedom rides.

FBI agent Thomas J. Jenkins, special agent in charge of the Birmingham office, said he warned Police Chief Jamie Moore several times that the riders, and "potential trouble" were headed for the city, but Moore declared "he would be out of town."

The agent testified he called Moore on April 26 and warned him that the Congress of Racial Equality was planning the bus trip into the city, and that racial trouble could come as a result. Jenkins said he told Moore later of additional information he received on the rides on May 6 and May 8.

Then on May 13, the agent testified, he called the police chief at home and explained to him that two groups were leaving Atlanta and would arrive in Birmingham the next day.

But Moore simply "[illegible]" and said to call Sgt. Tom [illegible] with any other details because he (Moore) would be out of town.

The FBI agent said he heard that next day the two groups had left Atlanta and would be making stops in Anniston and Birmingham on the way to Montgomery. He testified he called the chiefs of police of both cities and warned them of the two approaching buses, one with nine riders, and the other with 10.

The agent said one bus was attacked and burned outside of Anniston, and the other was attacked in the Birmingham bus terminal. Both attacks were made on Sunday, May 14.

The injunction names, in addition to Moore, and Birmingham Police Commissioner Eugene Conner, Montgomery Police Commissioner L. B. Sullivan and Police Chief G. J. Ruppenthal, and a number of klansmen, klan organizations and other individuals believed to have been connected with the rioting.

**NEWSPAPERMAN TESTIFIES**

William Mobley, police reporter for the Birmingham Post-Herald testified Tuesday in the hearing, which is being held before U. S. Middle District Judge Frank M. Johnson, Jr.

Mobley said that on May 14 he checked City Hall on a tip, and found "an unusual lot of activity at City Hall for a Sunday." He said a detective told him he "saw a bunch of klansmen sitting on a wall near the bus station. One had a lead pipe extending from his pocket.

The newspaperman said that about 2 p. m. he saw five or six policemen and Conner "sitting around the detective office. I asked Conner what he was going to do and if he intended sending police to the bus station and he said, "no, it's just another bus coming in and there's no point in sending anyone over there.' "

**BEATING REPORT**

Meanwhile, in Washington, the FBI confirmed it is investigating a report that one of a group of imprisoned riders taken briefly to a county work camp was beaten while there.

Meanwhile, in Mississippi, Max Thomas, superintendent of the Hinds County penal farm, confirmed that a "Freedom Rider," the Rev. Gordy T. Vivian, 36, a Negro from Nashville, Tenn., was injured "in a scuffle with guards" at the farm when he "refused to cooperate" while being checked in. Thomas said Vivian "suffered a minor head wound" which he said was bandaged by a doctor.

One of five riders released under $500 bond said Vivian was hit with a blackjack for refusing to say "sir" to a guard.

"If you don't run prisoners with an iron hand," Thomas told United Press International, "they'll run you."

**FIFTH AMENDMENT**

Three witnesses invoked the Fifth Amendment as the government sought to link the Ku Klux Klan with the burning of a bus carrying "freedom riders" near Anniston, Ala., on May 14. One witness, cited for contempt of court, refused to say whether he was present at the burning scene and two others said their answers to questions regarding Klan membership might tend to incriminate them.

# Judge Johnson's 'Rider' Clarification

JUDGE FRANK M. JOHNSON, JR., of the Middle District federal court, since his June 2 order to restrain Klan actions in connection with so-called "freedom riders," his directive to Montgomery police to preserve order, and his preliminary injunction directly aimed at the above, has sought to clarify a temporary restraining order affecting sponsors of the "freedom riders."

If the terminology seems somewhat confusing it is doubtless because definitions of such orders in law are specific, for legal purpose. The general import is not clouded.

IN THE TEMPORARY restraining order, Judge Johnson named CORE, the Southern Christian Leadership Conference, Montgomery County Jail Council, Student Nashville Non-Violent Movement, Revs. Shuttlesworth, King, Seay, Abernathy and Walker, by name.

He also said that it was the order of the court that such organizations, members and agents, employes and *all persons* (italics added) acting in concert with them be bound and is hereby temporarily restrained from" "sponsoring, financing, assisting or encouraging any individual or group of individuals in traveling in interstate commerce through or in Alabama for the purpose of testing the state or local laws as those laws relate to racial segregation."

The judge's announced clarification said that the order applied to the "riders'" backers, not to the riders themselves: "The temporary restraining order does not enjoin 'freedom riders' or other like groups. The order is being misapprehended and misunderstood in this respect."

Judge Johnson said that part of the order "in a casual sense seems directed" to the individual riders.

THE JUDGE'S meaning is clear enough. But the fact seems to be that it is impossible to make a division as between backers and those deliberately recruited for the rides. Rides still are going on, though not here. Ride backers, while closing a Montgomery organizational office, have publicly announced opening of other Southern city offices.

These are not spontaneous groups and any separate individuals to whom Judge Johnson may be making reference are currently unknown out of context of the sponsoring organizations.

CORE is still in high gear, if not in Alabama. *The New York Herald Tribune* contained an ad Monday stating that "An evening with Mike Nichols and Elaine May" would be presented to raise CORE funds for "freedom riders."

Said the ad in part: "There will be a special extra performance for the benefit of CORE (Freedom Riders) on Sunday evening, June 11, at 9 o'clock. Tickets are on sale now at regular prices."

Judge Johnson's explanation is a legal clearing of the way for any theoretical "independent" freedom riders. But the facts are the riders are part of a nationally organized group with great financial resources.

INTERESTINGLY, in the face of already-accumulated evidence as to source of such ride efforts, the following occurred during a May 21 conference between Asst. U. S. Atty. Gen. Byron White, Gov. Patterson, Atty. Gen. Gallion and Public Safety Director Mann:

"GALLION: . . . You do know the identity of the groups that have come in?

"WHITE: What do you mean, the identity?

"GALLION: That it is the CORE organization and its followers?

"WHITE: No, I do not know that.

"GALLION: You do not know that?

"WHITE: No, I do not know that."

*The News* finds Mr. White's statement exceedingly difficult to accept—that's putting it mildly.

IN A SPECIAL REPORT issued May 30 by the Southern Regional Council, an Atlanta-based organization which advocates desegregation, stated beginning on Page 1: "In mid-March, the Congress of Racial Equality, from its New York headquarters, announced it would *recruit* (italics added) a small, bi-racial group to ride Greyhound and Trailways buses from Washington to New Orleans, with the purpose of challenging any segregation of interstate travellers encountered. On May 4, the Freedom Ride began. . . ."

That was some time before Asst. Atty. Gen. Byron White gave Mr. Gallion his answers in Montgomery, May 21. Surely the Justice Department's sources of information are more complete than the May 21 exchange indicated.

Patterson, Gallion, Alabama Asst. Atty. Gen. Livingston, White

## Injunction in Alabama

Federal District Judge Johnson has issued an injunction in Montgomery, Alabama, which is directed equally at the sponsors and opponents of the Freedom Riders Movement. Though Judge Johnson's desire to avoid violence is certainly laudable, the court's action has the effect of equating persons seeking to exercise their legal rights and others who are violating the law by trying to prevent such exercise.

In the 1958 Little Rock school case, the Supreme Court made it clear that the robbers and the robbed do not have equal standing before the law. It declared then, in language clearly pertinent to the present situation, "The constitutional rights of respondents are not to be sacrificed or yielded to the violence and disorder which have followed upon the actions of the Governor and Legislature." The Supreme Court then quoted approvingly the following equally relevant statement in a unanimous decision it had handed down forty-one years earlier: "It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution."

The Freedom Riders ought not to be enjoined by the courts from exercising their Constitutional rights. But, as we have urged before, the Freedom Riders should realize they have made their point and voluntarily cease their activities for a period during which the passions aroused by their recent efforts may subside. A similar position on this issue was taken last week by the Southern Regional Council, which is composed of both white and Negro liberals. The Council is entirely correct in advocating that the advantages gained be not pressed too far.

The issue of desegregation can ultimately be solved only in the South and primarily by Southerners, white and Negro. Neither violence nor the steadily insistent provocation of violence can bring about the solution. The demonstrations of the Freedom Riders have already resulted in a major advance. The Justice Department is putting strong pressure upon the Interstate Commerce Commission to outlaw segregation in buses and related facilities. This is a concrete move advancing desegregation under the law.

# 'Freedom Rides' In State Barred By Court Order

The Montgomery Advertiser p. 1
Montgomery, Ala. Sat. 5-20-61

## Judge Jones Issues Legal Roadblock

By ARTHUR OSGOODE

Circuit Judge Walter B. Jones has thrown a legal roadblock in the path of "Freedom Riders" planning to enter the state to battle bus segregation.

Jones Friday issued a temporary injunction forbidding "the entry into and travel within the state of Alabama, and engaging in the so-called 'Freedom Ride' and other acts or conduct calculated to provoke breaches of the peace. . . ."

Atty. Gen. MacDonald Gallion sought the injunction on the basis of "the violence that has occurred in Anniston and Birmingham."

**CONTINUING THREAT**

The petition calling for the injunction said it was needed because of the inadequacy of legal remedies available for dealing with the threat of violence posed by further incursions by the Freedom Riders.

It also stated a belief that the organizers of the Freedom Riders planned to continue them, posing a continuing threat to the public peace.

Citing three incidents leading to violence or the jailing of the integrationist riders, the petition said that the "respondents' conduct caused violence and threats of violence and breaches of the peace in the State of Alabama. . . ."

**HELD IN CONTEMPT**

The injunction was directed against the president of the Congress of Racial Equality (CORE) and the organization itself.

Notice of the injunction can be served on the Alabama secretary of state. With it in effect, Freedom Riders can be held in contempt of court if they enter Alabama to combat segregation practices on buses or bus stations.

Gallion said the riders would be subject to arrest at any time it was determined they were engaged in a CORE - sponsored "Freedom Ride."

The state pointed to "strong and convincing reasons" for believing that such rides will continue.

**BROAD WORDING**

The petition cited the burning of a bus near Anniston and injuries inflicted during violence at a Birmingham bus station on Sunday. Also cited was the arrival of a new group of the integrated riders in Birmingham Wednesday.

Taken into protective custody, said the petition, this latter group was caused "to leave the State of Alabama in order to prevent further violence or bloodshed."

The petition was sought on the basis of a state statute aimed at conduct "calculated to provoke a breach of the peace."

The broad wording of the statute has been adopted by a number of Alabama cities, including Montgomery, where a similarly worded ordinance has been the basis for arrests of integrated groups.

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SEN.JACOB JAVITS SEN. RICHARD B. RUSSELL

CORE FRE EDOM RIDERS
MAY 1961

# Russell Hits Javits' Bid On Riders

## Stalls Confidence Vote for Kennedy

By ALBERT RILEY
Constitution Staff Writer

WASHINGTON — Sen. Jacob Javits, R-N.Y., set the stage Wednesday for a possible wrangle in the Senate Thursday over the racial disorders and federal intervention in Alabama.

Javits, with Sen. Paul Douglas, D-Ill., as a co-sponsor, introduced a resolution declaring congressional support for President John Kennedy's action in sending federal marshals into Alabama.

Sens. Richard B. Russell, D-Ga., and Strom Thurmond, D-S.C., blocked immediate consideration of the resolution.

**SET FOR DEBATE**

Majority Leader Mike Mansfield of Montana later obtained a unanimous consent agreement for the Javits resolution to be

Sen. Russell

Sen. Javits

debated for one hour Thursday and then be placed on the calendar, if no vote has been taken by that time.

Russell deplored the violence in Alabama but said the resolution offered by Javits is not needed and will do only harm in the South. It may be helpful only to some politicians in the North, Russell indicated.

Meanwhile, in a counter move to Javits' action, Sen. John Stennis, D-Miss., introduced a bill making it a federal crime to travel in interstate commerce with the intent to incite to riot or to violate state laws.

**WAR BAR INCITEMENT**

Stennis said the bus trips into the South of the so-called Freedom Riders were for the announced purpose of violating local statutes and with the hope of arousing trouble.

His bill, Stennis said, would prevent any group, whether "Freedom Riders" or George Lincoln Rockwell's Nazis, or the Ku Klux Klan, from so traveling to incite riot and stir up strife and enmity.

Javits said the Alabama situation was "pretty serious" and that it was time the whole country's attention is called to it.

**CALLS SEGREGATION EVIL**

The New Yorker declared interstate bus segregation is "an evil" and that U.S. citizens have a legal right to unsegregated bus transportation.

"State authorities cannot be excused from failure to protect citizens in their rights, not only as citizens of their states, but as citizens of the United States," Javits added.

"No one has been more saddened by the tragic occurrences of the last several days in the South than the senator from Georgia," Russell replied.

**RUSSELL RAPS VIOLENCE**

"I have deplored all the acts of violence, not only because they are against the law, but also because they run counter to the best interests of the people in the South. . . .

"Mr. President, the mistake was," Russell continued, "that these people permitted themselves to be provoked into the situation. . . ."

Russell said the Senate should not have a "double standard of political morality" and that Javits' resolution should also have an amendment commending the mayor of New Orleans for keeping George Lincoln Rockwell and his so-called Nazi group under strict surveillance when they reached the Louisiana city.

ALABAMA

**URGES UNITED FRONT**

Sen. Joseph Clark, D-Pa, commended Sen. Russell for his "temperate and wise" comments, but said he wanted to join Javits in sponsoring the resolution.

It is important, Clark said, that Congress present a united front back of the President in declaring that "the law of the land is going to be enforced all over the land and that there can be no condoning of mob violence. . . ."

Russell thanked Clark and Javits for complimenting him, but said he did not wish to leave the impression that he favors compulsory integration in any public place.

"I am unalterably opposed to that," Russell said, but added also that "violence on the part of those living in a community is the very worst way to go about gaining any end."

# Gallion Blasts At 'Riders' On Nationwide TV Show

NEW YORK (AP) — Alabama Atty. Gen. MacDonald Gallion said the "Freedom Riders" were sent into Alabama "for one purpose, and that's to create trouble."

Appearing on a nationwide television show (NBC's "The Dave Garroway Show") Wednesday, Gallion said:

"These are outside groups coming into our state. They're not on any peaceful mission, as you might say. . .

"They are sent there for one purpose, and that's to create trouble. And it's the natural result that trouble will come about when they do come in, advertised in advance with publicity.

"Now, when these groups come in like that, they know that trouble is probably going to result."

Gallion said Alabamians do not condone violence, even over racial matters.

"We are God-fearing and law-abiding people," he said. "But I think we have shown a great deal of patience in this matter.

"We wish they would stay home and keep this siuation from coming about."

Referring to the riders as outsiders coming into Alabama, Gallion cited James Peck, an official of the Congress of Racial Equality (CORE).

Peck, of New York City, was in a CORE-sponsored group that took a beating at the hands of white men in Birmingham May 14.

Gallion said the people of Alabama "resented highly the federal marshals coming . . .because it was unnecessary."

"As far as the state of Alabama is concerned," he said, "we are capable of enforcing our laws down in our state. We have a good record of law enforcement."

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ALABAMA

FREEDOM RIDERS- MONTGOMERY
MR. JAMES PECK (NATIONAL OFFICER)
(CORE) CONGRESS ON RACIAL EQUALITY

# 'Freedom Rider' Ready to Do It Again

James Peck, one of the "Freedom Riders" who was beaten severely in Birmingham, Ala., on Sunday, said yesterday he was "still a pacifist—very strongly so" despite innumerable beatings, a prison term and various assaults.

Mr. Peck, who is a national officer of the Congress of Racial Equality (CORE) and editor of its periodical, was one of two "Freedom Riders" who arrived here yesterday from New Orleans and held a press conference at the office of Charles S. Zimmerman, vice-president of the International Ladies Garment Workers Union, 218 W. 40th St. Also at the press conference was Henry Thomas, nineteen, a Negro, who lives in St. Augustine, Fla., and attends Howard University.

Mr. Peck wore bandages on head wounds he said he received from six men who used "pieces of pipe and other instruments" on him in Birmingham.

### C. O. in War

He is a graduate of Lawrenceville School in New Jersey, and a one-time student at Harvard whose formal education was terminated by the Great Depression.

Born in New York forty-six years ago, he seemed headed toward a conventional career of one sort or another.

When he left Harvard, however, he found work as a seaman during the period when these workers were being organized into a union. Through experience and extensive reading, the course of his life was changed completely.

He left the sea to work and write for the labor press until World War II. Called up in the draft, he declared himself a conscientious objector. But his objection went far beyond that of most "C.O.s" at that time. He would not become a "medic," nor would he agree to take part in other non-combatant activities connected with the military. As a result, he spent three years in the Federal prison at Danbury, Conn.

In 1949, he chained himself to a railing in the White House and staged a sit-down strike, but it was quickly ended by Secret Service agents.

He joined the Congress of Racial Equality in 1946. He was one of eleven persons arrested in Nevada in 1957 for trying to force their way through the gate of an Atomic Energy Commission proving ground in the cause of pacificism. A year later he was under arrest again, this time in Honolulu as a member of the crew of a ketch intent upon demonstrating against nuclear tests in the Pacific.

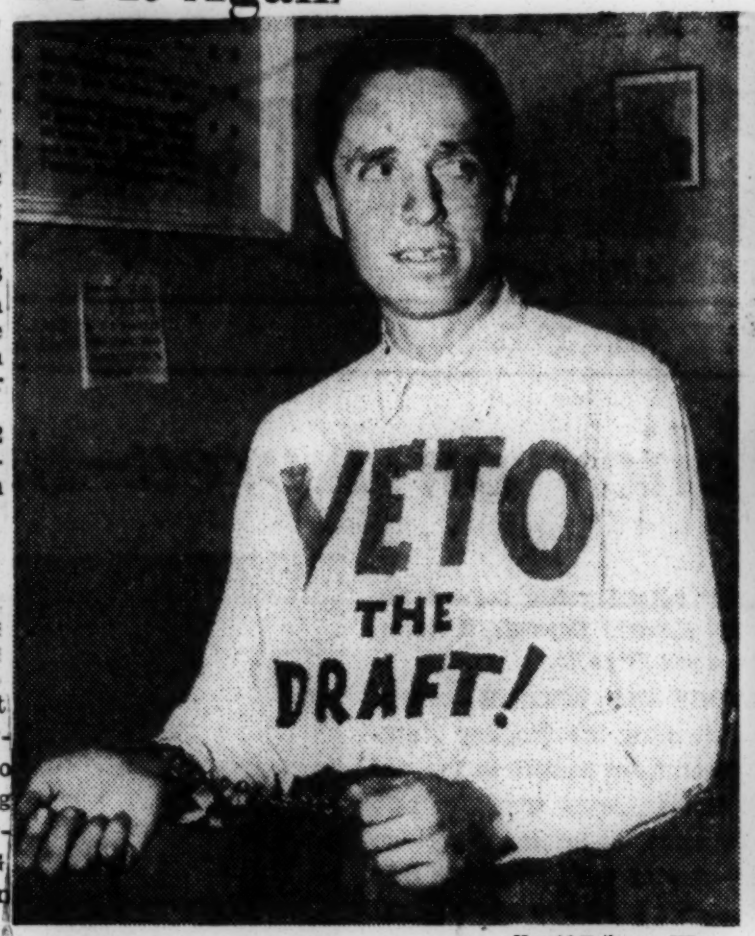
Mr. Peck, who lives at 552 Riverside Drive, was asked yesterday if he would go on another "Freedom Ride."

"Yes, of course," he replied.

### Picket Lines Set Up

After the press conference Mr. Peck and Mr. Thomas joined picket lines set up in the Trailway area of the Port Authority Bus Terminal, 40th St. and 8th Ave., and the Greyhound terminal on 34th St. to protest segregated waiting rooms in Southern bus terminals. Members of the I. L. G. W. U. joined GORE members on the lines.

In other developments yesterday, a Greyhound bus carrying a group of Negroes believed to be ready to try to crack bus station segregation arrived in Birmingham, but police refused to let them off the bus. The police action apparently averted a chance of a repeat of the violence that greeted White and Negro "Freedom Riders" at the Birmingham terminal on Sunday during a segregation-testing swing through the South.




Herald Tribune—UPI

James Peck in custody in Washington in 1949 after he had chained himself to a White House railing.

Associated Press

Mr. Peck hurt in bus incident in Alabama.

SLAPPED BY "HST" -- James Peck, New York, shown after he and other members of Freedom Ride were brutally beaten May 14 in Montgomery, Ala., was told by Former President Harry S. Truman on Sunday, "stay up North and let the South work out its own problems." Peck, of the Congress of Racial Equality, walked with the former President and questioned him about a statement in which Truman called the Freedom Riders "agitators." "You should stay up North," Truman told Peck.

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ALABAMA

CORE FREEDOM RIDERS
MAY 1961

# U.S. Seeks Injunction Against Montgomery, Birmingham Officials

The Atlanta Constitution Atlanta, Ga.
Thurs. 5-25-61 p. 1

## Kennedy Hits Police Leaders

By JOSEPH A. LOFTUS

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WASHINGTON — The Justice department acted Wednesday to bring officials of Birmingham and Montgomery under a federal court injunction prohibiting interference with interstate travel.

Atty. Gen. Robert F. Kennedy said the Birmingham and Montgomery Police departments, despite foreknowledge of the arrival of "Freedom Riders" on scheduled buses, withheld police protection. Violent outbreaks occurred in both cities.

**MAY BE ENJOINED**

If United States District Judge Frank M. Johnson in Montgomery grants the government's motion at a hearing Monday, the police officials will be enjoined from failing or refusing to provide police protection for persons traveling in interstate commerce through their cities.

The court order now is directed at three Ku Klux Klan groups, four individuals connected with the Klan, and "all individuals acting in concert with them."

The officials who would be brought within the order are police commissioner Eugene T. Connor, and police chief Jamie Moore of Birmingham; commissioner of public works, Lester B. Sullivan, and police chief Goodwin J. Ruppenthal of Montgomery. Chief Ruppenthal was not in Montgomery on May 20 when the "Freedom Riders" were attacked. He was named as a defendant in the government petition, however, in his capacity as police chief.

**SUGGESTS SLOWDOWN**

Kennedy also suggested that the "Freedom Riders" apply the brakes for a while in their test of segregation practices in Alabama and Mississippi.

"A cooling-off period is needed," Kennedy said in his first public appeal to the bus travelers for a self-imposed restraint. A group sponsored by the Congress of Racial Equality has been testing travel segregation practices in the South.

"It would be wise for those traveling through these two states to delay their trips until the present state of confusion and danger has passed and an atmosphere of reason and normalcy has been restored," the attorney general said.

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The 131-word statement dealt, however, only with the possibility of violence and appeared to be a request to all travelers in the two states.

Atlanta, Ga.

A Justice department spokesman said that the attorney general, in constant touch with the "Freedom Riders" operation, was struck by the possibility that a mob, frustrated by police guarding the bus that carried the riders, might attack persons traveling in buses that were unprotected.

Noting that there are curiosity seekers, publicity seekers, and others, as well as ordinary travelers trying to mind their own business, the attorney general said: "There is increasing possibility that innocent persons may be injured. A mob asks no questions."

Although he had questioned the willingness of Alabama officials to protect travelers in recent days, the attorney general declared that "the Alabama and Mississippi law enforcement officials are meeting the test today, but their job is becoming increasingly difficult."

An open telephone wire connected the attorney general's suite with the post of deputy attorney general Byron White at Maxwell Air Force Base, near Montgomery. The line carried the conversations conducted in White's office and the reports coming in on amplifiers from police.

The line was monitoned at the Washington end at all times by an assistant of Kennedy's and a secretary who took notes. The attorney general himself picked up an instrument frequenty for direct reports.

In the forenoon, when apparently no thought had been given to an appeal for a cooling-off period, the attorney general issued a statement saying "We have no power to prevent groups or individuals from traveling in the South, the North, the East or the West."

He did, however, say he had "appealed to all persons in Alabama and elsewhere to use restraint and to weigh their actions carefully," particularly because the President was about to embark "on a mission of great importance," referring to the June 3 summit conference between Kennedy and Soviet Premier Nikita Khruchev.

"Whatever we do in the United States at this time, which brings or causes discredit on our country, can be harmful to his mission."

Announcing its move to broaden the injunction to include the four Alabama officials, the Justice department said it also sought to add as a defendant Claude Henley, who has been described as the ringleader in the attack on the traveling students in Montgomery on May 20.

ISSUES INJUNCTION
*Atty. Gen. Kennedy*

# Bill To Outlaw 'Rides' Gets Favorable Report

The Senate Judiciary Committee returned a favorable report Friday morning on a bill which would outlaw "Freedom Riders" in Alabama.

Sponsored by Sen. E. O. Edling of Marengo, the measure is aimed at anyone acting in such a manner as to "outrage the decency and the morals of the people or to transgress and violate the customs of Alabama."

The bill indicated that such actions would likely cause riots or be a breach of the peace and would likely induce the assembling of a crowd which could set off riots.

Anyone found guilty under this law would be charged with a misdemeanor and fined not more than $300 and may also be imprisoned for a period not exceeding six months.

**STUDY SCHOOL FUNDS**

In a meeting of the Senate Rules Committee, also on Friday, approval was given to the creation of a committee to study the expenditure of certain school funds in the state.

The bill is sponsored by Sen. L. K. Andrews of Bullock to determine if the schools of the state were making proper use of funds appropriated them.

Andrews said that he would like to know "how and where some of the school boards of this state are spending the money that we give them." He mentioned in many cases the boards were back asking for more money for certain projects almost as fast as it can be appropriated.

A bill by Sen. Bert Haltom of Lauderdale to change the rules of the Senate was carried over at the request of its author.

Haltom presented the motion in the form of a resolution to change the rules and allow any bill concerning reapportionment be free from committee study and given its third and final reading three days after introduction.

"This may seem like a drastic measure," Haltom said, "but in the case of reapportionment, drastic measures are needed to see that each bill on the subject is given a chance to be studied by the entire Senate and voted on by the entire membership and not killed in committee."

He asked that no action be taken on the bill now but that it be held in committee and brought up again later if the Senate makes no reasonable attempt to hear a reapportionment bill.

Jefferson Sen. Larry Dumas indicated that he wished to introduce a motion for the Senate to adjourn from the period of June 27 to July 11 so that the legislature might attend a meeting of the Council of State Governments to be held in Mobile the week of June 27.

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ALABAMA

ATTY. GEN. ROBERT KENNEDY
CORE FREEDOM RIDERS
"COOLING OFF SPELL" Suggested

# Negro Leaders Ignore Appeal

Atlanta Daily World 5-10

BIRMINGHAM, Ala. (AP)—Negro integration leaders said they would pay no attention to Atty. Gen. Robert Kennedy's appeal for a cooling-off period in their racial strife.

Atlanta Ga.

The Rev. Wyatt T. Walker, executive director of the Southern Christian Leadership Conference of Atlanta, said his organization would continue its efforts and would try to broaden them.

Hous. 5-25-61

"We are trying to establish the constitutional privileges of every American citizen," Wyatt said.

# Bobby Acts To Restore Race Calm

## Birmingham Strife Stirs Phone Calls To State Officials

WASHINGTON (AP) — Atty. Gen. Robert F. Kennedy Thursday was reported to be making a new effort to prevent any further racial demonstrations at Birmingham, Ala.

His office declined to discuss the matter but it was understood that he had made long-distance telephone requests to state authorities and Birmingham police for "safe conduct" for a group of white and Negro college students jailed in Birmingham after trying to break down bus station racial segregation.

The students, from colleges in Nashville, Tenn., are traveling toward New Orleans.

Birmingham Police Commissioner Eugene Connor said he had not been called by Kennedy and knew of no one in the police department who had talked with the attorney general.

**CHIEF UNAVAILABLE**

Police Chief Jamie Moore was not available for comment.

In Montgomery, Public Safety Director Floyd Mann said Kennedy called him by telephone Wednesday night "to see what the situation was" regarding the jailed students. But Mann said Kennedy did not ask him for protection for the group.

Gov. John Patterson has said the group would not be given an escort on its bus trip through Alabama.

Patterson was not immediately available for comment on the reported request for protection.

In Birmingham, an integration leader said Thursday that police have offered to release—a few at a time—members of the racially mixed group if they will leave the city in private transportation.

Len Holt, a Negro attorney from Norfolk, Va., said Police Chief Jamie Moore made the offer.

**HUNGER STRIKE**

Moore couldn't be reached for comment immediately.

Holt, speaking at a news conference, said he didn't know what the 10 college students would do.

But he said they went on a hunger strike, effective at noon Thursday, in the city jail where they have been held since Wednesday afternoonm

At the jail, Warden J. R. Johnston said he didn't know whether the students were eating.

"They are brought into the kitchen for their meals, and the food is there for them," he said. 'I don't know whether they are eating it."

While the 10 students headed into their second night in the jail —some in protective custody, others on minor charges — five Birmingham Negroes picked up in the bus station incident were released.

The five were held about 24 hours.

**ARRANGED TO LEAVE**

Earlier police said the students would be freed when they have arranged what they called definite passage out of the city. They didn't elaborate about what they considered definite passage.

Meanwhile, at Birmingham, a group of integration leaders met to study ways to gain the release of the 10 students, held since Wednesday after a tense four-hour situation at the Greyhound Bus Terminal. Police said they were being held in protective custody.

**ATTENDING MEETING**

A spokesman said a lawyer was trying to free the group, but the city jail reported no attorney had visited them.

Attending the meeting were the Rev. F. L. Shuttlesworth, Birmingham, president of the Alabama Christian Movement for Human Rights; the Rev. Wyatt T. Walker, Atlanta, director of the Southern Christian Leadership Conference; the Rev. Joseph E. Lowery, Mobile, president of the Alabama Civic Affairs Association; the Rev. J. Metz Robbins, of the Nashville Christian Movement, and Len Holt, an attorney from Norfolk, Va.

They met at Shuttlesworth's house. He said they agreed to support the "Freedom Riders," and added, "They have agreed they will ride a regular bus. There will be no chartered bus and there will be no more plane flights."

Police said the group would remain in jail until definite arrangements were made for them to leave Birmingham.

It was the second such group to be stymied here in efforts to break bus station segregation barriers in the deep South. The "Freedom Riders" are sponsored by the Congress of Racial Equality (CORE).

The first group met violence at Anniston and Birmingham.

**RODE 2 BUSES**

This group rode two buses from Atlanta — a Greyhound and a Trailways bus.

A mob set the Greyhound bus afire at Anniston and 12 passengers, including some integrationists, were treated for smoke in their lungs. The bus was destroyed.

The second bus load met with violence in the Birmingham Trailways station, with several integrationists beaten by white men. Four white men have been arrested.

Greyhound drivers refused to drive the groups farther south than Birmingham.

The first group finally got off to New Orleans aboard a plane Monday night after three false starts and two bomb threats at the Municipal Airport.

The second group of eight Negroes, a white girl and a white man were balked when they sought to leave aboard a Greyhound bus Wednesday for Montgomery. Greyhound drivers refused to drive the bus.

Police Inspector Bill Haley said Thursday the group would have been released within 30 minutes after they were taken into custody if they had been willing to leave town.

But Shuttlesworth, himself jailed with them and then freed on bond, said:

"These students came here to ride out on a regularly scheduled bus and that's what they still hope to do. That is our irrevocable position. The challenge has to be made."

The students are from colleges at Nashville, Tenn. They said they are bound for New Orleans.

# 4 Seized In Riot at Anniston

The Atlanta Constitution

By SUSAN WAGNER

WASHINGTON (UPI) — Atty. Gen. Robert F. Kennedy Monday announced the arrest of four men in Alabama and ordered 200 more U.S. marshals to the state capital in a crackdown on continuing racial unrest there.

He also said the administration has considered the possibility of using federal troops if that becomes necessary. But he added that it was not planning such a move now.

**ANNISTON INCIDENT**

The four arrests were made in connection with the May 14 burning of a bus carrying freedom riders at Anniston, Ala.

FBI agents carried out the arrests—the first since racial violence broke out in Alabama. Kennedy said the men have been charged with damaging and destroying a bus operated in interstate commerce "with intent to endanger the safety of persons on board."

The attorney general said he thought the situation with the marshals "is adequate at the present time" to deal with trouble in Montgomery, the troubled capital.

Kennedy said he was in constant touch with President Kennedy. The chief executive stayed up most of the night at his Middleburg, Va., farm receiving reports on the trouble that broke out upon arrival of "Freedom Riders" in the Alabama capital.

**SUSPECTS IDENTIFIED**

In Anniston, federal charges were lodged against Robert D. Couch, 19, unemployed; Jerry Eason, 22, a flower shop employee; Frank B. Johnson, 43, a maintenance man, and Dalford L. Roberts, 42, a taxi driver.

The four were arraigned and jailed in default of $5,000 bond each. If convicted in the bus bombing, each could be fined up to $10,000 and given 20 years in prison.

Asked whether the President specifically approved the dispatch of more marshals to Montgomery, acting Press Secretary Andrew Hatcher said such action was in the hands of the Justice department.

But he said Kennedy's statement Saturday "made it very clear that the U.S. Government will meet its responsibilities."

The attorney general said more marshals were being sent in the scene because the situation still was "obviously not satisfactory." He told a news conference half the new forces would be in Montgomery Monday night, and the remainder would go Tuesday.

About 500 marshals were sent to Montgomery previously, Kennedy said, and the total strength Tuesday will be about 700.

**REINFORCEMENTS NEEDED**

He said Deputy Atty. Gen. Byron (Whizzer) White, top federal official on the scene, agreed the reinforcements were needed.

"We are cooperating with the National Guard and hope these matters can be worked out," Kennedy said.

He said the new federal officers being sent in were employes of the Immigration and Naturalization Service. They are being deputized as special marshals.

Kennedy told reporters the presence of marshals in Montgomery prevented major bloodshed Sunday night when a white mob gathered at a Montgomery church where Negroes were meeting. He said local authorities did not arrive until about 15 minutes after the demonstrators began surrounding the church.

**DEFERS DECISIONS**

There were indications the Kennedy administration was upholding any further decisions on the crisis until it can determine the effectiveness of Gov. John Patterson's declaration of martial law Sunday night.

At the White Huose, Hatcher said he did not know whether the use of federal troops was under consideration. "Any further action would have to come as a result of recommendations from the attorney general," he said.

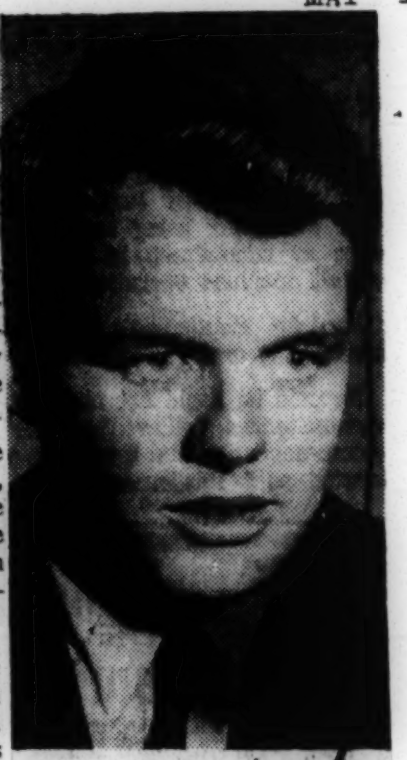
President Kennedy returned to the White House from Middleburg at 8:44 a.m., EST, and continued to receive word from the Justice department on the latest developments in Montgomery.

Hatcher said so far as he knew the President had made no further efforts to reach Gov. Patterson by telephone. Kennedy called Patterson Friday, but the governor would not talk with him.

Atty. Gen. Kennedy said he talked with Patterson at 2 a.m., EST, Monday, but did not receive satisfactory assurance of state protection for the "Freedom Riders" seeking to break segregation barriers in the South.

Kennedy said Floyd H. Mann, Alabama commissioner of public safety, had been acting with vigor and skill in the situation. But he said the governor "was not cooperating with the federal government."

On Capitol Hill, Senate Democratic Leader Mike Mansfield commended the administration's intervention in Alabama. He said the riots in Montgomery should make the American people "hang our heads in shame."



ANNOUNCES ARRESTS
*Atty. Gen. Kennedy*

# Recall Marshals, Vandiver Urges

The Atlanta Constitution

Gov. Ernest Vandiver suggested Monday that the Kennedy administration withdraw federal marshals from strife-torn Montgomery and urge integrated "Freedom Riders" to stay at home.

After saying Sunday that he did not intend to comment on affairs in Alabama, Vandiver changed his mind and issued a formal statement. It said:

"I feel a deep resentment for these unwelcome, subversive groups who are making integrated bus tours into the South with the sole and avowed purpose of disturbing the people of a section who are otherwise peaceful.

"Peace could be restored, as well as harmony between the races, if the administration in Washington would withdraw the federal marshals and appeal to these riders to stay at home.

"I am reliably informed that since the first encounter with federal marshals last night, the situation has been taken over by Alabama National Guardsmen, deputy sheriffs, Montgomery police and the Highway Patrol. This makes it plain that Alabama authorities intend to preserve the peace and good order of their state."

# FBI, Marshals Pour In; U.S. Hints All-Out Push

## Alabama Violence Is Probed

The Atlanta Constitution
Atlanta, Ga.

By BRUCE GALPHIN
and MARION GAINES
Constitution Staff Writers

MONTGOMERY, Ala. — FBI agents poured into this troubled city along with fresh federal marshals Monday as a top Justice department officer indicated the federal government was going to push its powers to the limit to end racial violence here.

Byron (Whizzer) White, deputy attorney general, in a press conference late Monday revealed that the FBI here is being "considerably augmented."

*Georgia congressmen deplore violence and "provocators." Gov. Vandiver suggests marshals be recalled. Stories on Page 13.*

**4 ARRESTED**

All White would say was that the agents were "investigating" possible conspiracy as well as direct violations of federal statutes in the racial conflict of the past two days. But even as he spoke, the Justice department in Washington announced four arrests in Anniston arising from incidents there last week.

The reputy attorney general, while stating that he was pleased with the cooperation of the National Guard here, none the less firmly but quietly stated that the federal officers would stay here as long as there was danger of violence. The guardsmen are patroling the city in groups of four.

**500 MARSHALS THERE**

He warned that interfering with interstate bus travel is a serious federal crime with sentences ranging up to 20 years in prison. He also made it clear that the Justice department intends to protect the right of free assembly here.

White said the force of marshals would be kept at about 500. Some 200 more marshals were moving in Monday, but he said they were merely to relieve 200 others who are returning to regular duty.

The Rev. Martin Luther King Jr., the "Freedom Riders" and other integration leaders still had not decided late Monday how and when the beleaugered riders were going to leave Montgomery.

**5 BOMB THREATS**

There were at least six false bomb threats Monday. Two of them forced the temporary evacuation of some 1,800 white children from the Cloverdale Elementary and Goodwyn Junior High Schools here. There was no explanation for the calls.

But the only fighting going on was the bitter verbal feud between U.S. and Alabama officials.

Atty. Gen. Kennedy promised immediate prosecution against "a number of people" involved in violations of federal laws springing from the last 10 days rioting and assaults in Alabama.

**GALLION HITS BACK**

Alabama Atty. Gen. MacDonald Gallion in return angrily accused Kennedy of "fanning the fires of strife in Alabama" by sending the marshals in.

The marshals, Gallion asserted, are for the most part "inexperienced and ineffective." If National Guardsmen had not been called out at the riot Sunday night at the First Baptist Church, "the consequences could have been most serious to the marshals themselves," the Alabaman continued.

**KING COMMENTS**

The arrival of the riders Saturday touched off a riot in which the anti-segregation demonstrators were brutally clubbed as they arrived by Greyhound bus.

King revealed that he had been in touch with Attorney General Kennedy three times Sunday night.

**MUST BE IMPOSED**

Asked whether he had requested more marshals from Kennedy, King replied:

"I kept him apprised of the developments, and he realized that the situation was getting out of hand.

"It is clear that Alabama officials will not place limits on themselves," the integration leader continued.

"The limits must be imposed from without . . . the federal government must stand up firmly and forthrightly to insure the rights of all its citizens."

There were persistent reports Monday that the Freedom Riders would give themselves up to local law enforcement officials, but the rumors did not materialize.

**CITED IN CONTEMPT**

Contempt citations against the group were issued by a state judge after they ignored his injunction against traveling here by bus from Birmingham.

Warrants for arrest of the riders were in the hands of a National Guard officer Sunday night at the moment he was outside the church where many of the riders were being honored.

The riders reportedly went directly from the church Sunday night to private homes.

But the Rev. Ralph Abernathy, Montgomery integration leader, insisted that "we are not hiding the Freedom Riders." He said that none of them has been served with a warrant.

Besides the decision of what the current group of riders should do, the integration leaders also apparently were discussing the offer of another group of Nashville students to ride buses to Montgomery. The group beaten here was the second wave moving through Alabama in the past 10 days.

The first wave, sponsored by the Congress of Racial Equality (CORE), was mauled in Birmingham and in Anniston.

State Patrolmen have been given orders to stop all buses coming into Alabama to read the state judge's injunction against further demonstrations.

**STREETS PATROLED**

Guardsmen Monday patroled the streets of Montgomery in jeeps. Others stood guard at the municipal airport and the Greyhound terminal.

Numerical strength of the federal marshals sequestered at nearby Maxwell Air Force Base was pinpointed at 550 for the first time Monday.

"There are 550 here now and I'd say there will be 550 tomorrow," said Wallace Turner, who flew in from Washington, D.C., Sunday night to take charge of White's public relations in Alabama's trouble-torn capital.

**'NO CONTACT'**

Three of the deputized marshals, including the officer who took command Sunday night in repelling the rioters at the Negro church, appeared with Turner in an afternoon press conference.

Turner also said that, "There's been no contact" between White and the Freedom riders regarding possible plans for the Negroes to ride buses out of Montgomery and continue their swing through Dixie testing bus segregation barriers.

**ASKED FOR HELP**

William Behen, whose regular job is with the U.S. Alcohol and Tax Unit at Jacksonville, Fla., led the federals in turning back Sunday night's mob attack on the Negro church.

Asked if he has had any previous experience in quelling riots, Behen replied that he's spent most of his time "raiding whisky stills."

Behen said the deputies were asked for help Sunday night by state investigator Willie B. Painter, who was nearly overwhelmed as he and another state officer tried to stem the mob's rush.

"I couldn't stand by and see them killed," said Behen.

Behen revealed that he hurled the first tear gas grenade at the angry mob of rowdies. He acted because "the mob was getting worse—throwing bricks and bottles at passing cars and knocking out windshields."

After Gov. Patterson had mobilized the guard, Behen said he was instructed that the federals should "stand by and give the guards any assistance if they needed it."

He said state and local police at the church "worked very closely" with the federals—"more as a team than as opposing forces."

## New Riders Roll Into Alabama

The Atlanta Constitution
Atlanta, Ga.

By MARION GAINES
Constitution Staff Writer

MONTGOMERY—A new wave of seven "Freedom Riders" was met by more than 200 heavily armed National Guard troops and police when they arrived here Wednesday afternoon on a bus from Atlanta.

They left the bus station in private cars shortly afterword under military guard.

*Two men arrested distributing pamphlets in LaGrange. Story on Page 14.*

There was no disturbance but two white brothers, James Gardner, 30, and Charles Gardner, 23, of Montgomery, were arrested outside the station for refusing to move on when ordered by police.

State Patrol cars escorted the bus carrying the seven demonstrators—four white professors from

Connecticut and three Negro students—from the Georgia state line.

Police care escorted it to the bus station where the National Guard cleared the street when it arrived.

During their 15-minute wait for a private automobile, the new group—whose stated destination is New Orleans—did not attempt to enter the bus station to test possible segregated facilities. They waited on the unloading platform until a car driven by a Montgomery Negro leader arrived.

On hand for their arrival at the station were the Rev. Martin Luther King Jr. of Atlanta, the Rev. Ralph D. Abernathy of Montgomery and the Rev. F. L. Shuttlesworth of Birmnigham.

The new group arrived in the face of a warning by Alabama Atty. Gen. MacDonald Gallion that "If any more 'Freedom Riders' come to Alabama they will be arrested."

Gallion said the arrests would be based on a state judge's injunction that prohibits "Freedom Riders" from entering or traveling in Alabama or other acts "calculated to provoke breaches of the peace."

A strong show of strength was demonstrated Wednesday morning when two buses carrying the victims of Saturday's riot left for Mississippi and Louisiana to test their bus segregation barriers.

Some 300 National Guardsmen with unsheathed bayonets virtually sealed off Lee Street in front of the Trailways terminal here as the "Freedom Riders" left, the first group at 8 a.m. and the second at noon.

Six guardsmen with fixed bayonets were aboard each bus.

The first bus carried 12 Negroes and one white youth, identified as Paul Dietrich of Washington, D.C., a student at the University of Virginia.

The second group of 14 persons was all Negro and included James Farmer, national director of the Congress on Racial Equality, and two students — Harold Andrews and Frank Holloway of Atlanta's Morehouse College.

**SERVED AT COUNTERS**

In each instance, members of the two groups sought and obtained service at the white lunch counter in the bus station. White waitresses moved away from the counter while Negro employes served the riders.

The National Guard, commanded by Maj. Gen. Henry V. Graham, put on an impressive show of keeping the peace in the terminal area, moving sidewalk traffic along briskly and allowing no crowds to congregate.

The "Freedom Riders'" buses were whisked out of the city in a convoy that included 15 to 20 State Patrol cars, each occupied by two state troopers in the front seat and three armed guardsmen in the back.

The Rev. King who came here to spark resumption of the "freedom rides," said that "several groups of riders have made inquiries about coming in" here to continue the rides through Alabama.

**MORE POSSIBLE**

"There's a real possibility that more riders will be coming through here," King said.

Asked if he considered the departures under heavy guard to be successful continuations of the integration efforts, King replied:

"I consider it a valid step. It proves the forces of defiance and mobs will not be able to block interstate travel."

King declared that the riders were looking forward to stopping in Jackson, despite Mississippi Gov. Ross Barnett's hints that they might be ushered non-stop through his state.

The force of federal deputy marshals, ordered in here by Atty. Gen. Robert Kennedy last weekend, was not in evidence at all at the bus terminal Wednesday morning.

The 500 or so U.S. officers remained, however, at nearby Maxwell Air Force Base, poised to spring into action wherever—as Deputy Atty. Gen. Byron "Whizzer' White put it—they may be needed.

The latest wave of "Freedom Riders" left Atlanta at 12:30 p.m. on the Montgomery-Jackson-New Orleans route of the earlier group. There were no incidents as the seven boarded the bus and sat together in the middle. Atlanta detectives and Georgia Bureau of Investigation agents were present.

The new group of riders held a news conference shortly before boarding their bus. Their spokesman Yale University chaplain William Coffin, said their action was "spontaneous," set off by news of the troubles in Alabama.

# Georgians in Congress Blame CORE in Alabama Violence

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON — Georgia members of Congress sadly deplored racial violence in Alabama Monday but blamed organized provocators from outside the state for deliberately stirring up the trouble.

Two members of the Georgia delegation were critical of the use of federal marshals to quell the disorders, but others were privately critical of Alabama's Gov. John Patterson for failing to preserve the peace.

**SHOULD HAVE FORESEEN**

Sen. Herman Talmadge commented for the record that state and local officials should have anticipated mob reaction to the "Freedom Riders" and taken necessary steps to preserve order.

The sentiment here could be summed up that the "Freedom Riders" asked for trouble when they went into Alabama, and got it, and that Gov. Patterson invited federal intervention by not enforcing law and order.

Rep. James C. Davis of Stone Mountain and Rep. E. L. (Tic) Forrester of Leesburg defended Patterson, however.

Rep. Carl Vinson of Milledgeville, dean of the Georgia delegation and a man who measures his words, blamed CORE (Congress for Racial Equality) for deliberately inciting violence but said two wrongs do not make a right, and the nation is the loser.

"It is not unexpected that an organization seeking trouble ends up starting trouble," Vinson said.

"The recent violence in Alabama was premeditated and deliberately instituted by the CORE organization. Had violence not erupted in Montgomery, I am confident that the CORE organization would have aggravated the tension until at some point in the South an explosion would have occurred. . . .

"But two wrongs do not make a right. And those who participated in the violence, pro-segregationists and pro-integrationists, are both at fault in the situation. Unfortunately, the nation, in the eyes of the world, is the loser. . . ."

"It is, of course, a most tragic affair in all its aspects," said Sen. Richard B. Russell.

"The CORE organization deliberately planned every detail of that invasion with the design to excite the people and to stir up their emotions. . . .

"It would have been much better if the people of Alabama had exhibited restraint and let this caravan of provocateurs pass through without disorder. . . ."

Sen. Talmadge said:

"Violence in any form merely serves to aggravate the existing bad situations.

"The following tragic events have occurred in Alabama in the last few days:

"1. The interracial provocators made repeated trips into the State of Alabama admittedly seeking violence and unfortunately found it.

"2. Law enforcement officials on the state and local level should have anticipated mob reaction to the provocators and taken the necessary steps to preserve order.

"3. If the attorney general desires to subvert United States marshals into law enforcement officers to perform local police duties, he should give high priority to the city of Washington, D.C., where crime is rampant and criminal assaults on women are daily occurrences."

Rep. James C. Davis said:

". . . This 'Freedom Riders' program is in large part directed by an organization known as CORE. That organization has a national advisory board of 16 people. Nine of those 16 have records of connection with subversive organizations in the files of the House Committee on Un-American Activities. This is the background of the groups now making trouble in Alabama. . ."

**SOUGHT TROUBLE**

Rep. E. L. (Tic) Forrester's comments, in part:

"They were seeking trouble. They found it.

"The endorsement of the President and his attorney general brother of this attempt to insult the South is unpardonable. That endorsement undoubtedly furnished aid and encouragement.

"Gov. Patterson is right in asking the federal government to let the state handle its own affairs."

Rep. John W. Davis of Sum-

3-a 1961

ALABAMA

CORE FREEDOM RIDERS
MAY 14, 1961

BACKGROUND OF 'FREEDOM RIDERS' LISTED

# Background of 'freedom riders' listed

Birmingham News

NEW YORK, May 18—(AP)—These are the "freedom riders" who made the violence-studded bus trip through the South under sponsorship of the Congress of Racial Equality (CORE):

Thurs. 5-18-61

## Negroes

JAMES FARMER, 42, national director of CORE, a founder and its first national chairman. Formerly program director of National Assn. for the Advancement of Colored People, union organizer, race relations secretary for the Fellowship of Reconciliation, and student secretary of the League for Industrial Democracy. Now a New Yorker, he is a native of Texas.

**REV. B. ELTON COX, 28: Minister of the Pilgrim Congregational Church at High Point, N. C,; former youth secretary of the NAACP.**

JOHN R. LEWIS, 21: Nashville, Tenn., president of the student body at American Baptist Theological Seminary and leader of student sit-in movement who has been arrested five times in a little over a year.

JOSEPH PERKINS JR., 28: CORE field secretary in Kentucky, former member of the CORE unit at Ann Arbor, Mich., served 10 days in jail in Miami after a CORE sit-in.

CHARLES PERSON, 18: Student at Morehouse College, Atlanta, Ga., member of the Atlanta Committee on Appeal for Human Rights who served 16 days in jail following a sit-in.

**JAMES McDONALD, 27: New York singer who has been active as a volunteer in many national CORE projects.**

HENRY THOMAS, 19: Howard University student from St. Augustine, Fla., and chairman of a Washington, D. C. non-violent action group.

MAE FRANCES MOULTREE, 24: Member of the CORE unit at Morris College, Sumter, S. C., who was beaten and hospitalized after a demonstration in Sumter in February.

IVOR MOORE (age unavailable), New Jersey student at Morris College, Sumter, S. C., member of the CORE group there who was jailed in February.

**HOWARD HARRIS (age and home state unavailable), student at Morris College, Sumter, S. C., who was jailed in February.**

## Whites

W. G. BERGMAN, 61, of Michigan, a retired school administrator, former teacher at the University of Michigan and Wayne State University, former education director of the United Nations relief and rehabilitation administration in Germany, member of CORE and the American Civil Liberties Union.

His wife, FRANCES BERGMAN, 57, also a retired school administrator, member of CORE and ACLU who participated in civil rights action projects in Kentucky and Michigan.

**ALBERT BIGELOW, 55, Connecticut architect who captained the Golden Rule on a protest voyage into the Pacific atomic test area and previously commanded combat ships while in the Navy during World War II; a member of CORE and the NAACP.**

EDWARD BLANKENHEIM, 24, Arizona carpenter, member of the Tucson CORE unit (Students for Equality) and the NAACP.

GENEVIEVE HUGHES, 28, of Maryland, CORE field secretary, formerly active in New York CORE and former employe of Dun and Bradstreet.

GORDON CAREY, 28, who joined the group after the violence in Alabama, is director of field work for CORE, former CORE vice chairman, and was active in Los Angeles and Pasadena CORE work.

# Integrationists say we'll keep testing law

The Birmingham News, p. 1
Birmingham, Ala. Thurs., 5-18-61

Birmingham police were expected to release eight Negro and two white college students from jail early today and a spokesman for the group said they would resume efforts to test segregation laws in Alabama and Mississippi.

The Nashville students were taken into protective custody after bus drivers refused to take them out of Greyhound depot.

The group arrived by bus at 12:06 p.m. yesterday and for more than four hours about 50 city policemen were required to control the large crowds.

**The Rev. F. L. Shuttlesworth, Birmingham Negro integrationist, was jailed on charges of interferring with an officer in the line of duty and refusing to obey a lawful command. He was released some five hours later on two $25 bonds.**

Police Commissioner Eugene Connor said Shuttlesworth by publicizing the arrival of the Negroes made "a deliberate attempt to induce a breach of the peace."

He said he would consult the city legal department on whether Shuttlesworth should be charged with breach of the peace.

ALSO TAKEN to City Jail in paddy wagons were four Negro men and one woman from Birmingham.

Menwhile reports from the Highway Patrol and FBI last night that another bus load of Negroes was reported headed here to aid in integration efforts failed to materialize.

**Birmingham police were out in large numbers to meet an 11:10 p.m. Trailways bus from Atlanta and an 11:45 p.m. Greyhound from Chattanooga. There were no Negro travelers on the vehicles.**

Officers said they spotted a number of known Ku Klux Klansmen in the area of the two stations, and many automobiles bearing out of county license plates were parked near by.

On hand to assist police were two men from Atty. Gen. MacDonald Gallion's office. Joe Malone, investigator, and Johnny Bookout, assistant attorney general, kept in contact with Gallion and the local circuit solicitor.

POLICE CHIEF Jamie Moore confronted the integrationist group standing on the loading platform at Greyhound Depot yesterday and told them they were in danger.

"In view of the circumstances surrounding you here, it is my opinion, and that of other superior officers that I have consulated, that it is dangerous for you or others to stay here.

**"I am therefore taking you into protective custody of the city of Birmingham to remove you from these premises. You will be transported to Southside Jail."**

Police officers then herded the travelers into three paddy wagons.

Birmingham, Ala.

As Shuttlesworth was placed in a squad car a loud cheer went up from approximately 200 persons gathered at the rear of the station.

Just before the patrol wagons pulled away, photographers from Life Magazine and representatives from Atlanta newspapers arrived.

Thurs 5-18-61

AN ATTORNEY for the integrationist group arrived in Birmingham from Norfolk, Va., last night and is expected to obtain a writ of habeus corpus for the release of the jailed students early today.

Len Holt of Norfolk arrived here by plane with Wyatt T. Walker, director of the Southern Christian Leadership Conference, Atlanta, Ga.

**The Nashville students arrived here about noon yesterday with the intention of taking up where the CORE group left off Monday.**

After the CORE travelers were unable to get bus transportation on to Montgomery, they boarded a plane to by-pass Mississippi and went on to New Orleans, La.

A WHITE YOUTH identified as Jim Zwerg, student at Fisk University, and Paul Brooks, Negro student at American Baptist Theological Seminary, were arrested by city police before the bus arrived at the terminal.

Police stopped the bus at the northern Birmingha mcity limits and arrested the two when they refused to move to the rear of the bus when ordered.

**None of the group was allowed to leave the bus when it arrived at the bus station about noon. Later, however, when the driver refused to board the bus, police let the students unload.**

They immediately went into the white waiting room where they tried to integrate the Post House Cafeteria, snack bar, restrooms, and seating facilities.

They were partially successful in all attempts except at the cafeteria which was closed.

POILCE RECEIVED a bomb threat while the mixed group was inside the station but immediately dismissed it as a hoax.

Large crowds gathered around the depot and were continuously moved away by members of the K-9 Corps and oficers on motorcycles.

Police Commissioner Connor and Police Chief Moore made several trips to the depot during the day and were greeted by hundreds of waving and shouting white spectators.

**When informed that the bus drivers' union reportedly had instructed drivers not to take out any bus on which the Nashville group was attempting to ride, the Rev. Shuttlesworth implied that he might seek an injunction.**

Capt. Walter Garrison, in charge of the police detail at the bus station yesterday, was commended by superior officers for his work.

**BUS DRIVERS REFUSE TO TAKE INTEGRATIONISTS OUT OF CITY . . Det. Lt. M. H. House (left) talks it over. With him is Birmingham News Reporter Tom Lankford**

## Admits Being In Area—

# THIRD MAN CHARGED IN MOB BEATING

## Suspect Believed Wielder Of Pipe In Sunday Attack

Birmingham Post-Herald
Birmingham, Ala.
Wed. 5-17-61 P1

A third man was arrested by Birmingham police yesterday and charged with assault with intent to murder in connection with the Sunday fray at the Trailway Bus Station.

Picked from a lineup at City Jail as the man who was pictured wielding a lead pipe in Monday morning's Post-Herald was Howard Thurston Edwards, 22, of 1906 Second-av, n, Irondale.

Edwards, six feet one inch, and 160 pounds, was taken into custody at Quality Press, where he was at work as print shop foreman.

An outstanding characteristic of the pipe wielder in the Post-Herald photo was his long, bushy hair.

When arrested, Edwards had a fresh crew-cut.

Detective Melvin Bailey who, with Detectives Vernon Hart and C. L. Pierce, and Sgt. Tom Cook, is investigating the beating of a bus passenger and two newsmen, said Edwards did not appear surprised when arrested by Lt. Maurice House.

**'Looked Like The Man'**

"He said he knew he was being picked because he looked like the man in the picture," Bailey said. Bailey said Edwards admitted to the bus station area with a brother-in-law around noon after hearing newscasts, but denied he was involved in the beatings.

The detective said Edwards stated he and his brother-in-law had driven around for a while and then had left the scene.

Bailey said Edwards also volunteered the information that he got his haircut Monday afternoon.

He said Edwards stated that he was taking diving lessons at the YMCA and had gotten his hair cut because it was too long and was getting in his way.

The detective said Edwards has in New Orleans until tomorrow night for a celebration of the U. S. Supreme Court's decision in 1954 declaring school segregation unconstitutional. The seventh anniversary celebration will be held in a Negro Baptist Church.

The 18 arrived in New Orleans by plane late last night. They said they decided to skip Mississippi and fly to New Orleans rather than travel by bus because of the violence in Alabama and "implied threats" from Mississippi.

**QUESTIONING**—Detective Melvin Bailey (left) questions Jesse Oliver Faggard who is being held in connection with Sunday's beatings at the Trailways Bus Station.

**IDENTIFIED**—This man, identified as Howard Thurston Edwards, was arrested yesterday as the man who swung a pipe in the beatings at Trailways Station.

## 'Riders' Tell Of Hatred

Birmingham Post-Herald
Birmingham, Ala.
Wed. 5-17-61 P1

NEW ORLEANS, May 16 (AP) — One of the 18 "Freedom Riders" — nine whites and nine Negroes testing segregation practices in the South—said today hatred of the Negro "prevails as a spirit" in Birmingham.

The group, 14 of them, held a press conference today in the lobby of a dormitory on the campus of the predominately Negro Xavier University. They said their violence-marked trek through the South had ended and they would leave New Orleans tomorrow night for their homes.

James Peck of New York City, the chief target of attackers at Birmingham Sunday, told newsmen "it is disheartening to see a city engulfed in such a state of hatred."

Peck had 57 stitches in his head from the melee in Birmingham. He talked to newsmen with his head wrapped in white gauze bandages.

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Peck, who is white, termed the trip a success—"not completely successful" — because it proved that "one could not travel freely in this country."

One of the Birmingham attackers, Peck said, taunted the group:

"You dirty Communists. Why don't you go back to Russia? You're ashamed of the white race and you're ashamed of the nigger race."

Peck said he hoped the trip "would have a sobering effect on our country."

"If we are going to live as a Christian nation," said B. Elton Cox, a 29-year-old Negro from High Point, N. C., "we are going to have to clean up our own back yard."

Cox blamed Gov. John Patterson for the violence in Alabama. He said that Patterson's lack of interest toward the Freedom Riders and his failure to furnish them protection had the same meaning as "go to it, boys, they're all yours."

Albert Bigelow of Cos Cobb, Conn., the unofficial leader of the junket, told a newsman:

"I was ashamed to be a white man in South Carolina and Alabama."

The group said it would remain a record. He said Edwards was dishonorably discharged from the Marines after conviction of a strong-arm robbery of a cab driver in New Hampshire.

Edwards served two years for this offense.

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Investigators continued questioning Edwards after his identification in the lineup.

P1

First man to be picked out of the lineup yesterday was Jesse Feggard, 20, a doughnut machine operator at Dolly Madison Bakeries.

Birmingham Ala.

Feggard was arrested by Bailey and Hart around midnight Monday on his return home in Alton.

The investigators said Feggard admitted being at the bus station at the time of the beatings, but denied striking any blow.

**Called By Klansman**

Feggard said he had been called by a well-known Klansman and told to be at the station "if he wanted to see something."

They said they also got other information from Feggard.

Feggard's father, Jesse Thompson Feggard, 48, was arrested when he appeared at City Jail to post bail for his son. The father also was identified as being at the station Sunday.

Both are charged with disorderly conduct, investigators said. Young Feggard was released on $300 bond.

Meanwhile, Commissioner Eugene Connor pushed the probe forward unrelentingly.

Another suspect was to be brought in for questioning and still another was being investigated.

# Fourth man held in race violence

BY BUD GORDON
News staff writer

Police have charged a fourth man in connection with Sunday's mob violence at the Trailways Bus Station.

In jail on a charge of disorderly conduct is Melvin Dove, 40, of Vandiver, Ala.

Dove, an employe of Anderson Electric Co., Leeds, was arrested yesterday after being identified from a photograph taken during an attack on a member of a "Freedom Rider" group.

**V. T. Hart, M. H. Bailey and C. L. Pierce, detectives assigned to the investigation, said Dove denied having any part in the fracas at Trailways.**

HE CLAIMED he stopped by the station to use the restroom, according to Sgt. Tom Cook and Dtective J. R. Bieker.

**Sgt. Cook quoted Dove as saying he had just stepped out of the rest room with a cigaret in one hand and a lighter in the other, when someone kicked him in the stomach.**

Dove claimed he lost the cigaret as a result of the blow, and had his fist clinched in the picture because he was holding onto his lighter.

Howard Thurston Edwards, 22, who was arrested Tuesday on charges of assault with intent to murder in connection with the beatings, was transferred to the county jail, where he was released on $300 bond.

EDWARDS denied being at the bus station, but was identified by two eye-witnesses, police said. Identification was made ever though Edwards had his hair cut short Monday after the bus station violence.

**Arrested earlier in connection with the affray were Jesse Faggard, 20, and his father, Jesse T. Faggard, 48, both of Alton. Both were charged with disorderly conduct and released on bond.**

All four arrests have resulted from a single photograph snapped o fa mob beating a member of the CORE (Congress on Racial Equality) sponsored group.

Detectives said several other suspects were questioned and released yesterday, and added others will be questioned today as the probe continues.

# Freedom Riders Attacked, Hospitalized In Alabama

## Mobs Whip CORE Riders, Burn Bus In Outbreak Of Violence

ANNISTON, Ala. — (UPI) — About 100 whopping whites met a bus carrying a bi-racial integrationist group here Sunday, stoned it and slashed the tires and then followed the bus out of town and tossed gas bombs in it when it stopped for repairs.

The 22 passengers aboard the bus, including nine members of the Congress of Racial Equality, were rushed to a hospital for treatment. None was believed seriously injured.

The whites met the regular Atlanta to Birmingham Greyhound passenger bus at the terminal of this town of 35,000 which is situated about 30 miles from the Georgia line. They shouted threats at the CORE group which has been on a "Freedom Ride" through the South, testing southern bus segregation laws.

Police Chief J. L. Peek said his men refused to let the passengers leave the bus and attempted to hold back the crowd of whites.

The whites began slashing the tires and stoning the bus as it pulled away from the station. About three miles outside of Anniston, two of th etires went flat and the men, following in about 50 cars, converged on the bus.

Police said tear gas bombs and a fire were tossed into the bus windows.

On the bus in addition to the nine freedom riders were four Negroes and five white persons.

Witnesses reported that one Negro was struck on the head with a chain as the occupants fled from the burning bus, but the arrival of state highway patrolmen prevented further violence.

Most of the passengers aboard the Greyhound bus, which was en route from Atlanta to Birmingham, were members of the socalled "Freedom Ride" of the Congress on Racial Equality CORE. The group was traveling through Dixie in an effort to integrate bus station facilities.

Roy Robinson, manager of the Greyhound office in Atlanta, said the group had "absolutely no trouble" in the Georgia capital. He said he was riding in the bus "simply because I wanted to take a trip to Birmingham."

The bus station here was closed around noon. before the bus arrived in an apparent attempt to avoid violence. A crowd of about 100 white men was gathered at the station when the bus arrived.

Witnesses said the crowd began yelling for the "freedom riders" to get out of the bus. But a state policeman in plainclothes barred the door and kept the bus passengers inside.

The men then began stoning the bus and slashing the tires. The bus left the station but about three miles outside Anniston, two of the tires went flat.

The white men, following in some 50 cars, stopped around the bus and again yelled for the passengers to alight.

A fire then started in the bus. Police were not certain whether some sort of fire bomb or flare was tossed into the vehicle or whether the flames originated in side the bus.

The occupants began pouring from the bus. They were met by the white men. Witnesses reported some blows struck and one Negro was struck by a man wielding a chain. State highway patrolmen arrived at that time and prevented further violence.

The bus occupants were rushed to the emergency room of the Anniston Hospital for treatment of burns and lacerations, apparently received when some of them had to climb through the bus windows to escape.

A Negro student from Morehouse College in Atlanta, Charles Persons, was also hospitalized with injuries and Dr. Walter Bergman, 61, of Detroit also suffered bruises.

Bergman, a former college professor, said a group of white men who got on the bus in Atlanta began beating Person who would not move when the driver ordered him to the rear of the bus.

"Peck and I got up to intervene, not violently, and they turned their attention to us. We were knocked down and they threw the Negro to the back of the bus."

## James Farmer, CORE Director, To Speak At Bethel, May 14

Birmingham, Ala

James Farmer, of New York, national director of the Congress of Racial Equality (CORE), is scheduled to speak at a mass meeting scheduled for 7 P. M. Sunday, May 14, at the Bethel Baptist Church, 3191 No. 29th Ave., Collegeville.

The mass meeting, according to the announcement is jointly sponsored by the Alabama Christian Movement for Human Rights and CORE. The Rev. F. L. Shuttlesworth is president of ACMHR and pastor of the host church.

Meantime the announcement said that the meeting is "featuring those who have been participants in CORE's Freedom Ride, 1961."

Composed of 13 men and women, Negro and white, the freedom travellers began a tour May 1 in Washington, D. C., designed for "testing segregation in busses, terminals, and rest stops in the Deep South.

Additionally, the "Freedom Riders" are due in Birimngham Sunday, according to the announcement.

JAMES FARMER

## More 'Riders' Go To Birmingham; Drivers Balk

By United Press International

Mounting racial tensions in Alabama; quiet, orderly integration of lunch counter in Jacksonville, Fla. and a new drive to end segregation in Atlanta city parks and courts Wednesday marked the seventh anniversary of the historic U. S. Supreme Court decision that public school segregation is unconstitutional.

The day's pattern of race - relationship developments over the South varied widely.

In Birmingham, Ala., a group of Negroes, including students, arrived from Nashville, Tenn., to resume the "freedom rides" that resulted in beatings and the burning of a bus in Alabama last weekend.

Alabama Gov. John Patterson, informed in advance that the Negroes were coming told a news conference the group was composed of "rabble - rousing agitators" and said he would not promise them protection.

When they arrived at the Birmingham bus terminal, however, police would not let them leave the bus, which was headed for New Orleans, via Tuscaloosa, Ala., and Meridian, Miss.

Police finally let the group off after an hour and a half wait, when it appeared bus drivers were refusing to make the trip.

**ARREST TWO PERSONS**

Police said two persons, one white and one Negro, were arrested on the outskirts of the city for refusng to cooperate with officers.

Already in New Orleans were the first two groups of "freedom riders" — Negroes and some whites — who made the bus tour of the South to integrate bus and other public facilities at the time of the court decision anniversary.

They scheduled a rally Wednesday night to mark the anniversary day.

There were these other developments:

A spokesman for the Congress on Racial Equality CORE said college students would picket major interstate bus terminals in all parts of the country in an effort to desegregate Southern bus waiting rooms. He listed 27 cities for the demonstrations, including three in the South - Nashville, Ten., Chapel Hill, N. C., and Augusta, Ga. Pickets showed up at the Nashville bus station at mid -afternoon.

4 - ARRESTED FOR BUS BURNING

38a 1961

ALABAMA

CORE FREEDOM RIDERS
MAY 1961

# U.S. Officers Pulled Out of Montgomery

## FBI Nabs 4 in Bus Burning

### City Relatively Calm After Weekend's Violence

WASHINGTON, May 22 (AP)—The federal government withdrew its U.S. marshals from the streets of tense, race-torn Montgomery, Ala., today but kept them on the edge of the city ready for action.

The Justice Department announced also the first arrests by the FBI in connection with violence against the "freedom riders." Four men were taken into custody at Anniston on charges in connection with the burning of a "freedom riders" bus several days before the mob outbreak in Montgomery.

Both of these developments came shortly after the Alabama congressional delegation had asked withdrawal of all U.S. marshals from the state. Others in Congress praised dispatch of the federal officers.

**National Guards Patrol**

Eight hundred National Guardsmen, mobilized under martial law, patrolled Montgomery, a city of 136,000 population, along with civilian police and segments of a federal task force already numbering more than 500.

Except for a false-alarm bomb scare at two white schools which sent 1,800 students outside while police and firemen searched the buildings, no incidents were reported in the wake of weekend race violence.

The Juctice Department announced withdrawal of the marshals to Maxwell Air Force Base, minutes away from downtown Montgomery.

The withdrawal was made, a spokesman for the department said, because the Alabama National Guard appeared to have the situation in the city under control.

At the same time, the department said it is beefing up its force of marshals in Alabama by sending 200 more to the state, swelling the total there to near 700.

Atty. Gen. Robert F. Kennedy, who announced the dispatch of additional marshals to the state, said "obviously we're not satisfied with the situation or we wouldn't be sending more in."

**Statements Conflict**

This appeared to conflict with the department's later statement that the Alabama National Guard had the situation under control.

But Edwin O. Guthman, Kennedy's information officer, said the attorney general simply had meant, "Alabama is a big state and he doesn't know what is going to happen."

The four men arrested at Anniston were charged with throwing a fire bomb into a bus carrying Negro and white "freedom riders."

This attack occurred near Anniston, in the northern part of Alabama, on May 14 and was the first in a series of violent incidents climaxed by last Saturday's rioting at Montgomery in central-south Alabama.

The bomb destroyed the bus and injured some passengers. Later, a second group of "freedom riders" boarded a bus and attempted to travel through Alabama. They were severely beaten by a mob in Montgomery last Saturday morning.

Atty. Gen. Kennedy, announced the Anniston arrests after briefing President Kennedy, his brother, on the Alabama crisis late today.

The four men, all charged with damaging a bus traveling in interstate commerce, are Robert Dale Couch, 19, unemployed; Jerry Ronald Eason, 22, employed in a flower shop; Frank B. Johnson, 43, a maintenance man; and Daleford Leonard Roberts, 42, cab driver.

Atty. Gen. Kennedy, earlier today, told newsmen that the federal government has no plans to send federal troops to Alabama at the present time. But a high government source said they would be used if needed.

Sen. Lister Hill, D-Ala., made public the appeal which said Gov. John Patterson of Alabama "has assured us that law and order will be enforced and maintained."

Patterson declared martial law and called out the National Guard after a crowd of white people advanced last night on a Montgomery church crowded with Negroes.

U.S. marshals, who helped turn back and disperse the mob, came to Montgomery after whites severely beat a group of "freedom riders"—young Negro and white students testing the state's segregation laws by riding together on a bus.

**Shameful, Mansfield Says**

Sen. Mike Mansfield of Montana, the Senate Democratic leader, said the mauling of the bus riders in Montgomery Saturday "makes us as a nation hang our heads in shame."

Most sentiment expressed in Congress supported the views of Mansfield rather than the Alabama delegation.

Atty. Gen. Kennedy said the marshals would stay in Montgomery "until we receive assurances by action that the situation is under control in the state of Alabama."

"Without any question," he continued, "you would have had major bloodshed in Montgomery" last night if U.S. marshals had not been there.

Kennedy revealed that his department plans to enter federal court in Montgomery and attempt some kind of prosecution, The attorney general would not give details. But he said he believed the department had evidence of violation of federal law and "there will be a number of people involved."

**Riders in Safekeeping**

Kennedy said the department knows where the "freedom riders" now are staying in Montgomery. But he said the information was confidential, and he would not give it to Alabama and Montgomery officials. The riders, Kennedy said, are being interviewed by the FBI.

All the demonstrators have been ruled in contempt of a state court which issued an injunction forbidding them to ride buses. Presumably they will be jailed if located by state officers.

A high government source, who would not allow use of his name, said it is obvious that the federal government has decided to end the racial violence in Alabama. He said there could be no turning back from this decision and this means the use of troops if there is no other way.

## Four Arrested On Federal Charge In Bus Burning

WASHINGTON — (UPI)—Atty. Gen. Robert F. Kennedy Monday announced the arrest of four men in connection with the May 14 burning of a bus carrying freedom riders at Anniston, Ala.

FBI agents carried out the arrest—the first since racial violence broke out in Alabama last week.

Kennedy said the four Anniston men have been charged with damaging and destroying a bus operated in interstate commerce "with intent to endanger the safety of persons on board."

Earlier Monday afternon, the attorney general filled in President Kennedy on the incendiary Alabama situation during a 45 minute conference at the White House, an aide told newsmen.

The four men charged at Anniston Monday were identified as Robert D. Couch, 19, unemployed; Jerry Eason, 22, a flower shop employe; Frank B. Johnson, 43, a maintenance man, and Dalford L. Roberts, 42, a cab driver.

Kennedy said cases against them "will be pursued wth utmost vigor."

If convicted, the four men face the maximum penalty of $10,000 in fines and 20 years imprisonment. They were arraigned before U. S. Commissioner Ruby P. Robinson here and were taken to Calhoun County jail in lieu of $5,000 bond each.

Roberts and Eason waived the right to a preliminary hearing, the Justice Department said. But the hearing has been set for Johnson and Couch on May 29.

About a dozen persons were injured when an angry mob greeted the bi-racial freedom riders when they arrived at Anniston en route from Atlanta, Ga., May 14.

Scores of additonal U. S. marshals piled into Montgomery Monday to bolster 500 federal officers trying to keep racial peace in this riot-torn city .

The attorney general announced that a number of persons in Alabama would be charged with violating federal law.

Kennedy, who has been in close touch with the President on the situation, ordered in 200 additional U. S. marshals Monday to bolster the 500 already on hand.

**ORDER NOT ASSURED**

He said he did so because he failed to get assurance from Gov. Patterson that law and order would be maintained.

**SITUATION NOT SATISFACTORY**

The attorney general said more marshals were being sent to the scene because the situation still was "obviously not satisfactory."

said local authorities did not arrive until about 15 minutes after the demonstrators began surrounding the church.

There were indications the Kennedy administration was upholding any further decision on the crisis until it can determine the effectiveness of Gov. John Patterson's declaration of martial law Sunday, night.

**PREVENT MAJOR BLOODSHED**

Kennedy told reporters the presence of marshals in Montgomery prevented major bloodshed Sunday when a white mob attacked a Montgomery church where Negroes were meeting. He

PERSONS INJURED
FREEDOM RIDERS - May 14, 1961

## *Persons Injured In Rioting Listed*

MONTGOMERY, Ala., May 20.—(AP)—Here is a list of those injured when a white mob attacked an integrated group of Nashville "Freedom Riders," newsmen and bystanders at the bus station.

Hospitalized were:

John Seigenthaler, 32, Washington, United States Justice Department representative, white, head cut, condition good.

Jim Zwerg, 21, Appleton, Wis., ministerial student at Fisk University, Nashville, white, cuts and bruises, condition satisfactory.

James Henry, Montgomery, Negro, head injury, fair.

William Barbee, Nashville, student, Negro, head injury, fair.

Henry Nichols, Montgomery, Negro, head injury, fair.

Others injured, mostly suffering cuts and bruises treated without hospitalization:

Susan Wilbur, Nashville college student, white.

Susan Herrman, Nashville student, white.

Norman Ritter, Life magazine, white.

Don Uhrbrock, Life magazine, white.

Moe Levy, National Broadcasting Company, New York, white.

Jim Atkins, television station WBRC, Birmingham, white.

Paschal Pike, Montgomery, white.

John Lewis, Nashville college student, Negro.

Eight unidentified Negroes.

# 1,000 Howling Whites Beat Bus Integrators In Alabama

## Negroes Stomped, Set On Fire In Montgomery —Aide To Bob Kennedy Slugged In Bloody 'Freedom Ride' Riot

By The Associated Press

MONTGOMERY, Ala., May 20.—A bloody race riot in which at least 20 persons were beaten with clubs and fists raged for two hours here Saturday after a white mob greeted a busload of "Freedom Riders."

Police, unable to restore order by other methods, tossed tear gas bombs into the howling crowd.

Nine persons—seven wihte men, a white woman and a Negro man—were arrested. Most were charged with failing to obey an officer's command.

The mob, which at times numbered about 1,000, attacked the racially mixed bus riders first within an instant after the Greyhound bus pulled into the downto wn station here from Birmingham.

Mr. Seigenthaler

But the savage fury left bystanders pummeled to the ground, too, including a representative of the Justice Department in Washington who tried to rescue a white girl from the mob.

**Former Nashvillan**

John Seigenthaler, 32, a representative of Atty. Gen. Robert Kennedy, was taken to a hospital with a cut behind his ear. He was slugged from behind as he struggled to help the besieged girl, one of the "Freedom Riders." He is a former Nashville reporter.

At least four out-of-town reporters and photographers were beaten as they attempted to film the rioting. Others lost their cameras, some of them smashed.

Some of the beaten Negroes had no apparent connection with the group which came here from Birmingham on a trip to challenge racial barriers at bus stations. The trip started at Nashville.

Several young white boys waylaid four Negroes walking along a street near the bus station, poured an inflammable liquid on one's clothes and set it afire. The blaze burned out, butthe man was left lying in the street. Another Negro with hims uffered a broken legt when the white youths pounced on him.

An 18-year-oldo employe of the Montgomery Advertiser-Journal, Paschal Pike, was attacked by th emob when he sought to enter the bus station to pick up a package. He said he was beaten when he identified himself as an employe of the newspapers.

**White Girls Flee**

The two white girls on the bus, Susan Wilbur, a student at Peabody College in Nashville, and Susan Hermann, a Fisk University exchange student who lives in Los Angeles, said they got away from the pursuing crowd by running first into a church and then into an office building.

They were taken into protective custody by police.

The rioting started at the bus station but spread quickly to adjoining streets. Police finally cleared the area for two blocks around.

Even after police arrived, about 10 minutes after the fighting broke out, the battle raged on—mobs of white people chasing, catching, clubbing and stomping any and all targets of their anger.

A gang of women attacked two young white women who came in on the integrated Greyhound bus. Men behind them shouted, "Hit 'em, hit 'em again."

The women flailed away with their purses and their hands.

A white man tried to protect the two women. The men attacked him, clubbed him to the ground. kicked him and left him lying motionless and bloody on the ground.

Horace Cort, an Associated Press photographer, said he saw two members of the racially integrated group try to outrun a huge crowd of the roaring attackers.

The white men chased them down, caught them, knocked them to the ground, "and jumped up and down on them," Cort said.

He said an ambulance pulled into the area. Somebody in the mob of white men shouted, and part of the mob started after the ambulance. The driver roared away.

**No Guard For Agitators**

The fighting came in two waves—the first when a crowd of about 200, waiting at the station for the bus, jumped the riders and some newsmen standing alongside the bus with no police in evidence, and the second after a brief lull that came when police arrived.

Police Commissioner L. P. Sullivan, sitting in a car on the other side of the station from the fighting during the first wave, was asked by a newsman if he had anticipated trouble.

He said:

"We respond to calls here just like any place else. But we have no intention of standing guard for a bunch of trouble-makers coming into our city and making trouble."

Highway Patrol reinforcements tried to contain the rioters.

Floyd Mann, state public safety director, personally rescued one Negro who had been beaten to the ground. Mann pulled his pistol and ordered the crowd of white people back from the crumpled form of the Negro.

"We are going to keep law and order," he said.

Mann, pistol in hand, also forced some of the rioters to release a television newsman.

An hour after the battle started, at least 1,000 persons stood around the bus station. Apparently many were curious spectators.

The sheriff's mounted posse—formed for riot control—arrived an hour and 15 minutes after the first outbreak.

**Police Reinforced**

The 11 officers on horseback were armed with billy sticks and pistols. A few moments later 10 more police cars arrived.

Uniformed officers moved in and forced a crowd of about 1,000 persons to leave the area around the station. But some members of the crowd only moved across the street, and into other nearby areas, and hovered in small groups.

The original "Freedom Riders," members of the Congress of Racial Equality testing bus station segregation in Dixie, tried Monday to get a bus out of Birmingham, failed, and finally took a plane for New Orleans that night.

The latest wave of integrated riders, most of them college students from Tennessee, said they considered their effort a "continuation of the Freedom Ride to New Orleans."

Bus drivers repeatedly refused to take the riders out of Birmingham — apparently fearing violence from white extremists.

But at 8:30 Saturday morning after waiting in the white waiting room at Birmingham's Greyhound station almost 18 hours, the group of 18 Negroes and three white persons unexpectedly got on board a bus.

State investigators in a car—and apparently others in a small plane that repeatedly circled over head—went with the bus down U. S. 31 toward Montgomery.

Once they ran into a hint of trouble.

Coming up to a barricade at Clanton, halfway between Birmingham and Montgomery, the bus stopped and a man told state investigators he had reason to believe trouble awaited them ahead.

**Took Back Road**

The investigators ordered the bus turned around and moved onto an old state highway for the remainder of the trip. It got to Montgomery 35 minutes earlier than expected.

At Birmingham during the week, no further violence came after the Sunday beatings at a Trailways bus station, but tension remained high.

Wednesday, seven of the youths in the group beaten at Montgomery Saturday were among more than a dozen taken into protective custody by city police after a driver refused to leave with them.

After being held about 30 hours, the seven were awakened about midnight Thursday, whisked 120 miles in a black limousine to the Tennessee state line, and turned loose by police.

They returned to Birmingham in a matter of hours by private car, saying they still intended to ride integrated aboard a bus out of Birmingham.

**Statement Issued By Patterson**

MONTGOMERY, Ala., May 20.—(AP)—Gov. John Patterson Saturday issued a statement through an aide saying, "I will not allow any group to take the law in their hands."

"We are fully able to enforce the laws of the state. I have no sympathy for law violators whether they be agitators from outside Alabama or inside-the-state troublemakers . . ."

# The Kennedys Are Playing With Fire

*Publisher William Loeb In The Manchester (N.H.) Union Leader*

THE Kennedy brothers are apparently determined to get as much political mileage as possible out of the tragedy of racial discord in this country.

They seem to have no understanding that their cultivation of the Northern Negro vote is likely to set a fire going in the South which will do great damage and weaken us at a time when we can ill afford internal dissension.

The South, with its huge Negro population, has problems which no Northerner, unless he has lived in the South, can understand or appreciate.

The South is entitled to work out these problems in its own way and in its own time schedule. In that direction alone, lies a possibility of peace and eventual progress.

But a section of the Democratic Party in the North has discovered what it thinks is a sure-fire method of assuring control of the Negro vote in New York, Philadelphia, Chicago and other Northern cities. *This formula consists of making a whipping boy out of the white people in the South for the benefit of the Negroes in those states.*

Had the Southern political leaders been sound in their thinking they would have realized that the Democratic platform forced through at Los Angeles by the Kennedy people meant exactly what it said. But this is an age in which apparently no one ever believes that the worst is going to happen. This applies equally to Khrushchev's remarks in predicting what he intends to do with this country.

Now the South, unfortunately, is getting a taste of what it voted for. The recent mixed bus rides of white and colored agitators in Tennessee and Alabama and other Southern states was a deliberately provocative act. The action of the Kennedys in sending federal marshals into those states to aid the outside agitators was, of course, excellent politics from the standpoint of the Northern Democrats. What this action did, of course, was to encourage this sort of provocative activity. Now there will be more violence and more tragedy in the South.

The Southern white man is not going to take lying down the Kennedy brothers' forcible and dictatorial attempts to change their way of life. There are not enough federal marshals in Washington to sit on the doorstep of every white man and woman in the South.

The Kennedy brothers' actions in this connection shows the same ignorance of the South as their ideas about Africa. There are, of course, educated Negroes in Africa and, of course, fine educated Negroes in the South. But there are many primitive, almost half-savage Negroes in both Africa and the South. They can be easily aroused and stirred into wild, uncontrollable emotions. When this occurs, it naturally arouses equally strong emotions on the part of the Southern white men and women who rise to defend their homes and their women and their children.

Not being content with causing the Cuban catastrophe, the Kennedy brothers now apparently are going to play with racial matches which they don't understand are about to light a racial conflict in the South that will really delight the communists and everyone else who want to weaken this troubled nation of ours.

As this newspaper said earlier, the old frontier had its Calamity Jane and the new frontier most assuredly has its Calamity Jack.

38a 1961

ALABAMA

FREEDOM RIDERS
INJUNCTION

# 20 to Testify for U. S. At Injunction Hearing

The Sunday Star
P. A-7

By a Star Staff Writer

MONTGOMERY, Ala., May 27.—At least 20 witnesses will be called by the Justice Department to support its plea for a Federal Court injunction requiring Montgomery and Birmingham police officials to give protection to the Freedom Riders.

This was disclosed here today as Justice Department attorneys rounded up witnesses for the hearing Monday.

The evidence promises to be shocking. A Government source said that when the full picture following last week end's disis revealed of what happened orders here were these officihere and in other places in als:

Alabama, "the people of the South will be horrified."

The brutality that took place when racially-mixed white and Negro Freedom Riders undertook to test Alabama's segregation barriers was described by one source as "almost unbelievable."

May 28 1961

The Government's request for a temporary restraining order against the Alabama police authorities and others will be heard by United States District Judge Frank M. Johnson, jr. in Federal Court here starting at 9 a.m. Monday.

Washington D.C.

### Still Under Martial Law

Government attorneys made final preparations for the hearing as Montgomery entered its seventh day under martial law growing out of the rioting which broke out after the arrival of 21 Freedom Riders a week ago.

Maj. Gen. Henry V. Graham, the State's adjutant general, ordered extra precautions for the week end. But he said he had received no rumblings of any disorder and added: "We don't anticipate any trouble."

The Government's suit for an injunction will be presented by a Justice Department team headed by John Doar of 4514 Drummond avenue, Chevy Chase, Md., First Assistant Attorney General in the Civic Right's Division, assisted by Carl Eardly of 5504 Charlcote road, Bethesda. Six other Justice Department attorneys are here assisting them.

Names of the Government witnesses were not revealed. FBI agents have been working to round up witnesses since the violence here and earlier in Birmingham and Anniston involving the Freedom Riders.

### Officials Named

Named in an amended complaint filed by the Government from the State to the local level have been named as defendants.

The suit was brought by the Rev. Ralph Abernathy and six of the "Freedom Riders" who were attacked by the mob here last Saturday.

Attorney Charles Conley said ten of those arrested here this week were intervening in the suit. The Justice Department previously entered the case as a "friend of the court" at Judge Johnson's request.

- Lester B. Sullivan, commissioner of public safety, and Police Chief Goodwin J. Ruppenthal of Montgomery and Eugene T. Connor, and Jamie Moore, holding similar positions in Birmingham.
- Claude V. Henley of Montgomery, arrested as one of the participants in last Saturday's rioting here, was also named.

Originally, the proceedings were directed only against five Ku Klux Klan organizations and their officers.

The Government's complaint charged that the Montgomery and Birmingham police officials "withheld police protection" from the Freedom Riders and "refused to prevent unlawful assault upon and harrassment of" the demonstrators.

The Government charged that the Montgomery police department knew of the expected arrival of the interstate bus last Saturday and "deliberately failed to take measures to insure the safety" of the Freedom Riders. Judge Johnson was asked to enjoin temporarily the Montgomery and Birmingham police officials, and "all those acting in concert with them from failing or refusing to provide police protection for persons traveling in interstate commerce."

### Hearing Scheduled

Judge Johnson has scheduled a hearing Wednesday on a plea by Negro leaders and some of the Freedom Riders to forbid any interference with passengers travelling interstate by bus.

In this new move in a massive attack on enforced segregation in bus stations, one of the attorneys for the complainants said, State agencies and Alabama law enforcement officers

# CAPITAL OPPOSES BAN ON BUS RIDES

The New York Times
Sat. p. 16
Sat. 6-3-61

## Justice Department Thinks Injunction Is Unwise

New York, N.Y.

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, June 2—The Justice Department made clear today that it did not approve of the injunction issued by Federal Judge Frank M. Johnson Jr. against continuation of the Freedom Riders in Alabama.

The view at the department is still that anti-segregation groups would be wiser not to make any new bus trips into the Deep South at the moment. This view was expressed last week in the departmnet's call for a "cooling-off period."

But it was forcefully pointed out that asking people to use restraint was far different from telling them they may not exercise their constitutional rights. That was the effect of Judge Johnson's order today.

The Judge barred the Congress of Racial Equality and others fighting segregation from "sponsoring, financing, assisting or encouraging any individual or group of individuals in traveling in interstate commerce through or in Alabama for the purpose of testing the state or local laws as those laws relate to racial segregation."

The Justice Depatrment originally asked Judge Johnson for injunctions to bar Ku Klux Klan groups from engaging in violence against the Freedom Riders, and to force the Montgomery police to protect the riders. Judge Johnson issued these injunctions.

### Memorandum Is Filed

The Montgomery police, during the court proceedings, asked the judge to restrain the Freedom Riders. The Justice Department opposed this request and filed a memorandum of law explaining why it thought such an order improper.

The view at the department is essentially that the Supreme Court settled the question in its Little Rock opinion in 1958. The court said then that the way to stop violence arising over the exercise of constitutional rights was not to enjoin their exercise.

A department spokesman reiterated today that the reason for desiring a "cooling-off period" was a genuine fear that innocent persons might be injured. He noted also that the whole question of bus segregation was now before the Interstate Commerce Commission.

### I. C. C. Prodded Again

The department sent another letter to the commission today urging "immediate" action. On Monday, Attorney General Robert F. Kennedy had called for regulations against segregation on buses and in terminal waiting rooms, rest rooms and restaurants.

Today's letter said the department was considering a similar petition to the agency to adopt explicit rules against racial segregation in railroad facilities. But it said that was no reason to delay action on the bus problem.

At the commission, a spokesman said the Attorney General's bus petition was under "active consideration."

The department also announced today the withdrawal of the last Federal marshals from Alabama. About 700 were sent there when violence against the Freedom Riders broke out. All but 100 were recalled a week ago yesterday, and fifty more had left since then. The last fifty were affected by today's order.

# SHUTTLESWORTH IS CHARGED IN RIOT; NEGRO BUS RIDERS BACK AT STATION

## Connor Says Negro Leader Sparked Mob

**MONTGOMERY, May 19 (AP)—Circuit Judge Walter B. Jones late today issued an injunction forbidding "Freedom Riders" from testing bus segregation in Alabama.**

**The injunction, requested by Alabama Atty. Gen. MacDonald Gallion after conferences with Gov. John Patterson, was issued against the Congress of Racial Equality (CORE) and any of its followers.**

**It prohibits them from "entry into and travel within the state of Alabama, and engaging in the so-called 'freedom ride' and other acts or conduct calculated to provoke breaches of the peace."**

* * *

The Rev. F. L. Shuttlesworth, Birmingham Negro minister, was arrested late yesterday on charges of provoking the Sunday riot at Trailways Bus Station where several persons were lead-piped in a demonstration against desegregated bus travelers.

The minister also was charged with provoking Wednesday's disturbance at the Greyhound Terminal where a bi-racial group of Tennessee students were stranded in an attempt to make a desegregated trip to Montgomery.

Charges against Shuttlesworth were made by City Commissioner Eugene Connor.

Warrants were served by two sheriff's deputies who arrested the minister at his home and took him to County Jail.

Bond was set at $1000 on each charge.

Shuttlesworth did not make bond immediately and was locked up.

At about the time Shuttlesworth was being booked in at County Jail, another bi-racial group of students was being refused bus passage to Montgomery.

The students, 21 in all, included seven who had been returned to Tennessee earlier in the day by city police, and 14 additional.

They arrived at the Greyhound Station in three automobiles. One car showed a Nashville, Tenn., license. The other two were licensed here.

**Return Here**

The 21 went directly to the white waiting room.

They failed in a first attempt to leave by bus for Montgomery at 3 p.m. yesterday.

Their second effort failed just after 5.

Bus drivers refused to take the buses out because they could get no promise of protection through the state.

It was understood that the city had offered protection for buses to the city limits, but that the bus company could get no promise of a convoy beyond.

In the group of 21 were two white girls, four Negro girls, one white boy and 14 Negro boys.

When they failed on their second attempt to get passage, they gathered on the station's loading platform and began reading Bible verses.

When the segregation-protest group came in Wednesday, it was stranded in the bus station for several hours. At nightfall police took the group into protective custody and transferred its members to City Jail. They remained there for 30 hours.

Police said the second group would not be taken to jail.

Apparently plans were to leave them in the station for the night.

**Shuttlesworth Charged**

The charges against Shuttlesworth were identical except that the first cites Sunday disturbances at the Trailways. The second cited the Wednesday affair at the Greyhound.

The charges held that Shuttlesworth (count 1) "did conspire with person or persons unknown to accomplish a criminal or unlawful purpose, to wit: To cause a mob to gather at the Trailways Bus Depot in the City of Birmingham, Ala.. on the 14th day of May, 1961, for the purpose of provoking a breach of the peace" and (Count 2) Did disturb the peace of others by conduct calculated to provoke a breach of the peace in that he did cause a mob to gather at the Trailways Bus Depot in the City of Birmingham, Ala.. on the 14th day of May, 1961, for the purpose of provoking a breach of the peace. The second charges substitute Greyhound for Trailways and May 17 for May 14.

Shuttlesworth sent a telegram to Gov. John Patterson early Wednesday stating that a group of "Freedom riders" would reach Birmingham at mid-day and ask for protection for them.

**Taken To Tennessee**

City police took the seven in protective custody from the jail at after midnight, put them in a black limousine with officers, and escorted them out of town. Police said three unmarked cars rode in escort..

They reached Ardmore, on the Tennessee line in North-Central Alabama, four hours and ten minutes later. They were put out on the highway and Commissioner Connor told them:

"There is the Tennessee line. Cross it and save this state and yourself a lot of trouble."

One of the Negroes replied:

"We'll see you back in Birmingham about noon."

Three who came in with the group of seven Wednesday took different paths.

Paul Brooks, a Negro student at the American Baptist Theological Seminary in Nashville, and James William Zwerg, 21, a white student at Fisk University, got suspended fines on charges of failing to obey an officer. They then joined the travelers here.

**Girl Released**

Mary McCollum, 21-year-old white student at Peabody College in Nashville, was released to her father earlier.

Walter McCollum of Snyder, N.Y., her father, said:

"I sent her to Nashville for an education, not to get mixed up in this integregation mess." They ordered an airliner en route to New York.

Connor said he took sole responsibility for taking the Negroes to the Tennessee line.

"In view of the stand taken by these students, this was the only way for police to protect them and the citizens of Birmingham," he said.

The students arrived here shortly after noon on Wednesday and spent four tense hours at the bus station trying to take a bus to Montgomery.

But their driver refused to drive the bus with them on board—the same thing that happened to the CORE group on Monday.

A short time later police took them into custody, along with several Negroes who joined the group here.

All were freed later.

## Police Arrest Shuttlesworth On 2 Counts

BIRMINGHAM (AP) — The Rev. F. L. Shuttlesworth, Negro integration leader here, was arrested Friday on charges of conspiracy and disturbing the peace.

Both counts stemmed from last Sunday's bus integration incident here when several persons, including some integrationists, were beaten at the Trailways Bus Station.

The complaint was signed by Birmingham Police Commissioner Eugene Connor.

Shuttlesworth, minister at the Bethel Baptist Church, was arrested at his house by sheriff's deputies and taken to the Jefferson County Jail.

The first count charges that he conspired with unknown persons to cause a mob to gather at the Trailways station here.

The second count accuses him of disturbing the peace in causing the mob to gather.

Bond was fixed at $1,000 on each count.

# Shuttlesworth Arrested In Riders Issue

BIRMINGHAM, Ala. — Rev. Fred Shuttlesworth, integration leader and instrumental in the Montgomery bus boycott, was arrested in Birmingham, Ala. Friday on four charges of conspiracy, in connection with an attempt by "freedom riders" to test interstate transportation laws in Alabama.

Shuttlesworth's bond was set at $2,000 on two counts of conspiracy to riot and two counts of conspiracy to breach of peace.

Rev. Wyatt Tee Walker, official of the Southern Christian Leadership Conference headquarters in Atlanta, stated that "twenty two students went to the Greyhound bus terminal in Birmingham at 2:30 Friday and drivers refused to take them to Montgomery." At last report the students were still at the bus station attempting to get to Montgomery.

The racially - mixed group entered a Birmingham bus terminal for the third time in less than a week to test Alabama's rigid segregation laws.

The group of 21 students from Nashville, Tenn., including two white girls and one white youth, numbered some who were escorted to the Tennessee state line early Friday by city police after spending some 21 hours in "protective custody" following an earlier integration attempt.

There was no violence at the Greyhound Bus Terminal in downtown Birmingham. About 20 police officers kept order, and they were accompanied by a police dog.

The group had sought to take a bus to Montgomery, the capital of Alabama, but was stymied as in the past by the apparent refusal of drivers to take the buses out with integrated passengers for fear of violence.

They stood about the Montgomery - bound bus in the terminal, waiting for a driver to appear but later moved into the waiting room. It was apparent that the drivers, as on two previous occasions, would not take the bus out of the terminal.

**INJUNCTION ISSUED**

Circuit Judge Walter B. Jones Friday night issued an injunction against "Freedom Riders," prohibiting them from traveling in Alabama.

Jones' order was handed down at the request of Alabama Atty. Gen. MacDonald Gallion.

Johnson's temporary injunction said the Congress of Racial Equality, "its officers, agents, members, employees, servants, attorneys| followers and all other persons in active concert or participation" with the congress were enjoined from entry into and travel within the state and engaging in the "freedom ride."

# Police Arrest Shuttlesworth On 2 Counts

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GOVERNOR JOHN PATTERSON
FREEDOM RIDERS - MAY 14, 1961

LOOK OVER CONGRATULATORY TELEGRAMS

Gov. John Patterson (center) looks over some of the congratulatory messages he has received with Maj. Gen. Henry V. Graham (left) Alabama's adjutant general, and Col. Herman Price, assistant adjutant general.

# Patterson's Position Draws National Praise

Gov. John Patterson's vigorous opposition to federal intervention in Montgomery's racial crisis has provoked a flood of congratulatory messages from throughout the nation.

Press Secretary Harry Cook said Monday night the governor had received "several hundred" telegrams during the day and as many telephone calls.

"We have not yet made an accurate check of the telegrams but it would appear that at least 95 per cent of them are in support of the governor's position," Cook said.

**25 TELEGRAMS**

A spot check of some 25 such telegrams turned up but one critical message — the others overwhelmingly endorsed his stand.

"Congratulations on your great strength and great character," read one wire from New York City; "You have our support," wired several people from New Haven, Conn.; "Congratulations," wired a group of students from Princeton (N.J.) University.

A telegram from Selma contained 14 pages of singnatures—approximately 550 names—strongly endorsing the governor's stand.

The wires came from all parts of the nation, although primarily from the Southern states.

**GOVERNORS APPLAUD**

The governor's stand was also applauded by three Dixie governors—Orval Faubus of Arkansas, Earnest Vandiver of Georgia, and Ross Barnett of Mississippi.

Also received was a copy of a telegram sent to President Kennedy by Alabama's entire Congressional delegation. The message said in full:

"We, of course, deplore violence or lawlessness in any form. The governor of Alabama has assured us that the state of Alabama has the means, the ability and the will to keep the peace without outside help and he has assured us that law and order will be enforced and maintained. He has invoked martial law to prevent and control any further outbreaks of violence. Under the circumstances, we believe that the sovereignty of the state and the police powers guaranteed and reserved to the state by the constitution should be respected and upheld until and unless federal help is requested by the state. We further believe that the federal marshals should be withdrawn, and we urge that everything possible be done to keep outside agitators out of Alabama."

**SWITCHBOARD BUSY**

Switchboard operators in the Executive Department reported a "tremendous number" of calls from throughout Alabama and the nation.

The operators on duty took many of the messages which Patterson could not take time to accept personally. They specifically mentioned congratulatory calls from Michigan, California, Illinois and Canada.

"It has been one of the busiest days we've ever had," one operator said. "All the messages I took were complimentary of the governor's action."

Patterson said he was "gratified and encouraged" by the firm support given him by the Southern governors.

"I am saddened by the recent incidents in Alabama calculatedly provoked by a group of irresponsible outsiders," Patterson said. "I say again that Alabama will enforce the law diligently and fearlessly. State authorities together with the Alabama National Guard are fully able and will control the local situation."

# PHONE EFFORTS FAIL

# Governor 'Out,' President Told

President Kennedy talked by phone with Lt. Gov. Albert Boutwell or more than 15 minutes Friday after several efforts by the President to reach Gov. John Patterson had failed.

Both Boutwell and the White House confirmed the conversation between Kennedy and Boutwell but neither would confirm the obvious — that the subject of the extended conversation was the critical racial situation in Alabama.

"The President called me because he couldn't reach the governor," Boutwell said. "He said efforts had been made without success to contact the governor and he asked me to try to reach Gov. Patterson and ask him to call him (Kennedy) at the White House. I feel that any statements as to what was discussed should come from either the White House or the governor's office."

**GOVERNOR 'NOT IN'**

It was learned that Boutwell tried to reach Patterson at his office but was told that the governor was not in. Patterson was in his office most of the day.

Neither the governor's office nor the White House would comment on what was discussed between Kennedy and Boutwell.

Gov. Patterson, through Press Secretary Harry Cook, issued a "no comment" to the development.

A call to Pierre Salinger, Kennedy's press secretary, was no more illuminating.

Salinger's secretary reported that he could not come to the phone, but she agreed to relay a couple of questions to him, specifically:

Had the President tried and failed to reach Gov. Patterson by phone? What did the President discuss with Lt. Gov. Boutwell?

The secretary, who identified herself as a Mrs. Cowan, returned to the phone moments later and said: "Mr. Salinger says that as far as he knows the President did talk with the lieutenant governor and he has no further comment to make on the situa-

'No sympathy for violators'—

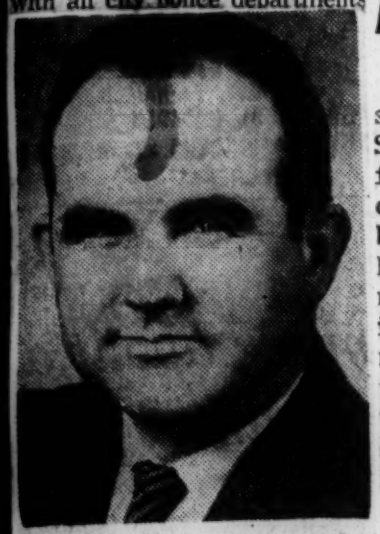
# Violence will not be tolerated, Patterson says in statement

Following is a statement released by Alabama Gov. John Patterson at 2 p.m. Saturday:

"I have no sympathy for law violators whether they be agitators from outside Alabama or inside-the-state trouble-makers. It is our duty to maintain the law, and I will not allow any group to take the law in their hands. The good name of our state and people is at stake, and I can state frankly that violance of any type will not be tolerated.

**"The highways of Alabama are safe, and state patrolmen will do all in their power to eenforce law and order at all times. We have the men, the equipment and the will to keep the public peace and we need no help—from the federal government, from 'interested citizens' or anyone else.**

"We are fully able to enforce the laws of this state. I have ordered the State Department of Public Safety to cooperate fully with all city police departments



GOV. PATTERSON

and county sheriff's offices in maintaining order on the highways and elsewhere in the state. We will honor any requests from these law enforcement agencies for assistance.

"WHILE WE WILL do our utmost to keep the public highways clear and to guard against all discorder, we cannot escort busloads or carloads of rabble rousers about our state from city to city for the avowed purpose of disobeying our laws, flaunting our customs and traditions and creating racial incidents.

"Such unlawful acts serve only to further enrage our populace. I have no use for these agitators or their kind.

**"Yet, we have the duty and the desire to protect human lives no matter who is involved, to safeguard personal property and to keep order. How we will do so is a matter for us to determine.**

"We are a peaceful, hospitable, God-fearing people and we welcome visitors from all other states. They can travel in Alabama secure in the knowledge that we have one of the best law enforcement records in the nation. We intend to keep this recognition."

## Alabama Governor Fails State, Nation

Gov. John Patterson of Alabama has shamed his state, the nation and the South by his irresponsible words and failure to prevent mob violence. He is the chief executive and the major responsibility is his. Before the Montgomery riots he had pledged adequate law enforcement. It was not present. As of this writing both he and the local law enforcement officers seemingly are making efforts to arrest all but the guilty. Gov. Patterson threatens to arrest the U.S. marshals sent to provide protection which he failed to give. Local police reportedly are planning to arrest the victims. Meanwhile the mob and its leaders remain at large.

This is a brazen attitude which confirms all that the South's worst critics have said of her. It confirms too, that fear, hatred and terror do stalk the streets of Alabama's cities. At Anniston, Birmingham and Montgomery the police were late. If observers draw the most obvious and cynical conclusions from this fact, the governor, the police chiefs and mayors have but themselves to blame.

The governor for some time indirectly has encouraged extremist elements in his state by declaring he would close down the public and university school system rather than obey a court order of desegregation. In this he has been joined by most of the state press and local political leadership. His threat to arrest U.S. marshals can be construed as direct encouragement of the mob elements. The violence in Alabama is, in part at least, a harvest of such leadership.

Whatever one's views of the Freedom Riders, they have the right as citizens to ride a bus wherever it goes. Carrying out their passive resistance techniques they have offered no provocation.

Alabama's shame, which is shared by the South, is also a serious blow to the security and prestige of this nation.

We earnestly hope that the federal government will protect law-abiding citizens wherever and whenever local authorities fail to provide full protection of the law.

# 'Rider' Hearing Opening Today

## Trials In Federal Court Resulted From Riots At Montgomery

By The Associated Press

MONTGOMERY, Ala., Sept. 4. — A hearing opens in Federal Court Tuesday on a so-called "Freedom Rider" suit seeking to desegregate Montgomery bus stations and to protect integrationists from arrest.

Filed last May in the aftermath of bloody racial violence, the complaint asks for a court order to prohibit bus lines or city, county and state authorities from "enforcing and pursuing a policy, practice, custom and usage of separation of the races" in buses and terminals.

**Attacks State Law**

It also attacks constitutionality of the state's breach of the peace law under which 11 self-styled "Freedom Riders," including four white professors from Eastern colleges, were arrested May 25 while seated together at a bus station lunch counter.

The law prohibits any "conduct calculated to provoke a breach of the peace" and provides a maximum penalty of 12 months in jail and a $500 fine.

Trials of the 11 defendants in state court have been postponed pending outcome of the hearing before United States Dist. Judge Frank M. Johnson Jr.

**Want Arrests Stopped**

The suit asks Judge Johnson to prevent authorities from "arresting, harassing, intimidating, threatening and coercing" bus riders who seek to tear down racial barriers.

Among the so-called "Freedom Riders" filing the complaint were the Rev. William S. Coffin Jr., chaplain at Yale University; the Rev. Gaylord B. Noyce, assistant professor at the Yale Divinity School; Dr. David E. Swift, professor of religion at Wesleyan in Middletown, Conn., and Dr. John D. Maguire, assistant professor of religion at Wesleyan.

They were arrested with seven Negroes at the bus station while seeking service at the white lunch counter.

**C.O.R.E. Asks 'Riders' To Serve Sentences**

WASHINGTON, Sept. 4. — (AP) — The Congress of Racial Equality Monday urged all so-called "Freedom Riders" who have appealed their convictions of breaching the peace in Jackson, Miss., to return there and serve sentences imposed in city court.

It said 260 now are free on bond. The cases stem from the Congress' efforts earlier this year to break down racial segregation in bus, railroad and airport terminal facilities. Most of the sentences were for two months' imprisonment plus fines of $200.

At the same time C.O.R.E. announced the launching of new campaigns to end discriminatory employment practices in national retail chain stores, to obtain unlimited decent housing for all Americans and to continue and intensify its campaign for registering eligible Negro voters.

The decisions were made in resolutions adopted at the conclusion of the Congress' annual four-day convention here.

# Hearing Set On Alabama Rider Attack

MONTGOMERY, Ala. (AP) — U.S. Dist. Judge Frank M. Johnson Jr., today was to begin a hearing on a "Freedom Rider" suit attacking the constitutionality of the state's breach of the peace laws.

The complaint, filed last May following racial violence in Montgomery, attacks the law under which 11 Freedom Riders were arrested on May 25 while seated together at a bus station lunch counter.

It also seeks to desegregate Montgomery bus stations, asking for a court order to prohibit bus lines or city, county and state authorities from "enforcing and pursuing a policy, practice, custom and usage of separation of the races" in buses and terminals.

Johnson is asked to prevent authorities from "arresting, harassing, intimidating, threatening and coercing" bus riders who seek to tear down racial barriers.

The breach of the peace law under attack forbids any "conduct calculated to provoke a breach of the peace" and provides a maximum penalty of 12 months in jail and a $500 fine.

Four white professors are among the Freedom Riders filing the complaint. They are the Rev. William S. Coffin Jr., chaplain at Yale University; the Rev. Gaylord B. Noyce, assistant professor at the Yale Divinity School; Dr. David E. Swift, professor of religion at Wesleyan in Middleton, Conn., and Dr. John D. Maguire, assistant professor of religion at Wesleyan.

# Alabama Officials Deny U.S. Charges

## Testimony Opens In Suit To Break Racial Barriers

MONTGOMERY, Ala., Sept. 5.—(UPI)—State and city authorities denied Tuesday they sought to maintain segregated facilities at bus terminals here by arresting a biracial group of so-called "Freedom Riders."

Alabama Atty. Gen. MacDonald Gallion and Assistant Police Chief W. M. Stanley said they instructed their subordinates that Federal law demanded all interstate travel facilities be integrated.

The denials by Gallion and city officers highlighted the first day of testimony in a Federal suit seeking to break down all racial barirers in transportation facilities in Alabama. The suit was amended, however, to include just the geographical boundaries of the United States Middle District Court.

Immediately after the plaintiffs rested, Judge Frank M. Johnson Jr. denied motions to dismiss the suit filed by the defendants which included companies operating Greyhound and Trailways bus franchises in this Deep South city, Montgomery's three city commissioners and the police chief, Gallion, the three-member Public Service Commission and Montgomery County Sheriff Mac Sim Butler.

The Federal jurist who ordered integration of buses here five years ago, did grant a motion to dismiss the suit against Montgomery County Solicitor William Thetford. Judge Johnson held Federal procedures did not empower him to enjoin the solicitor from prosecuting the 11 plaintiffs who were arrested last May on charges of conduct calculated to cause a breach of the peace.

Four of the 11 plaintiffs are religiohs professors at New

# Alabama Editors On Mob Violence

### The Huntsville Times

HOT-HEADED and ill advised, a small group of men at Birmingham and near Anniston have once again played into the hands of the racial agitators they sought to oppose.

The incidents Sunday serve only to intensify the campaign for an immediate breakdown of the racial barriers in the Deep South.

### Birmingham Post-Herald

THE so-called "freedom riders" came to Alabama looking for trouble and left calling their mission a complete success.

They would have been disappointed had their presence been ignored. Too bad a group of misquided hoodlums along the Anniston highway and here in Birmingham gave them the propaganda weapon they were seeking. We can be sure they will use it throughout the country to stir up anti-South sentiment and to raise money to keep their propaganda and their professionals going.

### Opelika Daily News

WE were surprised, and disappointed, that Birmingham Police Commissioner Bull Conner allowed the incident to get out of hand by failing to have proper police protection at the bus station where the attack occurred on the group. In the past he has shown alertness in preventing such incidents by prompt and efficient action on the part of the police department.

Those who took the law into their own hands in both Birmingham and Anniston need to be ferreted out and punished by proper authorities. Mob rule must never be condoned.

### The Tuscaloosa News

THERE is need for law enforcement officials—and that should include a call from the Governor of this state to state investigators and highway patrolmen—to apprehend those responsible for the burning of the bus and for the assaults on individuals in the Birmingram and Anniston bus stations.

### The Birmingham News

MANY blunders marked the eruption of violence Sunday.

The biggest was that of Gov. John Patterson in announcing officially in so many words that, though he was the state's chief executive, though he had many state highway patrolmen at his command, though he had the National Guard which he could have called out, he could not guarantee protection to a group of race agitators.

His explanation that crowds were gathering in several Alabama towns through which the CORE group would pass was no excuse whatsoever. Law is law and authorities are fully equipped by the public and at the public expense to handle disorder.

If this can't be done then the Governor or anybody else would be admitting that potential anarchy existed in Alabama.

### Selma Times-Journal

OUR battle for self-determination and racial integrity must not be an aggressive one. It should be, instead, a delaying action to hold our lines until other sections of the nation feel the same stresses that harass us, and realize that a fight for Americanism is a fight for all Americans.

But they never will realize that if we persist in creating sympathy for the opposition with lead pipe-swinging tactics by a small minority of the citizenry, which really does not play a decisive role in the thinking and progressive action of our section.

### The Decatur Daily

EVEN 10 policemen on the scene at Birmingham or at Anniston would have prevented the whole sorry spectacle which took place on Sunday, for public opinion is with the enforcement of the law and not with the hoodlums or with the so-called "Freedom Riders."

We feel like saying, "How long, Oh Lord, how long," before all the people of Alabama will come to realize that these matters must be left to law enforcement agencies, and if people from the outside come into Alabama and commit acts in violation of state law that they will be jailed, and how long before law enforcement officers and those who have the responsibility for directing law enforcement will see to it that those who violate the law by forming themselves into mobs must also be put in jail, to go before the bar of justice and be sentenced according to the law.

### The Anniston Star

ANNISTON, Birmingham and other cities here in Alabama often wonder why it is that Atlanta grows in population and in industrial progress to such a greater extent than do our own cities and counties that are blessed with natural resources far superior to those of Georgia.

And one of the answers to that fact is that in Georgia, although as much opposed as are the people of any other state in the Union to forced mixing of the races, does not try any longer to solve her problems by resort to cave man practices by way of protecting the people's human life and property.

And unless we can get more protection from our constituted officers of the law in our cities and counties, we might as well close up our Chambers of Commerce and similar institutions; for no thoughtful person wants to come to a place where both human and property rights are held in such low repute.

## The Governor Of Alabama A Mob Leader?

DOES John Patterson, governor, aspire to become a mob leader?

Whether he desires it or not, his statements are making him so.

In his Wednesday press conference Patterson talked as the Grand Dragon of the Kluxers has talked.

It was nearly, but not quite, unbelievable that a Governor of Alabama could so far forget himself as to seem to invoke lawlessness.

The people of the United States cannot construe Patterson's utterance as other than enthronement of lawlessness in Alabama.

This is the kind of dereliction of duty for which a sheriff might be impeached.

It is not only permitting the lynchers to drag the prisoner from the jail, as it were, but actually suggesting they do so.

★

PATTERSON'S statements are vicious in their injury to good order and prosperity in the State of Alabama. Otherwise, Patterson slaps himself into the brace of a sap when he makes such a gaudy display of joining a raid on a dice table shack in the name of civic purity and then licenses the mob to do its bloody work!

★

ALL of us are deeply offended by the self-righteous intrusion of the agitators and the intervention of Patterson's old buddy, Bobby Kennedy. But inspiring mob action is no defense against agitation, it is that which feeds it.

The mob fell upon one gaggle of agitators. The result of this was that before the boob cheers died a second gaggle came sprinting into the open arms of Alabama martyrdom. This could get to be a fad like collegians pushing beds from state to state.

★

"WE can't act as nursemaids to agitators," said Patterson. "They'll stay home when they learn nobody is there to protect them."

In short, the Governor of Alabama has told the cockeyed world that Alabama on occasion is to be converted into a lawless arena that might even include murder on the card.

*The Advertiser* is not concerned about nursemaids for the agitators. That is an example of Patterson's vacuum-packed mental processes. *The issue is not protection of agitators but upholding the law of native white Alabamians against riot and violence.* That—not protecting agitators — is the issue.

★

AS governor John Patterson took an oath to uphold the law of Alabama. He makes a schoolboy exhibition of swooping down on a penny-weight crap table. He has hundreds arrested and fined for violating traffic laws. He wrangles with the state treasurer over what the law says about the investment of state funds in securities. He was on loan-shark violators and demands reapportionment in the name of the *law.*

As the first and foremost agent responsible for law and order in the commonwealth Patterson demands obedience to law a hundred times a day.

And above all this, he has placed (appropriately we believe) a statue of his father upon the Capitol greensward, to commemorate a man who became a martyr because in Phenix City law enforcement was abandoned and the city turned over to the mob.

★

MOBS are no more to be tolerated in Birmingham than in Phenix City. The toll of mob action is the same everywhere it is countenanced.

A governor blights this state economically and packages long-range woe for all its citizens when he does other than austerely quell mob action in any form whatever—Kluxer, labor or company goons.

★

MOB action is morally wrong in any case. It is rape of our noble Anglo-Saxon tradition of lawful justice.

But there is a readier and more tangible reason for all the people to disapprove of Patterson's incendiary leadership.

That reason may become one's own skin.

Mobsters will rule whatever they are not restrained from ruling—everything from church to hot dog stand. They will rule you—and John Patterson—if they can.

The same newspapers that told of the Birmingham mob action against

the agitators told of the flogging of three white men in Sylacauga. One was said to have permitted a colored nurse to chastise his child. That is the way of the mob unleashed.

The mob will enter your home and your shop if, as and when it can. That is the history of mob action down through the ages.

It's a dull citizen who thinks it may not come home to him, directly or indirectly.

## ★ Tell It ★

# To Old Grandma

*Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten leters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.*

### Ignore The Inciters

EDITOR, THE ADVERTISER—CORE—What in the world is it? Congress of Racial Equality? Who organized it and why? Personally, I see no point in the organization whatsoever, except to incite and stir up trouble.

Why the name "Congress?" Dictatorship, eh? That's exactly what we need the least of in this peace-loving City of Montgomery. I am in favor of ignoring the (whole situation myself.

Don Hallmark, publicity director for the Alabama Association of Citizens Councils, was right in urging the public to ignore the "Freedom Riders."

I would like to congratulate our local law enforcement authorities and also our city officials who kept peace by thinking of and demanding the safety of all our citizens, both white and colored in this, our beautiful Capital City. And also we say thanks to our Governor for his concern for the welfare and safety of all our fellow Alabamians.

The people of the South have done a good job in spite of this radical interference and we can, with God's help, continue to live in peace with all races, and can quell agitator groups if necessary.

We all need more faith in the "Man Upstairs," and he will see to it that we live in peace and harmony without anxiety, fear, turmoil and upheaval.

"A Grateful Montgomery Citizen."
Montgomery.

### What They Asked For

Editor, The Advertiser:

Most people think that the "Freedom Riders" got just what was coming to them or not quite enough.

The few men who had enough spirit and intestinal fortitude to demonstrate their willingness to fight for what they believed are the same type of men who stood against the British at the beginning of the American Revolution, men who now would be called radicals.

The main trouble is that most of us are resting on our full stomachs and high standard of living, content to let a few do our fighting. If we all were willing to join in a common front we would not be overrun by policies of an oppressive government and by every minority pressure group that can raise enough money for transportation to Alabama.

It continues to amaze the people how the newspapers defend the left-wing organizations such as CORE, but attack any rightwing group such as the John Birch Society as soon as they raise their heads. It appears that all the propaganda weapons in this country, such as newspapers, TV magazines, radio, and movies, are gradually accepting communism.

When are the American people going to wake up to the fact that the type of people who are running the government are ruining the best form of government the world has ever known. The Kennedys, the Harvard professors, and a State Department overrun by odd-balls are leading us into a local and worldwide mess that will likely finish off our form of government.

The above remarks are supported by the fact that the Attorney General of the United States can take several days away from his job to support a busload of renegades and agitators who are touring the South in an effort to cause trouble which will help them raise money for their nefarious purposes.

ALBERT JERNIGAN.
Route 13, Birmingham, Ala.

### Alabama Badlands?

THE ADVERTISER has not until now offered comment on the John Brown raids from the north into Alabama because it was not entirely clear what had, was and would happen.

This condition still obtains as this goes to press. But we defer no longer, for enough is now known to make the basic point whatever else happens in Birmingham or Montgomery.

Always the basic truth of these violent convulsions is that no matter what, baboons committing violence must be collared, jailed, tried and generously punished.

The evidence is that the police in Birmingham, under command of a coarse and rash antic with the title of police commissioner, spat on their duty and looked the other way from murderous assault.

And sad to say, the Governor of Alabama seemed to be fitting the seal of Alabama into the ring on the baboon tails. For the governor said he could supply protection for the white and colored agitators to reach the state line but could not otherwise protect them.

Happy to relate, Montgomery has learned its lesson and its police commissioner made it plain that violence on the part of white or colored would not be tolerated.

★

ANYTIME a city, county or state surrenders to the mob it pays a dear price. Assuredly Birmingham and Alabama will pay dearly.

The agitators later confirmed what was obvious before to all but baboons: they came to Alabama seeking to be the cause of incidents.

The White Citizens Council in Montgomery quickly and shrewdly recognized this and wisely asked Montgomerians to defeat them by ignoring them.

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BUT elsewhere there was surrender and dereliction of duty. Specifically, Birmingham's police commissioner and the state's governor permitted a gang of thugs to suspend transportation in Alabama.

City police cars should have provided that scheduled bus safe escort to city limits and Highway Patrol cars should then have escorted them the length of the state to demonstrate the unfailing dominion of law and order in Alabama.

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THE white and colored agitators who came seeking trouble are, of course, slobbering trash and the Attorney General of the United States used them to help along his brother's second term aim.

Their presence in Alabama is galling and Alabamians are entitled to their anger and dismay. Yet it is inviting more woe to respond violently.

The breakdown of law enforcement fortified the latterday abolitionists who welcome incendiary incidents as the mother of more civil rights pokes and cuts at the South.

These accursed incidents make Americans think of Alabama as a badlands.

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THE most obvious injury is to the cause of those who seek to entice new industry to Alabama to create payrolls and provide the material blessings so long denied by the Civil War and its aftermath.

The police dereliction in Birmingham probably shrank business in every firm in the city.

There are a lot of fundamental reasons why a city and state cannot tolerate violence in any circumstance. But the most obvious reason is that riotous conditions blight profits and payrolls—and, politically, make the South's plight worse than before.

AP Wirephoto

BIRMINGHAM LAWMEN USE POLICE DOG TO FLUSH CROWD
Throng Gathered At Birmingham Terminal When Integrationists Arrived

# Patterson Vows Arrest For Integration Testers

The Montgomery Advertiser
Montgomery, Ala.
Thurs. 5-18-61

By BOB INGRAM

Gov. John Patterson declared Wednesday that "Alabama isn't the Congo" and if efforts are continued to challenge the state's segregation laws "we'll fill the jails with agitators."

In an hour long press conference devoted almost exclusively to the sudden outbreak of racial violence in Alabama, Patterson made it clear he had no sympathy for the "Freedom Riders" who were attacked and beaten Sunday near Anniston and in Birmingham.

"When you go somewhere seeking trouble you usually find it," Patterson said. "I lay full blame on the agitators who came in here for the express purpose of stirring up just such a thing."

"We can't act as nursemaids to agitators," he continued. "They'll stay at home when they learn nobody is there to protect them. The state of Alabama can't guarantee safety of fools, and that's what they are."

The governor had earlier declared the policy of his administration would be to withhold Highway Patrol escorts for any segregation-testing buses unless it "becomes necessary."

"We will guarantee the safety of any law-abiding citizens," he continued, "but we can't guarantee the safety of people who come here to deliberately break the law, to breach the peace and to create a riot."

Patterson said the people of Alabama were "enraged and incensed at these agitators."

Patterson also warned that the situation "will get worse and we will have more riots" if the "outside agitators" continue to come into Alabama.

Newsmen made several efforts to get Gov. Patterson to condemn the action of the white mobs in Anniston and Birmingham which attacked the "Freedom" riders. However, his strongest condemnation of that action was a brief: "I don't condone that."

At one time during the session he testily inquired of the newsmen?

"Are you people in sympathy with the agitators?"

Patterson declined to comment on the action of the Birmingham Police Department Sunday at the bus terminal riot. Some criticism had been voiced that Birmingham police had not made sufficient preparation for the arrival of the busload of members of the Congress on Racial Equality (CORE).

But Patterson added that he put the "major part of the blame (for the violence) on the outside agitators who came here looking for trouble."

Asked what he had told U.S. Atty. Gen. Bobby Kennedy when the latter called him seeking state protection for the CORE group, Patterson replied:

"I told him we had learned of a possible attempt to ambush the bus between Birmingham and Montgomery and that we could not guarantee the safety of law violators."

Then the governor added: "We certainly intend to maintain law and order by whatever means possible . . . We will do everything we can to protect the lives of anyone in Alabama who obeys the law, but when it comes to the U.S. Government asking me to guarantee the safety of agitators, I can't guarantee nothing."

# Birmingham Jails Mixers At Bus Depot

The Montgomery Advertiser
Montgomery, Ala.
Thurs. 5-18-61

BIRMINGHAM (AP)—A racially mixed group of college students from Tennessee, trying to crack bus station segregation, went to jail Wednesday after a tense four hours at the Greyhound Terminal here.

The smattering of white persons allowed on the loading docks by police sent up a cheer and a round of handclapping as officers loaded them into patrol wagons.

As the wagons pulled away, the students sang.

Police Chief Jamie Moore said the eight students—seven Negroes and a white girl—were taken into protective custody.

Moore said in a statement, "It is dangerous for you and for others to stay here."

Several other Negroes were taken into custody at the station. One was the Rev. F. L. Shuttlesworth, Birmingham Negro minister who heads the pro-integration Alabama Christian Council on Human Rights.

**FAILURE TO OBEY**

All told 16 persons were taken into custody—14 Negroes, a white man and a white woman.

Ten of them—including the two white people—were on the bus coming into town.

Of the 17, all but three were held in protective custody.

Two were charged with failing to obey an officer, and held on $25 bond each.

The Rev. F. L. Shuttlesworth, Birmingham Negro minister and president of the pro-integration Alabama Christian Council on Human Relations, was charged with interfering with an officer and refusing to obey an officer.

Bond was set at $25 on each count.

He posted bond and was released Wednesday night.

During the four hours the students spent at the bus station, police said they received a bomb warning, but the danger time expired without incident.

The students rode into Birmingham on a bus from Nashville, Tenn., then found themselves stranded when drivers refused to take them out of town.

Police boarded the incoming bus on the outskirts of Birmingham, arrested a white man and a Negro—for refusing to change seats—and put two officers on the bus for the remainder of the ride to the bus station.

At the station, where a crowd was beginning to gather, police refused to let them off the bus for an hour.

Then the officers cleared the area of persons without tickets, and the students went into the white waiting room.

Some of them tried—and failed—to get service at a refreshment bar. The manager of the station later said some were served.

They bought tickets to Montgomery and stayed in the almost-empty waiting room.

Small knots of people stood on the sidewalks and in a parking lot next to the bus station.

Two hours later, at 3 p.m., they went out onto the loading docks to board their bus.

But their driver told them:

"If you get on, I will not drive the bus."

Thurs. 5-18-61

He picked up his bag and walked away from the bus.

A few minutes later the dispatcher at the station said the bus run had been cancelled.

The group remained on the loading platform, standing next to the bus, and said they planned to try again on the next scheduled bus to Montgomery at 5:15 p.m.

**PLAN INTERRUPTED**

But their plan was interrupted when police took them into custody.

While the group was standing on the loading platform—and earlier when they were in the white waiting room—police kept the area clear of persons without tickets.

But small knots of people stood on the streets and sidewalks around the bus station.

This is the same station in which 17 members of a racially mixed Congress of Racial Equality group found themselves bottled up for more than two hours Monday when drivers refused to move the bus. The group finally went to the airport in cars and flew to New Orleans.

The station is in downtown Birmingham, three blocks from the Trailways station where a white mob attacked a racially mixed group arriving on a bus Sunday.

**SITTING TOGETHER**

The two arrested on the incoming bus were identified as Jim Zweig, a white student at Fisk in Nashville, and Paul Brooks, Negro, a student at American Baptist Theological Seminary at Nashville.

Police said they were sitting together on the second seat from the front of the bus when the officers boarded it, and refused to change seats.

They were charged with failure to obey a lawful command of an officer. They were jailed.

One member of the group, William Harbour, 19, a student at Tennessee A&I at Nashville, said the bus driver shoved him, causing him to hit his head on the windshield, shortly after the bus arrived. A policeman then jammed him in the stomach with a billy stick, he said.

Harbour gave his hometown as Piedmont, Ala.

Other members of the group identified themselves as:

John Lewis, 21, of Troy, Ala., Negro, student at American Baptist Theological Seminary at Nashville.

Lucretia Collins, 21, of Fairbanks, Alaska, Negro, student at Tennessee A&I at Nashville.

Catherine Burke, 21, of Birmingham, Negro, student at Tennessee A&I.

Carl Bush, 19, of Memphis, Negro, student at Tennessee A&I.

Rudolph Graham, 20, of Chattanooga, Tenn., Negro, student at Tennessee A&I.

Charles Butler, 20, of Charleston, S.C., Negro, student at Tennessee A&I.

Mary McCollum, 21, of Snyder, N.Y., white, student at "all-white university at Nashville." She declined further comment.

Jail records listed Miss McCollum as a student at Peabody Teachers College at Nashville.

The others taken into protective custody when police picked up the riders were:

Vera Brown, 21; James Armstrong, 38; Eugene Ervin, 25; the Rev. Floyd King, 49; and Lincoln Hendrick, 32, all of Birmingham.

HOWARD EDWARDS
Charged with assault

# Three held; FBI probes bus burning

BY TOM LANKFORD
News staff writer

Three men were charged today in connection with the gang beatings of CORE integrationists at Trail Bus Station Sunday.

An intensive police investigation led to the arrest of the third suspect late yesterday.

In Montgomery, Public Safety Director Floyd Mann said no arrests have been made in connection with the burning of a "freedom" bus near Anniston Sunday.

**Two passengers on that bus—neither associated with the "freedom riders"—remained hospitalized in Anniston today. One, a young Negro from Margaret, Ala., says he was hit over the head with a chain as he got off the bus.**

Howard Thurston Edwards, 22, of 1906 Second-ay. n, Irondale, was picked from a line-up at City Jail as the man who wielded a lead pipe while a photographer was being beaten outside the bus station.

HE WAS HELD on a charge of assault with intent to murder. Police said Edwards, a print shop foreman, admitted being in Birmingham Sunday, but denied taking part in the action.

Shortly before Edwards' arrest, the father of a Ku Klux Klansman who was arrested yesterday, was taken in custody when he went to City Jail to make bond for his son.

Jesse Thompson Faggard, 48, of Box 348, Alton, was charged with disorderly conduct and released on $300 bond.

**His son, Jesse Faggard, 20, was originally charged with assault with intent to murder and grand larceny, but the charge late yesterday was reduced to disorderly conduct.**

Detectives Bailey and Hart said the charge was reduced when witnesses were unable to identify Faggard as actually striking any blows during the fracas.

Meanwhile, police say there is a possibility persons arrested in connection with the beating of travelers who got off the interstate bus here may face possible federal charges.

THOMAS J. JENKINS, special agent in charge of the local FBI, said the matter is under investigation but he would not discuss the case.

Jenkins also said the burning of a bus transporting CORE travelers from Atlanta to Birmingham, four miles west of Anniston Sunday, is under active investigation by his office.

Sources close to the FBI said a number of suspects are under investigation in connection with the May 14 violence near Anniston.

**Edwards, who is employed at Quality Press here, was identified chiefly through facial characteristics. Witnesses said he also had long busy hair when he was at Trailways Depot Sunday.**

When arrested yesterday by Detectives A. M. Bailey, V. T. Hart and Lt. Maurice House, Edwards had a fresh crew-cut. He told police he had been to the barber shop Monday afternoon because the long hair got in his way while he was taking diving lessons at the YMCA.

DETECTIVES SAID the man was not surprised when arrested at the print shop late yesterday and said he knew he was being picked up because he resembled a man in a photograph that appeared in local newspapers portraying the beating of a CORE member.

Bailey said Edwards was dishonorably discharged from the Marines after conviction of strong-armed robbery of a cab driver in New Hampshire.

After Edwards was picked from the line-up yesterday, he was brought face-to-face with the men who had identified him and refused to comment. Witnesses said they saw him trying to strike integrationist James Peck.

**Young Faggard, who early yesterday repeatedly denied that his father was even at the Trailways Bus Station Sunday, broke down under police questioning and pointed his father out in a photograph snapped at the depot.**

He also admitted being in the group that assaulted Post-Herald Photographer Tommy Langston but denied striking any blows.

Faggard said both he and his father are members of the Tarrant Ku Klux Klan, according to Bailey. Young Faggard also was released on $300 bond.

The 20-year-old mah was quoted by police as saying the mob action in Birmingham Sunday was arranged by Ku Klux Klan officials. He also implicated other persons.

**Birmingham News**

# Many People Are Asking "Where Were the Police?"

. . . Yesterday (Sunday, May 14) hoodlums took over a section of Birmingham. They clustered in small groups, they drove around in cars, they all but swaggered. They were not afraid, they were sure of themselves, they knew about the "freedom riders" and the buses they were supposed to come in on, and they had the place staked out. . . .

Others knew this situation existed. Commissioner Eugene Connor apparently knew it. He was on duty at City Hall.

There were squad cars operating in the area—an area of several square blocks embracing the City Hall, the Greyhound and Trailways terminals. The News understands plainclothesmen also were on hand in some, at least, of the area. . . .

Klansmen or other hoodlums were ready to create trouble. In trying to "defend" the South they invited every imaginable weapon to be trained against us. And the police of Birmingham did not stop the trouble that did develop. . . .

At the Trailways terminal yesterday afternoon, with the condition above prevailing, a bus pulled in and all but in an instant a Negro was being beaten, his trousers almost torn off, a white man being beaten by a hoodlum who repeatedly smashed his face with his fist, and a Birmingham Post-Herald photographer was being pummeled by a group of white men, one of whom had a heavy instrument in a brown paper bag. . . .

But this wasn't all. These bums saw other photographers — two from the Birmingham News. They mobbed these News men and with a threat which from our own witnesses might very well have meant death if a wrong move were made, tore out the film from two News cameras.

But this wasn't all either. Within minutes a radio - television newsman, parked in a plainly marked TV station wagon, right by the Birmingham Post Office, was attacked. . . .

The people's right to know what goes on in Birmingham was that moment censored by these hoodlums who were deciding for themselves that, in the name of the South, they would "show everybody."

But this wasn't all.

The police were not visibly on hand when the Trailways terminal beatings took place. The police were not on hand when the radio-TV man was attacked.

And the City Hall, with police presumably on the alert, was some two blocks away. . . .

The Birmingham News charges that the very men who did these beatings, who smashed to the concrete and kicked and battered a Post-Herald photographer, who ripped film from two cameras of the News, who in broad daylight bashed in two windows of a radio-TV news station wagon, up to an hour or more later were plainly visible, still carrying on their vicious patrol in the whole area and particularly in the Greyhound bus terminal area.

Yesterday afternoon fear and hatred were on Birmingham streets. . . .

The people—and their police—permitted that fear and hate to ride our streets.

It was a rotten day for Birmingham and Alabama.

The thugs did what they had come to do—up to now they have gotten away with it.

Today many are asking "Where were the police?"

The News asks that, too, but the News also asks:

When will the people demand that fear and hatred be driven from the streets?

ALABAMA

# ✓ THE TIP-OFF

By EMORY O. JACKSON

The decree in the "Birmingham Terminal Waiting Room case," issued by U. S. Judge Seybourn H. Lynne, April 21 has wide implications and practical applications, it seems to me.

**It took almost five years to bring the case to a successful and useful conclusion.**

Styled Carl L. Baldwin, and all, plaintiffs and Mayor J. W. Morgan, and all defendants, the celebrated case clarified the law in passenger travel. It originated locally and was filed in the U. S. District Court for the Northern Division. Here is the text of that decree:

"Pursuant to the Mandate of the United States Court of Appeals for the Fifth Circuit, filed herein on March 22, 1961

It is ORDERED, ADJUDGED AND DECREED by the court as follows:

**Alabama Public Service Commission**

"1. That the orders of the Commission, Alabama Public Service Commission General Order No. -2 (1923)* and Commission's General Order No. T-21 (1956),* as well as the underlying statute, Alabama Code 1940, Title 48, Section 186, are unconstitutional and void insofar as they require Birmingham Terminal Company to provide, maintain, mark and designate separate waiting rooms on the basis of race.

**"2. That the defendants, C. C. (Jack) Owens and Sybil Pool, as members of the Alabama Public Service Commission, their agents, servants, employees, attorneys and successors, and all persons in active concert and participation with them, be and they are hereby restrained and enjoined:**

"A. From directing or otherwise requiring, either directly or indirectly, that the waiting rooms of Birmingham Terminal Company shall be marked, designated or reserved for the exclusive or preferred use of white or colored persons or any group of persons on the basis of race or color;

"B. From compelling, either directly or indirectly, segregation on the basis of race or color in the use, maintenance or marking of the facilities described in paragraph 2A above;

"*On April 19, 1951, the Alabama Public Servbice Commissioning in its informal Docket No. C-3755 modified its General Order No. T-2 (1923) and its General Order No. T-21 (1956) so that neither of such orders is applicable to the terminal or station facilities of the Birmingham Terminal Company in Birmingham, Alabama. To deny declaratory and injunctive relief on the basis of this order would, in the opinion of the court, require an amendment of the Mandate of the Court of Appeals for the Fifth Circuit.

**"C. From further enforcing the provisions of Alabama Code 1940, Title 48, Section 186, of Alabama Public Service Commission General Order No. T-2 (1923), and of Commission's General Order No. T-21 (1956) insofar as such statute and orders require Birmingham Terminal Company to provide, maintain or mark separate waiting rooms on the basis of race.**

**Birmingham Terminal Company**

"3. That the action of Birmingham Terminal Company in posting and mainting the signs: "Colored Intrastate Passengers Waiting Room" and "Waiting Room Interstate and White Intrastate Passengers" and the separate waiting rooms on the basis of color is forbidden by the Fourteenth Amendment to the Constitution of the United States.

**"4. That the defendant, Birmingham Terminal Company a corporation, Its agents, servants, employees and attorneys and all persons in active concert and participation with them, be and they hereby are, restrained and injoined from further or continued display or maintenance of the signs described in paragraph 4 above, from maintaining separate waiting rooms on the basis of race or color, and from posting and maintaining sings indicating that any such waiting rooms are labeled as or reserved for the exclusive or peferred use of either white or colored persons or any group of persons on the basis of race or color.**

**Board of Commissioners of the City of Birmingham**

"5. That the custom and usage of the Commission, Its agents or servants, in denying to a colored person traveling in intrastate commerce the right to be or remain in the waiting room, marked or designated "Interstate and White Intrastate" is violative of the Fourteenth Amendment and 42 U. S. C. 1981, 1983.

**"6. That the custom or usage of the Commission, Its agents or servants, in undertaking to use race as the basis for determining the right of occupancw of either of the waiting rooms is contrary to law.**

"7. That the defendants, J. W Morgan, Eugene Conner, and J. T Waggoner, as members of the Board of Commissiers of the City of Birmingham, Alabama, their agents servants, employees, attorneys, and successors, be and they are hereby restrained and enjoined from using race or color as the basis for determining the rights of persons to use or occupy any waiting room maintained by Birmingham Terminal Company.

**"8. That the costs of court incurred herein be and the same are IN SOLLDE against the defendants.**

**Done, this the 21st day of April, 1961.**

(S) SEYBOURN H. LYNNE
Judge

## Alabama Badlands?

THE ADVERTISER has not until now offered comment on the John Brown raids from the north into Alabama because it was not entirely clear what bad was and would happen.

This condition still obtains as this goes to press. But we defer no longer, for enough is now known to make the basic point whatever else happens in Birmingham or Montgomery.

Always the basic truth of these violent convulsions is that no matter what, baboons committing violence must be collared, jailed, tried and generously punished.

The evidence is that the police in Birmingham, under command of a coarse and rash antic with the title of police commissioner, spat on their duty and looked the other way from murderous assault.

And sad to say, the Governor of Alabama seemed to be fitting the seal of Alabama into the ring on the baboon tails. For the governor said he could supply protection for the white and colored agitators to reach the state line but could not otherwise protect them.

Happy to relate, Montgomery has learned its lesson and its police commissioner made it plain that violence on the part of white or colored would not be tolerated.

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ANYTIME a city, county or state surrenders to the mob it pays a dear price. Assuredly Birmingham and Alabama will pay dearly.

The agitators later confirmed what was obvious before to all but baboons: they came to Alabama seeking to be the cause of incidents.

The White Citizens Council in Montgomery quickly and shrewdly recognized this and wisely asked Montgomerians to defeat them by ignoring them.

BUT elsewhere there was surrender and dereliction of duty. Specifically, Birmingham's police commissioner and the state's governor permitted a gang of thugs to suspend transportation in Alabama.

City police cars should have provided that scheduled bus safe escort to city limits and Highway Patrol cars should then have escorted them the length of the state to demonstrate the unfailing dominion of law and order in Alabama.

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There are a lot of fundamental reasons why a city and state cannot tolerate violence in any circumstance. But the most obvious reason is that riotous conditions blight profits and payrolls—and, politically, make the South's plight worse than before.

# 'Democracy Test' Abandoned In Breakdown Of Ala. Law, Order

Alabama's race-haters, unable to contain themselves Sunday, exploded in a fury of inhuman treatment and brutal beatings of 14 Freedom Riders and in the burning of one of two buses in which they were riding.

Battered and exhausted, the 14 members of the racially-mixed Freedom Ride reached New Orleans via airplane shortly before midnight Monday. They left Birmingham after Alabama Governor John Patterson reportedly refused to guarantee them protection in that state.

Freedom Ride, sponsored by the Congress of Racial Equality, left Washington, D. C., May 4 headed for New Orleans. Enroute, the members tested segregation policies of waiting rooms, rest rooms and eating facilities of bus stations in the Deep South. They encountered little trouble until they reached Anniston, Ala., Sunday, where infuriated white mobs were waiting.

In New Orleans on Tuesday the "Freedom Riders" told how they had split into two groups at Atlanta and had boarded two buses -- a Greyhound and a Trailways -- before going into Alabama.

When the Greyhound bus pulled into the station at Anniston, a crowd of some 200 white persons took posts in an alley

## BULLETIN

The South Louisiana Citizens Council in New Orleans called upon Mayor deLesseps S. Morrison and Governor Jimmie Davis Tuesday to oust the "Freedom Riders" from New Orleans "before violence erupts."

At press time, CORE spokesmen said the "Freedom Ride Rally" is still scheduled for Wednesday at 7:30 p.m., in New Zion Baptist Church, 2319 Third Street.

blocking it so it couldn't leave.

Alabama State Investigator Ell M. Cowling, acting on a tip there would be trouble, had boarded the bus and was unable to get off.

City police, who were conspicuous by their absence, appeared on the scene later and the bus began its trip to Birmingham. However, several windows of the bus were broken at Anniston and several tires were slashed, Freedom Riders said, and it is believed the top of the vehicle was doused with gasoline.

TRAILED BUS

Six miles outside Anniston a tire went flat. The driver, O. T. Jones of Birmingham, stopped and found another tire going flat. It was then several automobiles of white persons arrived after apparently trailing the bus.

A fire bomb crashed through the window of the bus which was carrying 14 passengers -- nine of them "Freedom Riders."

The incendiary device set the bus afire and passengers were forced out as highway policemen fired pistols into the air to keep back the mobs.

The passengers were treated for smoke inhalation and placed on another bus going to Birmingham.

Meanwhile, the Trailways bus which later ran into difficulty at Birmingham had its first trouble at Anniston also.

In that town, the bus driver said he wasn't going to move until hecklers moved to the rear of the bus, one CORE spokesman said. At that time some 10 white men attacked Charles Person, a Morehouse University student.

COPS LOOK ON

James Peck, New York CORElator editor, stepped forward and was beaten about the head and face. Also beaten were Dr. Walter Bergman, 61, former Michigan State University professor and member of CORE.

Three Anniston policemen stood outside the bus as the beatings took place, CORE spokesmen said.

Violence broke out again when the Trailways bus reached Birmingham. Groups of white men attacked the group inside the station and kept all persons, including newsmen, away from telephones. No policemen were on the scene for several minutes.

White men pummelled and beat a white man and a Negro youth until blood was spurting from their noses, a CORE member said.

FBI ACTION

Gordon Carey, CORE field director, New York, flew to Birmingham after the incident. He told the Louisiana Weekly that bus drivers refused to operate vehicles carrying "Freedom Riders" and that difficulty was experienced in securing plane reservations.

James Peck appeared in New Orleans with his head heavily bandaged, it having been necessary to take 57 stitches to close the wounds. He was closeted with the FBI for several hours.

Other members of Freedom Ride who arrived in New Orleans were Mr. and Mrs. Walter Bergman, Rev. B. Elton Cox, High Point, N. C.; Henry Thomas, St. Augustine, Fla.; Herman Harris, Sumter, S. C.; Ivor Moore, Sumter, S. C.; Charles Person, Atlanta; Joseph Perkins, Owensboro, Ky.; Miss Genevieve Hughes, Maryland; Albert Bigelow, Cos Cob, Conn.; Isaac Reynolds, Detroit; James McDonald, New York, and Edward Blankenheim, Tucson, Ariz.

Minor incidents were reported at Charlotte, N. C., Rock Hill, S. C., and Winnsboro, S. C.

MOBSTER ARRESTED

Birmingham police Monday arrested Jesse Oliver Faffard, 20, a white bakery worker, on charges of taking part in the mob's attack on Freedom Ride. Faggard allegedly signed a statement saying he answered a Ku Klux Klan call to go to the bus station.

Meanwhile, CORE spokesmen said that Trailways and Greyhound bus stations in 30 cities over the nation would be picketed Thursday and that more than 1,000 pickets would appear at the New York terminals.

# To New Orleans

NEW ORLEANS. — (UPI) — Sixteen white and Negro "Freedom Riders" arrived here by plane Monday night, May 15, with tales of "inhuman, uncivilized" treatment on their violence-shortened trip through the South aimed at breaking down segregation barriers.

One of the 16, Herman K. Harris of Englewood, N.J., said he wouldn't tell newsmen where the group was staying in New Orleans because "we don't know who to trust anymore."

A battery of newsmen met the self-styled "Freedom Riders" at Moisant International airport when their plane landed at 11:45 p.m. CST.

But no hint of the bitterness and hostility that forced the group to abandon its bus trip and fly here from Birmingham, Ala., met them.

Members of the embattled group said there would be a press conference here Tuesday, but could give no specific time or place.

"We couldn't make any plans because we didn't know we'd be here tonight," said James Peck, whose face was scarred and head was bandaged from injuries suffered in earlier violence.

Harris told United Press International the group would make the trip again if called upon to do so.

"But I've never seen anything like the trouble we had at Alabama. Dogs get better treatment than we did. It was inhuman and uncivilized," the young Negro said.

Describing the Anniston, Ala., incident in which their bus was burned out, he said "it was one of the dirtiest things I've ever seen. There wasn't a respectable face in the crowd. They had guns and were drinking."

Six of the "Freedom Riders" got into a private car to leave the airport. But police gave the driver a summons for going the wrong way on a one-way drive on the airport grounds. Then they were allowed to continue.

The 16 members of the mixed racial group left Birmingham on an Eastern Airlines flight at 10:39 p.m., CST, for New Orleans. However, their departure was delayed when authorities received a telephone call that a bomb had been placed aboard the airliner.

The integrationists were removed from the plane and a search instituted. The flight was canceled and the group eventually departed on the Eastern Airlines flight.

The "Freedom Riders" left Washington for New Orleans last week in a test of racial barriers at Southern bus terminals. The group, sponsored by the Congress on Racial Equality (CORE), split into two groups Sunday in Atlanta.

One group went through Anniston, Ala., where the bus was stoned and burned by an angry crowd of about 100 white men. The other group went to Birmingham where about 30 white men attacked them. The two groups rejoined in Birmingham for the trip to New Orleans.

The group was forced to cancel its violence marred bus caravan when bus drivers refused to chauffeur them any farther. The drivers' refusal apparently stemmed from violence surrounding two bus trips by the riders earlier this week and the refusal of Gov. John Patterson to guarantee the integrationists safe passage through Alabama.

U.S. Attorney General Robert Kennedy spoke to Alabama officials Monday, urging them to provide police protection for the riders.

However, Patterson said in a statement that "the citizens of the state are so enraged I cannot guarantee protection for this bunch of rabble-rousers."

The group did not disclose their future plans now that their bus tour has been abandoned. But Harris told UPI the group would make the trip again if called upon to do so.

The group said they would attend a rally Tuesday evening in observance of the anniversary of the U.S. Supreme Court decision declaring school segregation unconstitutional. They said they probably would leave here Thursday.

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"FREEDOM RIDER" BEATEN -- James Peck, New York, national officer of CORE, is shown in New Orleans, second from left, telling how he and other members of Freedom Ride were beaten in Alabama. From the left are Atty. Nils Douglas, Peck, Gordon R. Carey, CORE field director, New York, and Rev. Louis Landrum, New Orleans. The inset shows wounds in the top and back of Peck's head. (Photos by Porter)

38a 1961 ALABAMA

CORE
AUBURN UNIVERSITY STUDENT. CONSTITUTION 6-1-61
PULSE OF THE PUBLIC.THE ATLANTA CONSTITUTION
p.4
(CORE FREEDOM RIDERS)

**Pulse of the Public**

# 38 Auburn Students 'Take Pride' in Action Of Gov. Patterson During Racial Trouble

The Atlanta Constitution

Auburn, Ala.—We, students at the University of Auburn, take pride in the fact that the governor of the State of Alabama saw fit to stand up against the imported rabble rousing agitators, who have recently invaded Alabama. Their sole purpose was to create trouble camouflaged under the leadership of so-called ministers as "non-violent" demonstrators.

Atlanta, Ga.

No one will deny that "freedom riders" have the privilege of riding unmolested, but when these people deliberately bait trouble with behavior such as they have displayed, then they are asking for trouble. Instead of the news media publicizing their maneuvers, all such actions and demonstrations should have been ignored. However, full facilities were on hand to spread the activities of these trouble makers.

The disturbing fact is that so few people seem to realize the background of these demonstrations. It would seem that any real Christian minister or leader would discourage actions which only serve as a means of feeding the propaganda machines of the Communist conspiracy. Therefore, we must agree with the Birmingham News in its condemnation of these AGITATORS.

SIGNED BY 38
AUBURN STUDENTS.

CORE FREEDOM RIDERS (MAY, 1961)
HEARING
MONTGOMERY, BIRMINGHAM POLICE HEARING

# Local Officials Remain On Griddle At Hearing

"BULL" CONNOR (LEFT), ATTY. EARL McBEE, CHIEF JAMIE MOORE
Birmingham's 2 Top Police Officials Removed From Federal Action

Birmingham
The Montgomery
Police Heads
Advertiser P-1
Get Off Hook
Montgomery Ala.

Montgomery police officials remained on the griddle Wednesday in a federal court hearing into charges local police failed to act to keep a mob from beating integrationists. Ohms 6-1-61

But Birmingham Police Commissioner Eugene (Bull) Connor and Police Chief Jamie Moore had the threat of a preliminary restraining order against them lifted.

However, they remained under the shadow of a permanent injunction which is to be argued later in the local court.

In another development, attorney Calvin Whitesell, representing the Montgomery officials, said he has filed a motion to have integrationist groups enjoined from interfering with interstate bus travel.

**KLUXER RELEASED**

Johnson, in granting the motion to discharge Connor and Moore, warned them they could face a new injunction demand "if things like this recent mob violence occur again." At the same time, he also discharged Federated Ku Klux Klans Inc., and its officer, Lester C. Hawkins of Montgomery.

Testimony Wednesday saw the lawyer directing the government's case, top Montgomery police officials, and a personal emissary from President John Kennedy to Gov. John Patterson all on the witness stand.

John Siegenthaler, who acted as a go-between Kennedy and Patterson, described watching violence erupt at the Greyhound bus station May 20.

**ASKS ABOUT NAMES**

He said he was struck and knocked out as he attempted to get a young white woman into a car after observing her being abused by a mob and struck with a purse by a white woman.

Defense Attorney Calvin Whitesell asked Seigenthaler about names of bus riders in a notebook in his pocket, and when the judge asked the purpose of that line of questioning, the lawyer replied:

"I just wanted to know if the Justice Department is working with CORE (Congress of Racial Equality which sponsored some of the rides) and these riders."

Seigenthaler said he got the

(Continued From Page 1)

names in advance in a long distance telephone converstation with one of the sponsors, not officially connected with CORE, in Nashville, Tenn.

A defense witness, Sate Public Safety Director Floyd Mann, told the court he had heard no rumblings of impending mob violence before the bus arrived here. He said he was at the depot 10 minutes before the bus pulled in, and saw nothing unusual.

**OFFICER BY SIDE**

Asked if he had any reason to believe the police "deliberately failed to provide protection" as the government charged, Mann answered, "I do not."

Mann said that when he pushed through the mob to rescue a beleagured television newsman, Asst. Police Chief Marvin Stanley was right by his side. He said Stanley, as he recalled, disarmed one man who had a knife, and arrested others.

On another occasion when he drew his pistol to stop the beating of a Negro freedom rider, the head of the Highway Patrol related, a city policeman was pushing his way through the crowd.

Remaining in the hearing with Montgomery officials, after the discharge of the Klan group, Moore and Connor, were the following defendants:

The U.S. Knights, Knights of the Ku Klux Klan, and its top man in Alabama, the Rev. Alvin Horn of Talladega.

The Alabama Knights, Knights of the Ku Klux Klan, and its head man, Robert M. (Bobby) Shelton of Tuscaloosa.

A former Montgomery reserve policeman, Claude V. Henley, and another Montgomery man, Thurman Watts. Ohms 6-1-61

**FILES AFFIDAVIT**

All of the defendants except the Montgomery police rested their cases quickly, without calling witnesses. Horn filed an affidavit with the court.

Horn's affidavit said his organization split off from the parent Georgia organization about March 15 this year and has no units or officers in Alabama now.

He denied conspiring with any other group or individuals to interfere with interstate bus travel.

Fewer spectators were in court Wednesday than on the previous few days of the hearing. The courtroom was integrated, but whites and Negroes generally sat together.

Among the spectators was Alex Marks, judge of the Court of Common Pleas. Marks is to hear charges against an integrated group that sought to eat at the Trailways bus station here.

**KING OUTSIDE**

Also in the courtroom during the day were Circuit Solicitor William Thetford, Deputy Solicitor Frank Riggs, and Baptist minister Henry Lyon.

Integration leader Martin Luther King was seen several times in the corridor outside

Another Negro leader, the Rev. Fred Shuttlesworth of Birmingham, was sent to the witness room after a defense attorney said he had refused to go there. Shuttlesworth has been called as a defense witness.

Mann declared, "I have the very highest respect for the Police Department of Montgomery."

John Doar, Justice Department attorney handling the government's case, said he watched the violence break out here May 20, but denied he was here in connection with the "Freedom Rides." Montgomery Ala.

**PASSED TWICE**

Doar said he passed the bus station twice, noticing nothing unusual at first, but " people in little groups" the second time. "I would say at that time there were an unusual number of people around."

He described watching the beating of a Negro rider, and of watching a crowd of "25 to 50 men charging down the street," chasing a man attempting to enter a cab.

As the freedom riders huddled together at the end of the Greyhound station ramp, said Doar, he heard a woman yelling: "Get those niggers; get those nigger lovers!"

He said few police were in evidence, and he saw no police take action to halt attacks. Judge Johnson repeatedly asked, as he described the mob scene: "Did you see any police around at that time?" Doar said he did not.

Doar, called to the stand by defense attorneys, exclaimed at one point, "I looked around for police, yes, I did!" He said he came here with Seigenthaler, and had breakfast with him. But he said he did not come here to prepare a government case to protect integrationists.

Asst. Police Chief Marvin Stanley, who was acting chief at the time of the bus station riot, later took the stand to justify police action.

He said he "had no reason to believe there would be violence." Stanley also told of taking a knife from a man menacing Safety Director Mann as Mann sought

to protect a newsman. The assailant was placed under arrest, said Stanley.

Mann had previously testified he believed Stanley had taken the knife from the man.

A series of police officers took the stand to say they had no advance information of the approach of the bus carrying the integrated riders. They also testified to early dispatching of police cars to the scene.

**SHARP REPRIMAND**

Government attorneys questioned them closely as to any instructions they may have received for dealing with possible trouble. All said they had received no such instructions prior to the riot.

During the questioning of one officer, Lt. R. D. Moody, Johnson sharply reprimanded attorney Whitesell for "leading" the witness.

Said Johnson: "I'll tell you the truth: I don't pay much attention when you lead him."

Detective Sgt. Jack Shows, whom a newsman said earlier in the hearing had said police here "wouldn't lift a finger" to protect "Freedom Riders," took the stand to deny making such a statement.

**PHONE RECORDS** A-2A

Shows said he halped open the crowd to get an injured man out after Mann had rescued him. And he said he called an ambulance for beaten Jim Zwerg, one one of the riders.

As they brought their case to a close, government lawyers produced telephone company records to show a series of long distance calls to and from Robert Shelton the acknowledged Klan leader and others the Justice Department sought to identify as Klansmen.

Most of the calls were made after the first freedom bus started its segregation - challenging tour of the South which reached a climax with mob violence in Alabama.

Another witness, Frank J. Torbert of Anniston, invoked the Fifth Amendment and refused to say whether he was at the Anniston bus terminal when the first outbreak of rioting erupted there May 14, or whether he is a Klansman.

After riders were beaten in Anniston and a bus burned near there, the violence spread to Birmingham later that day, and to Montgomery six days later. The governor proclaimed martial law in Montgomery before order was restored.

In the face of Torbert's silence, an FBI agent, Andrew M. Smith of Birmingham, testified the witness told him he was at the Anniston bus depot and was a Klan member.

**FORMER KLANSMAN**

Robert S. Thomas of Birmingham, said he was at the Greyhound bus station in Birmingham where the bus was due to arrive. It never reached there because a mob set it afire, and a second group of riders, aboard a Trailways bus, was attacked when they reached the Trailways terminal in Birmingham.

Thomas, who said he took no part in mob violence, identified himself as a former klansman and onetime candidate for statewide KKK office.

As fellow Klan members with him at that time he named Ace Williams of East Gadsden and Hubert Page of Birmingham. Those names also figured with Thomas' in the telephone calls put into the court record earlier.

One witness, Jimmy York of Montgomery, failed to show up and the judge ordered him brought in. But later the U.S. marshal's office reported York was in a hospital for an operation.

During the three days of government testimony, several witnesses testified that Birmingham police took precautions against violence at the Greyhound station, where the riders originally were scheduled to arrive.

38a 1961

ALABAMA

# Wave of Negro Militancy Spreading Over the South

The New York Times
New York P.

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, May 13—A social upheaval born of long-suppressed discontent over discrimination and segregation has brought a rising wave of militancy among Southern Negroes.

It has boiled to the surface in the cities, spilling out of the ghettos and into the suburbs of the so-called black bourgeoisie. It is spreading into the smaller towns, and, in a few cases, into the share-croppers' isolated cabins.

Ann. 5-14-61

The aggressiveness of the Negro conflicts directly with the resistance of the Southern white, a resistance intensified by the Kennedy Administration's efforts to extend civil-rights guarantees.

Negroes interviewed in seven Southern states contended that the new militancy was no transitory phenomenon. They cited evidence of its spread across the region.

Youths line lunch counters in mute protest against racial barriers. Boycotts to force desegregation over hiring of Negroes slash the profits of white merchants. Parents send their children through segregationist gauntlets into schools open to them by the Federal courts.

### Constantly New Demands

Negro leaders return again and again to the negotiating table with new demands for changes in the status quo. Ministers expound a social gospel keyed more to the "here" than the "hereafter." And a small but growing band of so-called Muslims preaches hate for the white, supremacy for the black.

The declared objective is: "Full equality—nothing less." This does not apply to the black Muslims, who want several states set aside for their exclusive occupancy.

The vigor and confidence of the drive can be seen in the faces of the thousands who flock to mass rallies held at least once a week by various organizations in virtually every major Southern city. It can be heard in the thundering chant that pours out into the night:

"Everybody wants — free-ee-dum!

"Free-dum! Free-dum!"

Those interviewed argued that the impatience stemmed from both the progress and lack of progress made during the last century. They said the progress had whetted the desire for greater gains. The lack of progress has fired the Negro's determination to a point where no sacrifice is too great, according to him.

P. 76

Many trace the new militancy to the Supreme Court's school desegregation decision of May 17, 1954. A number said that the bus boycott in Montgomery, Ala., in 1955 and 1956 had demonstrated to the Negro that he could play an active role in the struggle. Still others said the student sit-in demonstrations had united the Negro community as it had never been united before.

New York

Less tangible factors were said to be significant—rising educational and economic standards, the growth of newspaper reading and television viewing and the emergence of the new nations in Africa and Asia.

### More Aware of Deprivations

The consenaus was that the Negro had become more aware of deprivations.

Ann. 5-14-61

On a rainy spring afternoon recently, the popular symbol of the new militancy relaxed in his mahogany-paneled study at Ebenezer Baptist Church on Atlanta's Auburn Ave.

Behind him hung a plaque designating him as a lifetime member of the National Association for the Advancement of Colored People. Before him on a desk were stacks of letters, the head of an African Fulani woman carved in ebony, a ceramic black panther and a copy of his book, "Stride Toward Freedom."

Nothing in the demeanor of the Rev. Dr. Martin Luther King Jr. suggested the militant, but non-violent, approach that he advocates as president of the Southern Christian Leadership Conference. But it was emphasized in his words.

"The new militancy grew out of the Negro's growing sense of dignity and destiny," he said. "Whenever people get a new sense of dignity they become more determined to do away of the denial of his rights, that he had obtained enough free time to do something about it and that he had been stimulated by the action of others of his with the barriers to freedom."

The 32-year-old leader of the Montgomery bus boycott then put it another way:

"When people see a way out, they become more aggressive. When they don't, they give up and find themselves adjusting to their plight."

Dr. King said that many factors lay behind the rising pressure for equality. Among them are the circumstances that force the Negro to travel—the coming of the automobile, the depression and two World Wars.

### Rural Isolation Ending

"The Negro's isolation on the rural plantation largely gave way to an urban industrial life" he noted.

This was followed by economic and cultural improvement and a new awareness of the world stimulated by the press, radio and television.

More important than anything else, Dr. King said, "the Negro has seen the exit sign to freedom" in the United States Supreme Court's school desegregation decision of 1954.

"The whole nation put itself on record then as saying that segregation is wrong," Dr. King remarked.

There was almost complete agreement on this last point among the others interviewed.

James T. McCain of Sumter, S.C., a field secretary for the Congress of Racial Equality, declared that "the Emancipation Proclamation freed the Negro physically; the Supreme Court decision freed him mentally."

The new militancy, said Thomas W. Young, publisher of The Norfolk (Va.) Journal and Guide, reflects "a final realization that what most of us had believed for so long is not valid."

"As a youth forty years ago, I was brain-washed into believing that this is the way it's got to be," he went on. "But when the Supreme Court says that segregated schools are inherently unequal then you come to believe it and you're not going to accept anything less than equality."

### Blames Lack of Compliance

The widespread failure to carry out the court's directive is another cause of today's unrest, according to Dr. Benjamin E. Mays. He is president of Morehouse College in Atlanta, which has trained many Negroes prominent in the civil rights struggle in both the North and South.

"If the South had accepted the decision and had honestly set out to obey that order rather than being determined to circumvent it, I doubt that you would have had the sit-in's," Dr. Mays said. "And you can never forget the impact of the Montgomery boycott."

Others agreed that the admission of few more than 6 per cent of the region's Negro children to previously white schools had had a widespread effect.

"The promise of 1954 was not fulfilled," said Robert D. Robertson of Norfolk, state president of the N. A. A. C. P. and a trade union official. "We've been able to get only twenty-three children in to the white schools here at a tremendous cost to each child."

### Encouraged to Fight

But these small accomplishments in education and other fields have encouraged Negroes to fight to extend them.

"After years in sack cloth, the Negro has learned how it feels to wear a suit," declared Mr. Robertson. "Oone he sees or smells freedom, he puts in greater effort."

Earlier Supreme Court decisions, affecting education, voting and transportation also were held to be important. The Rev. I. DeQuincey Newman, field secretary of the N. A. A. C. P. in South Carolina, said the key ruling had been the one that outlawed the white primary.

"Getting voting rights helped to create the atmosphere in which ideas of equality and dignity could be born," he said. "Without the vote, men didn't have dignity.

"A voteless people is a voiceless people. For a man to have in his pocket a registration certificate, gives him a sense of belonging."

Mr. Newman traced the new importance to another development, the confidence instilled in younger Negroes by their changing status at home. He explained that many parents were bringing up children as their virtual equals and cited himself as an example.

The New York Times

**ADVOCATE: The Rev. Dr. Martin Luther King Jr., a leader in Negro drive to end racial discrimination.**

"My parents took a parternal attitude toward me," he said. "But my children have a voice in family affairs."

Dr. J. Rupert Picott, executive secretary of the Virginia Teachers Association, a Negro organization, recalled during an interview in Richmond that his grandmother had once told him:

### Jail a Badge of Honor

" 'Son, whatever you do, don't ever go to jail!' "

He then remarked that among many younger Negroes today a jail term imposed as a reult of anti-segregation activity was a badge of honor.

"There is no longer the old fear of suffering for that which you believe to be right," he said, "because the Negro people believe that in pushing forward they are helping America to grow strong.

"Right or wrong," he went on, "The Negro people believe that they have not only become the conscience of the South but also, in a very real sense, the last hope and savior of the South.

The new militancy has been fed to some extent by rivalries between organizations, college groups, cities and individuals.

Joseph McNeil of Greensboro, N. C., a student at North Carolina Agricultural and Technical College, said that had been a key factor in the spread of the sit-in demonstrations.

He and three other students at the school touched off the current wave of protest in Feb. 1, 1960, with a demand for service at a Woolworth's lunch counter in Greensboro.

### Little Rock a Beacon

He said the nine Negro students who were admitted to Central High School in Little Rock, Ark., in 1957 "were idols to us." Earlier, he and other youths had been encouraged by the Supreme Court's desegregation decision.

"We were green school kids then," he said. "There was a yearning in our hearts to break the barrier but it never came about."

The Montgomery boycott drew many clergymen into the struggle.

"It seems that all the ministers since that time have wanted to become Martin Luther Kings," said A. T. Spaulding, president of North Carolina Mutual Life Insurance Company.

Typical of the viewpoint of these ministers was that expressed by the Rev. L. F. Griffin. He is pastor of the First Baptist Church of Farmville, Va., president of the Prince Edward County Christian Association and coordinator of the county's N. A. A. C. P. branch. He is also a leader in the effort to desegregate the county's public schools, which have been closed for two years.

"I, myself, preach a strong social gospel," said Mr. Griffin. "I'm not much of a 'pie-in-the-sky' minister. I believe that The Nuzarene had a way of life that is far above anything that man has attained and I believe that it can be applied here on earth."

### Urges Paying Poll Tax

Pointing to a bulletin board at the rear of the chuch sanctuary, he said:

"I don't think anything about desecrating the temple with a notice about paying your poll tax."

But to some leaders of the race, there is nothing new about the pressure for civil rights. This contention was made by John H. Wheeler, president of the Mechanics and Farmers

Bank in Durham, N. C., and a member of the President's Committee on equal job opportunities.

"White people North and South have missed this," asserted Mr. Wheeler. "There's nothing new about it. Of late, we've had an increase in the centrifugal force—now they're beginning to bunch the data, so to speak."

Whites, he said, have failed to view the Negro as just another American with "desires and ambitions that are comparable to those of other Americans."

Mr. Wheeler conceded that Negro leadership in the past had been divided over the question of desegregation," not because it didn't want it but because it wasn't convinced that it could take place.

"There was never any question about what the Negro wanted," Mr. Wheeler said. "He wanted full equality. And each new successs was proof to the timid that it could be attained."

# Klansman Held in Birmingham In Mob's Attack on Bus Riders

The New York Times
New York P. 23
Wed. 5-17-61

## Youth Tells Police of Lying in Wait for Bi-Racial Group—Faces Charge of Intent to Kill—2 Others Seized

BIRMINGHAM, Ala., May 16 (AP)—A 20-year-old Birmingham bakery worker was arrested today and charged with taking part in a white mob's attack on integrationists at a Birmingham bus station on Sunday.

Detective Melvin Bailey said Jesse Oliver Faggard had signed a statement admitting that he had answered a Ku Klux Klan call to appear at a bus station where the integrationists were expected, but denied striking any blows.

He was charged with assault with intent to murder and grand larceny, Mr. Bailey said. Mr. Faggard's father, Jesse Thomas Faggard, was arrested on a disorderly conduct charge today. A third man was also held.

Two persons, a white and a Negro, were battered severely by a crowd of club-swinging white men when they stepped off the bus. Others getting off the bus also were beaten up, along with several bystanders.

Mr. Bailey said young Faggard, who identified himself as a member of the Klan, gave the following account of events leading up to the beating:

He received a call from the Klan to be at the Greyhound bus station Sunday.

He and other men waited at the station until 4 P. M., when they heard that the Greyhound bus carrying the integrationists had been set afire outside Anniston.

Then they went to the Trailways bus station, three blocks away, where another bus carrying integrationists was expected.

A few minutes after they arrived, a bus carrying Negroes and white persons arrived.

A Negro got off the bus and walked through the rear door of the station.

Mr. Faggard said one of the men in front of him grabbed the Negro and told him to "Get out of here, the Negro waiting room is over there."

"All at once," Mr. Faggard said, "people started rushing, shoving and kicking."

The integrationists beaten at the bus station were members of the Congress of Racial Equality, making a bus trip through the South to test bus station segregation laws.

### C. O. R. E. Group Criticized

WASHINGTON, May 16 (UPI)—Representative George Huddleston Jr., Democrat of Alabama, said today that the "freedom riders" got just what they asked for" when their bus was burned and they were beaten.

"Their sole purpose in trespassing upon the South and its well established and understood customs," Mr. Huddleston said in a House speech, "was to create a deplorable and disturbing situation."

He said:

"Every decent Southerner deplores violence of any sort. In deploring violence in this case, all of us understand the tremendous aggravation brought about by these self-anointed merchants of racial hatred."

He went on that the Negro and white riders had made it clear they were not seeking good will and racial understanding but had set out to violate the laws of Alabama instead.

MR. EMORY C. JACKSON
CORE FREEDOM RIDERS
MAY 1961

# Nation-Wide Protests Against "Freedom Riders" Tormenters

By EMORY O. JACKSON

Nation-wide protests against the Mothers' Day mob which interrupted a tour of "FreedomRiders" sponsored by the Congress of Racial Equality were being sent widely as Birmingham police on the seventh anniversary of the May 17, 1954 school decision halted a trip by Nashville students seeking to ride through the Deep South freedom-styled.

Police reportedly boarded the bus transporting the student freedom tourists before it arrived at the Greyhound Bus Terminal. Two of the freedom travellers were reportedly arrested.

When the bus pulled into the bus terminal minus of two of the freedom tourists, the freedom riders were kept on the bus as others got off it. After about an hour's wait, the student American - style riders left the bus and went into the waiting room marked "white. The [illegible] closed.

Several well known civic leaders were in the crowd which formed fast and enlarged as the unusual activities drew attention. Newsmen had no opportunity to talk with the freedom travellers while they were restricted to the bus. A card-board cover was placed over the windshield and front glass of the bus which prevented photographers from making pictures from that angle.

The Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights and pastor of Bethel Baptist Church (North) contacted the Department of Justice in Washington, alerting them to the situation as it appeared before the freedom tourist were allowed to aligh from the bus.

While restricted to the bus, there had been a brief scuffle on the inside. Police and bus officials standing near the bus obscured the view. It was not learned what happened, and why.

While waiting departure, the open-seat riders chatted among themselves in the general waiting room. Apparently enroute to New Orleans, they re-routed their trip to go through Montgomery. When time arrived for them to continue their trip, no bus driver would pilot the bus on which they were scheduled to ride. That had been the situation the day before.

Police kept the crowd at distance. The general Greyhound Bus Terminal area was under police supervision. Later two police dogs were brought to the scene, ostensibly to help keep the crowd in check. None indicated whether any legal action was planned against the interruption, restrictions, and detainment. Nor was there any inkling whether the Justice Department of Justice intended to look into the incdent.

This is a reproduction of the note thrown from the window of the halted Greyhound Bus at the Bus Terminal about 12:45 p. m. Wednesday, May 17, 1961. It was thrown to the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights.

"Negro, Paul Brooke, white student, Jim Zweig police has put them in jail, one of the policemen was Jones from Birmingham, bus operator is E. S. Lane was put in jail in North Birmingham."

This was the first indication that any arrest had been made.

Police said later that the two collegians were arrested for refusal to cooperate with officers who asked them to move back to the Jim Crow section of the bus.

Zweig, of Beloit, Wis., was identified as a student at Fisk University and Brooks was identified as a student at American Baptist Theological Seminary.

....

In addition to these two open-seat riders, there were Miss Catherine Burke, a Birmingham student in Nashville; John Lewis, Lucretia Collins, Charles Butler, Rudolph Graham, William Harbour, Miss Mary McCollum, Carl Bush.

Others placed under protective arrests were: James Armstrong, Eugene Irving, Lincoln Hendricks, the Rev. Robert Floyd and Miss Vera Brown.

MR. RALPH McGILL, COLUMNIST
CORE FREEDOM RIDERS
MAY 1961

38a 1961

ALABAMA

RALPH McGILL

The Atlanta Constitution

# Thanks to Gov. Patterson

Atlanta Ga.

Gov. John Patterson, of Alabama, has done the South a timely favor. By the brazen preposterousness of his public position, and by the added political hypocrisy of his threat to arrest the U.S. marshals, he has shown all but those whose eyes are blinded by the cataracts of unreality and prejudice, the one alternative to the processes of law. In addition he has focused world attention on what choice the states of the South will make.

The White Citizens Councils and Klans shout, in ignorance and arrogance, that they do not give a damn if the newspapers of Africa, Asia, South America and Europe are looking at pictures of mobs beating students with lead pipes and clubs. Nor do they give a damn what the radios and televisions of the world are saying.

But, the fathers and mothers of the South and the nation do care. The men who direct the future of this country care. The legendary grapes of wrath and grief are being trampled out.

The South should make up its mind on the basis of morality—and not because its brutal toughs have, for a time, taken over areas of three Alabama cities and carried out their violence all but unmolested until police belatedly arrived. But if Alabama and other states which will be tested cannot make up their collective mind to do what is right, then they can thank Gov. Patterson for showing them the other side of the coin.

Gov. Patterson has reaffirmed the state's determination, in defiance of federal law, to select those citizens who may travel on buses in his state. His troopers will inspect buses and eject, presumably arresting, those who they decide are not eligible.

## Law

Here again we see a Southern state committing itself to a position it cannot long sustain. There may be more mobs. Her toughs may conspire in other states. But, in the end, the right of an orderly citizen to travel on a bus will prevail.

Gov. Patterson illustrates the dilemma of other Deep-South governors. He is in a very real sense a captive of all his previous criticism of federal courts and his pledges to maintain state laws in conflict with federal laws.

The toughs, hearing a governor make such heated charges, cannot be other than encouraged in their own forms of lawlessness.

The loud cries from Alabama for law enforcement also require study. They may mean enforcing only Alabama laws which defy the United States Constitution.

Whatever views one may have about the wisdom of the students who decided to test the law, it is necessary to keep in mind they did not provoke any disorder. They passed through several other Southern states without incident. It was not until they reached Alabama that mobs gathered. In neither Anniston, Birmingham nor Montgomery did police prevent their concentration about bus stations ahead of the arrival of the travelers. The students are merely passive passengers in the bus. All Alabama had to do was allow them to arrive and depart.

The students are entirely within the law.

Yet Alabama seeks to arrest them and the U.S. marshals. Mob members are still at large.

## Parallel

There is here a deadly parallel. In time not even Gov. Patterson can be too comfortable in endorsement of it.

The Christian church also may not be comfortable if it notes one aspect of this story. As of this writing not a single white church congregation has held a protest meeting. Only a Negro congregation protested and it would have been mobbed but for U.S. marshals. Is the moral voice of the South silent?

Let the South—and the nation—look well.

There are just two paths to take. One is that of law. The other is that of mobs, brutality, murder, tear gas and troops.

There is no way to pass by, like the Pharisee, on the other side.

THE NEW YORK TIMES
CORE FREEDOM RIDERS
MAY 1961

# The Birmingham News Asks Bus Riders Be 'Held in Check'

## A Front Page Editorial Bids Robert Kennedy Take Action to 'Stop Those Who Provoke Violence'

BIRMINGHAM, Ala., May 22 (UPI)—Following is the text of a front-page editorial that appeared in The Birmingham News today under the headline: "Mr. Kennedy: Why Aren't King 'Riders' Held in Check?"

"Mr. Robert Kennedy:

"The people of Alabama and the people of the South want to know why it isn't just as important to stop those who provoke violence as it is to stop those who commit violence. This, Mr. Kennedy, is a direct question. We are sure you will want to answer.

"Martin Luther King flew into Montgomery. For what, Mr. Kennedy? Are you pressing him for an answer? Why don't you put him under some control?

"The News understands that attempts were made to dissuade King from going to Montgomery. He refused to heed them.

"Instead, he came into a city on the knife's-edge of tension and went through the heart of Montgomery in a motorcade which was described by one observer as "just like the President coming to town." If this was not intended to attract attention to him, to further increase tension, what was it?

"Once in Montgomery, King was the featured attraction at a Negro rally honoring the "Freedom Riders." The rally itself was designed, inevitably, to cause more strife.

"Before it began, you, Mr. Kennedy, asked for a "return to reason" in Alabama. You asked this state's citizens and travelers here to weigh their actions carefully and avoid doing anything which might make matters worse. King went on with his rally.

"Later, after the violence which he certainly expected and obviously wanted did indeed erupt and the National Guard was called out, King reportedly told the Negroes inside the church where the rally was being held that "the lawmen would be coming into the church soon to harass and arrest the 'freedom riders'.

**Words Called Inflamatory**

"The law was coming to harass! Mr. Kennedy, are these the words of a man attempting to restore calm? Are they the words of a man who is attempting to help restore order?

"The people of Alabama can believe that the office of the President of the United States, and the office of the Attorney General of the United States, have sought to show the agents of turmoil that their hi[gh]ly publicized "Freedom Ri[de]rs" their highly emotional meetings only serve to i[n]their cause, not improve it.

"The Federal courts already ruled on segrega[tion] The weight of the exec[utive] branch of the Federal Go[vern]ment already has been put [be]hind the rulings of the cou[rts].

"The people of Alabama, people of goodwill, of good i[n]tent know that law and [or]der must prevail no matter what the provocation. Those who congregate are a threat to law and order.

"Alabamians want those who set up these charged meetings who deliberately began actions that they cannot doubt will create violence, to be put under the same weight of executive pressure that is being applied to white trouble-makers.

**No Patience With Pat[terson]**

"The Birmingham News has no patience with many of the actions and utterings of John Patterson, the Governor of Alabama.

"The News is not satisfied that Commissioner of Public Safety Sullivan of Montgomery met the situation there Saturday with the speed and vigor that the Montgomery police should have shown when they well knew that the "Freedom Riders," the provokers, were nearing Montgomery's city limits. If he didn't have access to Highway Patrol Director Floyd Mann's surveillance of the bus they were riding, he could have had access to that information. Floyd Mann had it and he was making it available to any proper law enforcement agencies that desired it.

"The people of Alabama don't want Federal marshals or steel-helmeted troops with bayonets roaming their streets. But those who stop to think will have to admit, as The Birmingham News admits, that we brought much of this upon ourselves. This newspaper—and we trust the good people of all over the state of Alabama—is demanding of all law enforcement agencies that the job be done.

"Law and order—through the cooperation of Maj. Gen. Henry V. Graham, State Safety Director Floyd Mann, the police of Montgomery and your Federal Marshals—are in charge in Montkomery. These representatives of municipal, state and Federal law are working together as people should work together.

"We don't know the letter of the Federal law. But we do know and we do respect the spirit of the law in this Western world of freedom.

"The right of peaceful assembly has its limitations, just as has the right of freedom of speech. The performances of Fred Shuttlesworth in Birmingham have long deliberately abused these guarantees of the Constitution. The News believes the deliberate rushing to Montgomery by Martin Luther King and his retinue. Could be construed as nothing but further agitation of an already tense community.

"The News has urged municipal and state law enforcement agencies of Alabama to stop those who encourage violence by their presence and attitudes in already charged situations. The News believes that this applies to "Freedom Riders," Martin Luther King, and Fred Shuttlesworth, as well as the men Gov. Patterson called "interested citizens" who have shown they were ready to take the law in their own hands.

"The people of Alabama, Mr. Kennedy, would feel more secure in the efforts to guarantee the rights of all citizens if you found a way to stop those who came here and, for[ced] trouble by their actions in the midst of already highly charged

# Alabama, U. S. A.

Once again the Federal Government has been compelled to move into a state to maintain law and order and to protect the Constitutional rights of American citizens subjected to mob violence. Four years ago, President Eisenhower was forced to intervene with paratroopers in Little Rock. Now President Kennedy has found it necessary to send armed Federal marshals to Montgomery, where the Federal Government is being challenged by state authorities.

This deplorable train of events adds a tinge of irony to the nation's observance of the hundredth anniversary of the Civil War. It can only deal a new blow to American prestige and especially to our foreign policy dedicated to the promotion of human rights and human equality irrespective of class, color or creed. Little Rock became a byword in international discourse and Montgomery may now join it in that unenviable distinction. The saving grace is that the Federal Government is acting promptly and decisively to defend these rights.

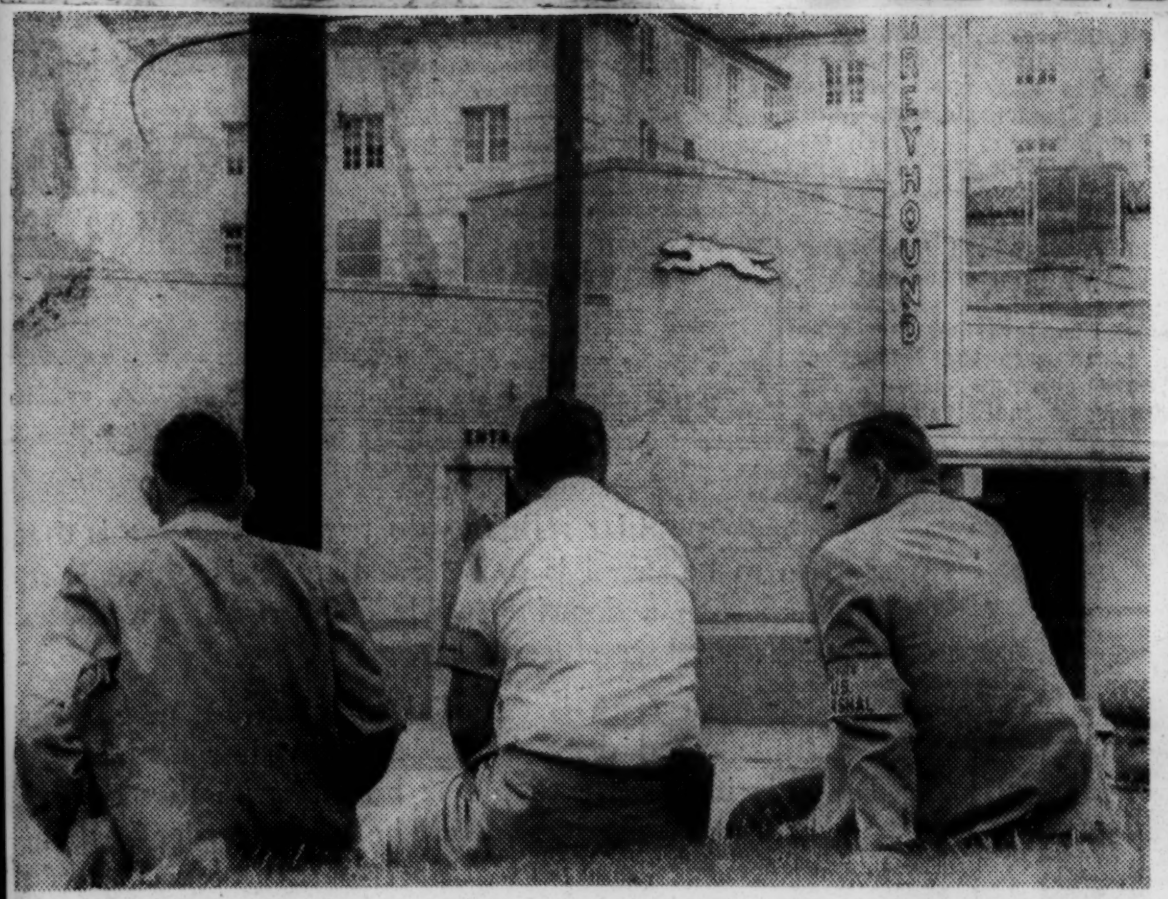
The issue in Montgomery and in Birmingham is not school segregation, as in Little Rock. It is the right of American citizens, white and Negro alike, to travel in safety in interstate commerce, without being segregated in contravention of the Constitution. This right is now being tested by the so-called "Freedom Riders," a racially mixed group consisting primarily of students, who are waging their campaign for civil rights in the South in a Gandhian spirit of idealism and of non-violent resistance to an evil tradition. But it is also being waged with loud advance publicity and in deliberate defiance of state laws and local customs. There can be no question that in the "Freedom Riders'" completely legal action there is an element of incitement and provocation in regions of high racial tension.

There can also be no question, however, of the "Freedom Riders'" Constitutional right to do what they are doing, nor—and this is the key point—of the duty and responsibility of the city and state authorities to protect them. The "Freedom Riders" are acting in accordance with the law and they are doing what they are doing frankly to test that law.

Governor Patterson himself acknowledges the state's responsibility to cope with violence, but he has only exacerbated the situation by denouncing the "Freedom Riders" as "rabble rousers," by threatening to arrest the Federal marshals and by obtaining an injunction in state courts in conflict with a Federal injunction. He has put the State of Alabama in direct opposition to the Government and the Constitution of the United States.

The issue between the Federal and the state authorities is clearly joined. There can be no doubt which authority will and must prevail.

# GOVERNOR OF ALABAMA WARNS U.S. MARSHALS FACING ARREST



United Press International

United States marshals, part of a group of 400 sent to Alabama, sit across from the Montgomery bus station where "freedom riders were attacked by a mob.

United Press International

Byron (Whizzer) White, named by President Kennedy to head the force of armed officers, is shown yesterday as he conferred with Alabama Gov. John Patterson.

# Deputy Attorney General Is Told Federal Agents Are Not Wanted

MONTGOMERY, Ala., May 21 (AP)—An angry Gov. John Patterson warned a high Federal official today that 400 or more armed United States marshals arriving here may be arrested if they try to intervene in race-riot control.

"We do not recognize them as law enforcement officers in this matter," Patterson told the Associated Press after a heated conference with Byron R. (Whizzer) White, No. 1 assistant to U. S. Attorney General Robert Kennedy.

Reporters were allowed to sit in on the 45-minute conference, staged in a coldly formal atmosphere with few smiles or niceties exchanged by Patterson and White.

**Governor Angry**

The Governor, flanked by several state officials, was plainly angry at times and his tone was often argumentative as they talked. White remained polite but firm, his voice showing no emotion.

The angry Patterson told White: "Make especially certain that none of your men encroach on any of our state laws, rights or functions, because we'll arrest them just like anybody else."

White replied that the Federal Government "does not share your views on that point" and said the marshals and deputized oficers—some already patrolling city streets—"wil lcontinue working to maintain law and order."

"There are other pending movements of bus passengers which might provoke more racial violence here," the Federal official said without elaborating. "We want to have the marshals on hand in case there is trouble."

In Washington, the Justice Department said White took Patterson's statement to mean that Federal officers might be arrested "if they acted in breach of local law."

Patterson, questioned by a newsman after the conference said his statement meant that U. S. marshals trying to quell any further rioting "will be considered just as plain citizens trying to take the law into their own hands."

*Congress leaders of both parties back United States action in Alabama. Page A7.*

"Alabama law prohibits federal intervention in state rights and functions, such as preserving law and order, unless Federal assistance is requested," Patterson explained. "We didn't request it."

**Possible Clash Seen**

The development thus set the stage for a possible clash of Federal vs. State officers in the wake of the race riot which erupted against a biracial group of "Freedom Riders" yesterday.

White flew to this troubled city last night to supervise the growing task force of Federal officers sent here from surrounding states by the U. S. Attorney General.

"Any further Federal intervention," Patterson declared, "would certainly be harmful to Federal-State relationships. These relations are already at a pretty low ebb as far as Alabama is concerned."

Denouncing the Federal action, Patterson said "we consider you interlopers here and we feel that your presence here will only serve to agitate and provoke the racial situation."

Patterson accused the Federal Government of encouraging "Freedom Rides" and told White he thinks the bus-riding movement to test segregation traditions is Communist-inspired.

"We don't need your marshals, we don't want them and we didn't ask for them," the Chief Executive said. "And still the Federal Government sends them here to help put down a disturbance which it helped create."

White said the armed marshals "intend to operate within Federal jurisdiction, which we believe encompasses protecting passengers traveling by interstate bus."

**No Time Limit on Stay**

"Is this invasion of U. S. marshals an indefinite proposition?" asked Alabama Atty. Gen. Macdonald Gallon, one of tthe state officials present.

"There is no time limit on our stay here," White replied, "but naturally, we hope it will be brief. Everything seems very peaceful this morning, yet yesterday's violence showed how fast it can erupt."

To the Governor's expressed belief that Communists promote "Freedom Rides," the Deputy U. S. Attorney General said he didn't know of any Communist infiltration into this movement.

"But no matter what this group's connection may be, if any," he argued "that is no reason why they shouldn't be assured of the right to travel peacefully by bus."

Asked by Patterson if the Federal men would aid in the arrest of the 21 "Freedom Riders" sought for violating a State court injunction prohibiting them from riding buses in Alabama, White said, "I cannot guarantee that."

"I am not familiar with your injunction and have no opinion on its validity," said the Federal official, adding that the U. S. task force could not promise to share any knowledge of the riders' activities.

**Patterson Quizzes Officials**

Patterson, who fired dozens of questions at the U. S. officials, remarked at one point, "We don't mean to be interrogating you." Replied White: "Well, you're doing a pretty good job of it."

The Governor asked White if the Federal Government is seeking to discourage the segregation-testing efforts of the battered group here now or any others who might come in their wake.

"We have attempted to caution anyone we could reach against provoking any incidents," White answered. "But we certainly do not have the authority and do not intend to discourage bus travel."

To that, the Governor leveled another question: "Do your men plan to escort these agitators to various cities in Alabama to violate our laws, or to escort them into restaurants, for example, to flaunt [sic] our segregation traditions?"

**To Escort "Freedom Riders"**

White said the U. S. marshals will escort the "freedom riders" if they decide to travel farther, "but not to violate any laws—just to keep them safe. I don't know whether they will go into any restaurants."

The Federal official also suggested that yesterday's bloody violence could have been averted if police had been at the station controlling the mob when the biracial busload of "Freedom Riders" arrived.

"It was no secret that the bus had left Birmingham and was on its way to Montgomery," White declared. "It was a known fact."

Patterson avoided that implication with a question of his own: "Are you saying that we should protect agitators who come here to stir up trouble?"

White said all passengers should be protected when necessary.

The "Freedom Riders" arrived by Greyhound about 35 minutes ahead of schedule. And police did not reach the scene until 15 minutes after thet wild two-hour melee broke out. The riders had already been beseiged once, and anti-Negro violence flared twice later.

The conference between Patterson and White started with the Governor protesting against the Federal intervention and questioning its legality," White said. "Any such question should be discussed by your Attorney General and the Justice Department.

BIRMINGHAM WORLD
CORE FREEDOM RIDERS
MAY 1961

# STOP VIOLENCE, TENSIONS, PRESIDENT KENNEDY URGES

## More Marshals Sent Into Montgomery; Church Attacked

WASHINGTON — President John F. Kennedy has urged all citizens of Alabama and all travelers through the state to refrain from doing anything which will cause increased tension or provoke violence and result in further damage to our country.

The President spoke in wake of an angry, club-swinging mob which stormed through a cordon of U. S. marshals and state troopers, and attacked a Negro church during a rally being held Sunday to honor "Freedom Riders", whose arrival in Montgomery, Ala., Saturday touched off a race riot.

The nation's chief executive voiced his views after a personal report from Attorney General Robert Kennedy. The appeal had not been heard in Montgomery, when the strife-torn Alabama capital exploded for the second day in a row.

Meanwhile, Monday, President Kennedy ordered two hundred more Federal marshals into Alabama to cope with the situation, which had not settled. There was some talk about sending in troops, but this had not been confirmed by noon Monday. On another front, the Justice Department was reportedly considering the prosecution of persons known to have participated in the rioting under Civil Rights and other federal statutes.

**CHURCH ATTACKED**

A crowd of several hundred whites attacked the First Baptist Church and forced federal officers and Alabama Highway Patrolmen, to wield guns and tear gas before the National Guard was summoned to the scene to put down the disorders. Alabama Gov. John Patterson declared a limited state of martial law after ordering out the National Guard.

Alabama Adjutant Gen. Henry Graham, head of the National Guard, kept the besieged Negroes in the church until 2:30 a.m.

As Dr. Rev. Martin Luther King spoke inside the church, Sunday night, tension began to boil outside. The crowds grew, insulting remarks were hurled at marshals, then stones and missiles. The firing of an automobile seemed to be the signal an explosion as burning crosses once had rallied Klansmen.

The gas tank of the car exploded and the battle was on.

When the major clash came, tear gas wafted through the neighborhood and into the auditorium itself. Authorities tried to get the Negroes in the church to go home.

But many came out only for fresh air and, still weeping from the gas, went back in to continue the prayer and singing service.

At one time the gas was so thick it was almost impossible to see through it.

One U. S. marshal who was not immediately identified was injured when a brick hit him on the head.

King said that "the ultimate responsibility for the hideous action" against the freedom riders "must be placed at the doorstep" of Governor Patterson.

Shortly after the meeting began a tear gas shell went off outside the closed front door of the church but it was not immediately clear who fired the shell.

As King, a hero to Montgomery Negroes for helping break city bus segregation barriers, spoke, 18 of the students who were set upon Saturday by a white mob, arrived.

The whole congregation stood and cheered.

## More 'Riders' Go To Birmingham; Drivers Balk

By United Press International

Mounting racial tensions in Alabama; quiet, orderly integration of lunch counters in Jacksonville, Fla., and a new drive to end segregation in Atlanta city parks and courts Wednesday marked the seventh anniversary of the historic U. S. Supreme Court decision that public school segregation is unconstitutional.

The day's pattern of race - relationship developments over the South varied widely.

In Birmingham, Ala., a group of Negroes, including students, arrived from Nashville, Tenn., to resume the "freedom rides" that resulted in beatings and the burning of a bus in Alabama last weekend.

Alabama Gov. John Patterson, informed in advance that the Negroes were coming told a news conference the group was composed of "rabble - rousing agitators" and said he would not promise them protection.

When they arrived at the Birmingham bus terminal, however, police would not let them leave the bus, which was headed for New Orleans, via Tuscaloosa, Ala., and Meridian, Miss.

Police finally let the group off after an hour and a half wait, when it appeared bus drivers were refusing to make the trip.

**ARREST TWO PERSONS**

Police said two persons, one white and one Negro, were arrested on the outskirts of the city for refusng to cooperate with officers.

Already in New Orleans were the first two groups of "freedom riders" — Negroes and some whites — who made the bus tour of the South to integrate bus and other public facilities at the time of the court decision anniversary.

They scheduled a rally Wednesday night to mark the anniversary day.

There were these other developments:

A spokesman for the Congress on Racial Equality CORE said college students would picket major interstate bus terminals in all parts of the country in an effort to desegregate Southern bus waiting rooms. He listed 27 cities for the demonstrations, including three in the South - Nashville, Ten., Chapel Hill, N. C., and Augusta, Ga. Pickets showed up at the Nashville bus station at mid -afternoon.

# Montgomery Bus Station Scene Of Vast Disorder

By DON MARTIN

MONTGOMERY, Ala. — (UPI) A mob of white men and shrieking women attacked and mercilessly beat members of a mixed group of "freedom riders" Saturday and the Kennedy administration ordered more than 350 U. S. Marshals and other armed federal officers into Alabama.

Atty. Gen. Robert F. Kennedy sent the federal officers in to deal with violence after the President told him to take whatever steps necessary to bring an end to the continuing disorders in Alabama.

Saturday's outburst occurred at the Montgomery bus station when the freedom riders arrived from Birmingham.

Even before the federal officers were ordered in, President Kennedy had a personal representative on the scene trying to ease the building racial tension.

The representative, John Seigenthaler, 32, was among those beaten by Saturday's mob.

**SAVING WHITE GIRL**

Seigenthaler was not accompanying the freedom riders, but he incurred the mob's anger when he tried to save a white girl the angry whites were chasing. Before he could get her into his car he was struck from behind and left lying unconscious on the pavement.

James Zwerg, the only white youth among the freedom riders, was the most seriously beaten.

Atty. Gen. Kennedy said the federal marshals and other enforcement agents were sent to guarantee "safe passage" in interstate travel.

Saturday's violence marked the third outburst in Alabama in about a week.

**PRESIDENT'S STATEMENT**

Kennedy's statement said:

"I have instructed the Justice Department to take all necessary steps based on their investigations and information. I call upon the governor and other responsible state officials in Alabama — to exercise their lawful authority to prevent any further outbreaks of violence.

"I hope that state and local officials will meet their responsibilities. The United States government intends to meet its responsibilities.

"I would also hope that any persons whether a citizen of Alabama or a visitor there would refrain from any action which would in any way tend to provoke further outbreaks.

**ALL NECESSARY STEPS**

Atty. Gen. Robert F. Kennedy acted after the President directed him to take all necessary steps to deal with the strife which flared again Saturday at Montgomery.

The federal marshals and other enforcement agents were sent to guarantee "safe passage" in interstate travel. The violence has centered on a group of "freedom riders" who are using buses in the South.

The Justice Department also said it would ask the U. S. federal court in Montgomery to issue an injunction to bar the Ku Klux Klan, the National States Rights Party and other persons from interfering with interstate bus travel.

A department spokesman said more than 300 law enforcement officers already were headed for the Montgomery area to protect persons, propety rand vehicles in Alabama.

The attoney general also sent in an extra FBI team to intensify its investigation of Saturday's beatings of "freedom riders" attempting to challenge bus segregation practices in the South.

The U. S. officers are either marshals or deputized as marshals and are not military men, the that integration couple walk home by themselves. These people will spokesman said.

"They are on their way now by air and automobile," he said.

All of the officers, except for some FBI agents and 20 marshals from the Washington, D. C. area are from Southern states, he added. The attorney general notified Alabama Gov. John S. Patterson of the moves in a telegram sent late Saturday.

Byron Whizzer White, deputy attorney general, will be in charge of the special federal forces in Alabama.

In Montgomery, a man who was not immediately identified at the scene, was discovered lying in the street about 40 feet from where Jim Zwerg a white freedom rider was attacked.

The man lay there for about 25 minutes before police officers finally put him in a car and took him to a downtown hospital.

A reporter asked Police Commissioner L. B. Sullivan why an ambulance wasn't called for Zwerg and the unidentified man.

Sullivan replied: "Every white ambulance in town reports their vehicles have broken down."

Another group of whites grabbed Norman Ritter, Atlanta manager of the Time - Life bureau, and his photographer Don Urbrock. The two were accompanying the freedom riders, who had the avowed purpose of breaking down racial barriers at bus stations and terminals and in the vehicles themselves.

Ritter was clubbed on the head and Urbrock was smashed repeatedly in the face and his 35 MM camera shattered.

Most of the Negro freedom riders escaped in the crowd, but one unidentified Negro was beaten senseless by baseball - bat-wielding group on the unloading platform of the terminal about 45 minutes after the bus arrived.

He too lay unconscious for about 20 minutes before a Negro ambulance finally came and picked him up.

The actual violence was carried out by only about 25 or 30 of the estimated 300 persons that had gathered at the station for the freedom riders arrival.

Additional hundreds poured into the area when the violence had erupted and the crowd swelled to an estimated 1,500 to 2,000 persons.

Part of the crowd caught up with some of the Negro freedom riders when they attempted to make their way to Negro First Baptist Church at which the Rev. Ralph Abernathy, an integration leader officiates.

Suitcases were ripped from the hands of the students and smashed on the pavement. Mail and clothing scattered over the street and sidewalk in front of the federal building where the attack occurred.

About an hour and a half after the first violence erupted, highway patrol cars sped into the terminal parking area with sirens screeching. Officers armed with riot guns and extra - long night sticks piled out.

The first police did not arrive on the scene until about 20 minutes after the trouble started.

The state patrolmen were reinforced by Sheriff Mac Sim Butler of Montgomery County and about 30 mounted deputies.

Officers herded the crowd onto the sidewalks on the far side of the two streets which parallel the terminal.

Two hours after the bus arrived at the terminal at 10:15 a. m. cst, the hostile crowd of more than 1,500 was shouting jeers and catcalls at the officers.

A deputy sheriff was heard to say to Butler: "We ought to let take care of them."

Stewart Culpepper, a reporter for the Montgomery Advertiser, credited Floyd Mann, state public safety director, with "saving the life" of the Negro that was attacked by bat - carrying toughs on the unloading platform. Culpepper said Mann waded into the melee pulled a gun and shouted "stand back."

Witnessing the bus station violence were Alabama Atty. Gen. MacDonald Gallion; Asst. Atty. Gen. Ed Livingston; Highway Patrol Chief Joe Snelley and several state investigators. Gallion turned over a court injunction to a deputy sheriff who was to have read it to the Negro students. But Gallion ,Sullivan and the deputy said they didn't know where the Negroes were. They tried to read it to Zwerg as he sat in the back of a Negro taxicab in a state of semi - shock. Swerg was later taken to St. Jud Hospital by a Negro ambulance.

The hospital reported he was under "close observation." A spokesman said Zwerg's face was badly damaged by repeated blows.

A Negro student, William Barbee, was hospitalized for deep cuts and lacerations.

The freedom riders left Birmingham for Montgomery Saturday morning after waiting 18 hours for a bus.

**That is an example of Patterson's vacuum - packed metal processes. The issue is not protection of agitators but upholding the law of native white Alabamians against riot and violence. That — not protecting agitators — is the issue."**

"As governor John Patterson took an oath to uphold the law of Alabama. He makes a schoolboy exhibition of swooping down on a pennyweight crap table. He has hundreds arrested and fined for violating traffic laws. He wrangles with the state treasurer over what the law says about the investment of state funds in securities. He was on loan shark violators and demands reapportionment in the name of the law."

**"As the first and foremost agent responsible for law and order in the common wealth Patterson demands obedience to law a hundred times a day."**

"And above all this, he has placed (appropriately we believe) a statue of his father upon the Capitol greensward, to commemorate a man who became a martyr because in Phenix City law enforcement was abandoned and the city turned over to the mob.

"Mobs are no more to be tolerated in Birmingham than in Phenix City. The toll of mob action is the same everywhere it is countenanced."

**"A governor blights this state economically and packages long-range woe for all its citizens when he does other than austerely quell mob action in any form whatever — Kluxer, labor or company goons."**

"Mob action is morally wrong in any case. It is rape of our noble Anglo-Saxon tradition of lawful justice."

**"But there is a readier and more tangible reason for all the people to disapprove of Patterson's incendiary leadership. That reason may become one's own skin."**

"Mobsters will rule whatever they are not restrained from ruling — everything from church to hot dog stand. They will rule you — and John Patterson — if they can."

**"The same newspapers that told of the Birmingham mob action against the agitators told of the flogging of three white men in Sylacauga. One was said to have permitted a colored nurse to chastise his child. That is the way of the mob unleashed."**

"The mob will enter your home and your shop too, as and when it can. That is the history of mob action down through the ages."

**"It's a dull citizen who thinks it may not come home to him, directly or indirectly."**

# Mob Action Termed Here As "Ferocious Inhumanity"

The Greater Birmingham Council on Human Relations of which the Rev. C. Herbert Oliver is the president has branded the mob-stopped "Freedom Riders" trip "ferocious inhumanity".

Additionally the Alabama Christian Movement for Human Rights headed by the Rev. F. L. Shuttlesworth wired Atty. General Robert F. Kennedy said the mob-generated events indicated that "Alabama .... (is) .... unsafe for travel."

"We share the pain and humiliation of all those who suffered from the ferocious inhumanity which erupted in Birmingham last Sunday. We condemn the conduct of lawless persons who perpetrated the violent attacks upon others. We deplore the absence of the forewarned law enforcement agencies."

"The failure of responsible officials to restrain violence at Anniston and Birmingham was clearly in violation of Article I, Paragraph 35 of the Alabama constitution, which reads in part that "the sole object an donly legitimate end of government is to protect the citizen in the enjoyment of life, liberty and property."

"We join with the conscience of the Birmingham press, radio, TV, and other responsible leadership in recognizing the failure of our community. It is regrettable that personal suffering on the part of community. It is regrettable that personal suffering on the part of communications personnel was required to bring to light brutality which has long been existent in Alabama. Signed statements of such brutality against Negroes and white alike, some inflicted at the hands of the police, are available."

"We believe in a growing community unhindered by lawlessness and resultant industrial loss. When, by the common effort of its citizens,, Birmingham will use the lesson of the recent tragedy to remove tension and disorder, a rehabilitated prestige will foster the growth of the community for the benefit of all."

Here is the text of the telegram sent to the Attorney General:

Robert Kennedy
Dept. of Justice
Washington, D. C.

"Events of past few days show Alabama being unsafe for travel by persons from without as well as within the state. Even Newspapermen are at the mercy of mobs".

"Inaction by Commissioner Conner who was warned of possible violence via telegram 7:25 a. m. Sunday morning,....."

"Inflamed words by Gov. Patterson, and his withdrawal of patrol escort encouraged more possible violence and caused Greyhound drivers to refuse to drive."

"Iresponsible actions by such officials constitute derelection of duty an damount to high crimes against American Citizens. Gov. Patterson's words and actions are shocking and inexcusable."

"Your direct action in the situation caused Birmingham Officials to give adequate protection later at the Bus Station and Airport. Seeing the governor did not follow through may mean that with him, mere telephone calls may not be enough.

"We thank you for your forthrightness and genuine concern for us in this area of extreme gravity."

"We urge a thorough investigation of the whole incidents at once; and we request that you personally come to Alabama in the hope that law and order will be better enhanced."

May 17, the Rev. Shuttlesworth issued the following release:

"We are informed that students of the Nashville Non-Violent Movement Committee have decided to come to Birmingham today to "take up the freedom ride" which was hindered by violence Sunday. The students, feel that the law is plain enough; that citizens' rights to ride and use public facilities is well established; and that its a national disgrace to let violence and lawlessness run unchecke don the streets and highways of Southern America."

"Believing fully in our Constitution, and in the ability and willingness of a Democracy to correct its own errors, they feel morally and spiritually obligated to continue with honor the ride which was shamefully disturbed by violence. It is unthinkable that the Birmingham Police Dept. will repeat Sunday's error of negligence, or that Alabama's Governor will persist in his announced indifference toward lawlessness. These people will thus present Birmingham, Alabama and South, with the privilege of immediate redemption, and the opportunity to prove that the KKK and mobsters will not rule the South."

"We whole heartedly support and join these fine Young Americans in their efforts to implement our laws and Court decisions. Our struggle is that of loyal and forward looking Americans; the only victory we seek is the triumph of democracy, and the supremacy of the law. I understand telegramed requests for protection were sent this morning from Nashville to the Governor Highway Safety Director, Birmingham Public Safety Commissioner Eugene Connor and Chief Jamie Moore. At 8:00 a. m. I wired the Governor, the Highway Director, Mr. Connor and Mr. Moore, this telegram:

"Dear Sir,

"We have definite information that students from Nashville are enroute to Birmingham, Montgomery and points South on a " Ride for Freedom".

"Others may arrive from Atlanta. They will be arriving Birmingham via Greyhound shortly after 11:00 a. m. today, Departure time uncertain. Please use the powers of your offices to see that these citizens reach all points of their destination safely, and afforder full protection while at stations within your jurisdiction." "Rev. F. L. Shuttlesworth, Pres. "ACMHR".

ALABAMA AND MISSISSIPPI

SEPTEMBER
ALA. AND MISS., - FREEDOM RIDERS
$500 SCHOLARSHIPS TO 10 PERSONS
WHO TOOK PART IN FREEDOM RIDES

# Ten 'Riders' Given Grants By M. L. King

NASHVILLE, Tenn. (AP) — Dr. Martin Luther King Jr., Atlanta integration leader, has presented $500 scholarships to 10 persons who took part in "Freedom Rides" in Alabama and Mississippi.

The awards were presented in conjunction with the convention of the Southern Christian Leadership Conference, which King heads. Three of the recipients were students expelled from Tennessee A&I State University after their participation in rides to Jackson, Miss.

Wyatt T. Walker, SCLC executive director, praised the 10 for joining the "Freedom Ride" movement after earlier rides encountered violence in Alabama.

Without them, he said, the rides might not have obtained international notice and the Interstate Commerce Commission might not have handed down its recent decision on bus desegregation. Walker told the scholarship recipients they could consider the ICC ruling "a feather in your cap."

**$18,000 TOTAL**

Walker said the awards were part of $18,000 in scholarships which will be presented students by the SCLC and the American Baptist Convention.

Students receiving scholarships here were:

Charles Butler, Charleston, S.C., expelled from A&I; John Lewis, Troy, Ala., Fisk University graduate student; Paul E. Brooks, East St. Louis, Ill, former American Baptist Theological student; Catherine Brooks, Birmingham, expelled from A&I; Jim Zwerg, Appleton, Wis., former Fisk student; Salynn McCollum, Snyder, N.Y., former Peabcdy College student; Rudolph Grahama, Chattanooga, A&I stu-
Memphis, fromer A&I student.

38a 1961

ALABAMA

CORE FREEDOM RIDERS

MAY 1961

# By Uncaging The Mob, Alabama Invited Federal Intervention

THE VIOLENCE THAT always simmers just below the surface in our still imperfect society has exploded with shocking fury in Alabama. A default of leadership prepared the ground. Governor John Patterson abdicated his responsibility to law and order at the outset, making what followed inevitable. He persisted in referring to the "freedom riders," mostly college students testing desegregation in interstate bus facilities, as "agitators"; and after the first eruption of violence on Mother's Day, he said he could not assure the students of protection if they stayed in Alabama.

The exclusive application of the word "agitators" to the Negro and white students was inflammatory. The declaration that he would not guarantee their safety was an open invitation to the extreme segregationists, who were doing a great deal of agitating themselves, to resort to mob violence.

Certainly the excursions of the "freedom riders" are provocative (so, of course, was the Boston tea party) in states like Alabama where the Klan mentality has taken fertile root. The student riders expected resistance. But they also had the right to expect more protection than they got from the authorities. After all, they were proceeding peacefully on a mission sanctioned, in effect, by the highest court in the land, which has ordered the desegregation of interstate transportation facilities.

### *Police Just Late Enough*

It comes as no surprise that there are whites in Alabama, and elsewhere, who believe in brainless violence. The tragedy is that they were permitted, at least for awhile, to have their way. The police repeatedly arrived on the scene just late enough to permit them to exact a measure of their ugly vengeance. In the end, they were carried away by their excesses. They attacked bystanders, newspapermen, federal marshals, and a key aide of Attorney General Robert Kennedy. Finally, in Montgomery last weekend, Governor Patterson had to institute martial law to control the creature he had uncaged. Even though his own safety commissioner had to plead for Federal help, Governor Patterson still whines about

Governor Patterson

federal intervention, saying in the face of all reason that it wasn't needed.

We might question the judgment of the freedom riders in pursuing their objective in the present surcharged atmosphere. But we cannot question their right to travel unmolested on buses licensed to carry passengers in interstate commerce—or to use the facilities of the bus terminals on the same basis as anyone else.

We believe the Federal Government had no choice but to intervene. The Kennedy Administration is concerned about the Alabama riots damaging our reputation in the eyes of the world. Already, the Soviet press has cited the Alabama violence as another example of "wild, bestial mores in a country pretending to teach others how to live."

Obviously, these outbursts of racial violence tarnish the national image. But we don't want to labor the point. We do not need the excuse of the Cold War to act in the name of common decency. Even if there were no worldwide propaganda struggle, the Federal Government would still have an obligation to protect the life and limbs of its citizens when state and local authorities have indicated that they are either unable or unwilling to do so. Mob action of this kind cannot be sanctioned anywhere, any time.

Close-up

# A Mob Is Not Dissent or Protest

It is a strange and sobering fact that this weekend white and black residents of Leopoldville in the Congo read their newspapers and gave thanks for the fact that they do no live in Montgomery, Ala., U.S.A.

It is a strange and sobering fact that a city on a savage plain, where education and government are new, is safer than one where government is 180 years old and the state has been educating its citizens for generations.

The contrast is too stark to be believed.

What the rioters are against at this time is not really important. (If they can beat up Negroes with impunity, they can also beat up Jews or Catholics or physicians and lawyers who sign manifestos or the rich or anybody else apart from the mob.)

What is important is that the American answer to mankind's most difficult problem has been challenged. The problem is how to establish freedom and order at the same time. The answer is constitutional democracy. The answer is law by and above men.

Because the problem is so immense, the answer is necessarily fragile at times. Our insistence on freedom weakens our formula for order. Who, though, would have it any other way? Khrushchev and Franco have imposed a more perfect order. The price is not one Americans would wish to pay.

We allow dissent. We allow protest. But a mob roaming the streets is neither of those. It is a mob. Deep down it wants more than specific blood. It wants to turn time back to where it is the only social force.

Each state is supposed to keep it from doing that. It has that duty. It has that right. Government officials spend their time better when they exercise that duty than when they argue about that right.

No one interfered with Georgia's right to maintain law and order last January. That's because Georgia maintained law and order. —TED LIPPMAN.

38a 1961

ALABAMA

BIRMINGHAM- FREEDOM RIDERS

MR. SYDNEY W. SMYER, PRESIDENT OF THE CHAMBER OF COMMERCE

. . .'BIRMINGHAM HURT IN THE EYES OF THE World' . . .

# Birmingham Man Says City Hurt By Rider Incident

BIRMINGHAM, Ala. (AP) — Just back from a tour of the Orient, the president of the Birmingham Chamber of Commerce said Wednesday Birmingham suffered in the eyes of the world because of the "rider" violence.

"It is going to take a long time for us to live it down," said Sydney W. Smyer, president of the chamber, in an address to a civic club.

Smyer was in Tokyo recently attending a Sotary International convention.

The only way for Birmingham to live down the impression made by the violence, said Smyer, "is to prevent it from happening again and to prove by our good deeds we are people of good will."

Everywhere he went in Tokyo, Hong Kong and Bankok, the story of the violence wos played up, he said.

"I got the impression that if we could have handled it like Mississippi, everything would have been fine."

Following violence against segregation-testing bus riders in Alabama, authorities in Mississippi met the integrationists with arrest on charges of breach of the peace.

# Birmingham Suffered In World Eyes

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FREEDOM RIDERS
COURT INJUNCTION

No decision yet—

# Rider injunction hearing at end

Birmingham News 7-19-61

MONTGOMERY, Ala., July 18—(AP)—A hearing to determine whether a new injunction will be issued against organized "freedom rides" in Alabama ended yesterday with no immediate ruling from a federal judge. Dues 7-18-61

U. S. Dist. Judge Frank M. Johnson Jr. instructed opposing attorneys to submit written arguments by Aug. 22. Memphis Press

A Justice Department attorney, John Doar, asked the court to turn down Montgomery City Atty. Calvin Whitesell's request for an order to prohibit segregation-testing bus rides. He said evidence presented at the hearing did not justify an injunction.

**Attorneys for freedom ride sponsors formally asked Johnson to throw out Whitesell's request, but the judge withheld a ruling on that motion. Arguing for dismissal, among others, was a Yale University law professor, Louis A. Pollack.**

AT THE OUTSET of the hearing, Johnson reprimanded Thurgood Marshall, chief counsel for the National Assn. for the Advancement of Colored People, for his absence from court. Marshall was here when the hearing was first scheduled June 12, but did not appear today.

The judge said that in the future, attorneys should attend all hearings on cases in which they are involved, or advise the court that they will not be present.

**Before court adjourned, Johnson dismissed Whitsell's complaint against two Negro organizations listed by the city attorney as sponsors of freedom rides. They are the Nashville Student Nov-Violent Movement and the Montgomery County Jail Assn. The latter organization was formed by a group of riders while in jail here.**

Johnson issued a temporary restraining order against organized bus rides June 2, but let it expire 10 days later.

## 'Riders' Fighting Court Injunction

Commercial Appeal 7-19

### Hearing Planned Today At Montgomery

Dues 7-11-61

MONTGOMERY, Ala., July 16.—(UPI)—Sponsors of the so-called "Freedom Riders" into Alabama will attempt to show in Federal Court here Monday why they should not be enjoined from backing further segregation-barrier testing trips in the state. Memphis Press

The hearing on the preliminary injunction petition is scheduled before United States Middle District Judge Frank M. Johnson Jr., who several weeks ago issued a temporary restraining order against the groups. The temporaryf order remained in effect for a period of 20 days only.

The case is a continuation of the United States Justice Department's complaint against Montgomery Police Commissioner L. B. Sullivan, Police Chief G. J. Ruppenthal and various Ku Klux Klan groups, all of which were enjoined against interferring with interstate travel in Alabama.

The court action followed a week of racial violence in Alabama, sparked off by the arrival of an interracial group of self-styled "Freedom Riders" who were travelling through the South in a demonstration against the old "Jim Crow" ideas.

38a 1961

CORE FREEDOM RIDERS MAY 1961
AUBURN UNIVERSITY STUDENTS
ALABAMA TELL IT TO OLD GRANDMA COLUMN
WED. 5-24-61 THE MONTGOMERY ADVERTISER

## Savagery In Montgomery

Editor, The Advertiser:

In the light of recent events it is evident that Alabama has seen the day of the savage, has tasted the bitter fruit of violent action, perpetrated by blind, prejudicial hate and outspoken disregard for law and order. We are appalled by the Mother's Day melee in Birmingham and the the ignominious flogging at Sylacauga. We are sickened by the uncivilized savagery at Montgomery.

This savagery is worse than any of the horrors of Reconstruction, worse because it comes from within—from the minds and souls of Alabamians. it is inborn within the South; it did not come into Alabama with a busload of freedom riders.

*The Birmingham News* likes to refer to the freedom riders as "agitators." It is a convenient term and seemingly face-savings. It tends to make Alabama feel a little better about her infamous reaction to an exercise of freedom guaranteed by law. The "agitators" were breaking no laws, lifting no finger in violence. Whatever *The News* means by the term "agitator," it should make Alabama feel no less guilty of inhumanity.

P-4A
The Montgomery Advertiser

Gov. Patterson referred to the freedom riders as "rabble rousers." He is entitled to his opinion, but is Alabama to glory in the fact that it furnished sufficient rabble to be rous[ed]

Montgomery, Ala.

The image that has been created by Alabama's expression of man's inhumanity to man reflects on all who dare to call Alabama home. Those who have not been lulled by press and publicity can see that Alabama is far behin dthe times in almost every field of endeavor.

But it has been moving forward, however reluctantly. The savage image has ground all to a halt. And rightfully so; justice has a way of being absolute whether we like it or not. Alabama will suffer as a state; her people will suffer as individuals. And we have earned our suffering through dishonor.

Recent events would indicate that the time has come for the supposedly thinking majority, or at least its educated representatives, to make some logical decisions regarding the conflict between local custom and established law.

Wed. 5-24-61

The process will be painful, it is necessary if Alabama is to be wrested from the hands of the savage. Yet one could question whether or not Alabama wants to be free of the savage. Without the savage, the inevitable transition can be made in peace The choice is Alabama's.

Those who are conscienciously considering the problem and trying to arrive at an understanding complimentary to human dignity are few. But they are the people who hold the salvation of Alabama in their hands. Are they to be driven out by an insensitive, typer-loyal press and politically misguided electorate? Are they to be discredited because they see where others only grasp at straws? Again the choice is Alabama's to make.

We of today's college generation ask only that our elders leave us a world fit to be developed by our talents and interests. The universities do not, unfortunately, give us instruction in how to combat savagery and violence. We look to our elders to show us the way; and we are very disillusioned at what we see.

We want a state fit to grow in, to live in at peace with our neighbors, be they black, white, yellow, red or brown. We want a place where we can raise a family and ply our trade. We want only law and order; we do not expect to be flogged by nightriders or mauled with lead pipes because of our creed or social conviction.

Is this unreasonable to expect of Alabama? Recent events would indicate that it might well be. The action of our law enforcement agencies enhances this apprehension.

We have seen what has happened in Alabama, and we know that this is not an atmosphere conducive to progress, growth, development or the rising-again of the South.

If Alabama persists in keeping her head in the sand, she will someday awaken to find the talent of her youth gone elsewhere, leadership moved to a cleaner atmosphere where spiritual and moral values have a meaning, and she will sadly find that the world has passed her by.

Alabama can rise out of the ashes of the savage sacrifice, or she can smoulder away for all time with hatred, perjudice and antagonism. Again, the choice is Alabama's to make.

W. H. BYRD,
CHARLES F. DAVIS,
CHRIS L. RISHER,
STACEY SIMMONS,
JOHN GAILLARD,
GEORGE LANIER,
WILBUR PEARSON,
TOBY SAVAGE,
JOHN PHELPS,
TOM SIMPSON,
JAMES A. HAGAMAN,
TERRY B. WATSON,
WOOD C. CAMPBELL,
DALE K. MEYERS,
CARLISLE TOWERY,
BOB WANNINGER,
JAMES W. POWELL.
ERIC TOWNSON,
CLYDE PEARSON JR.,
PAUL HICKS,
PHIL PORTER,
JAMES G. FAUSETT,
BOB ADAMS,
JOHN HINTON,
CLEVELAND CRAWFORD,
JUDI JONES,
(Students of Auburn University)
Auburn, Ala.

CORE FREEDOM RIDERS (MAY, 1961)
STATEMENT BY THE FACULTY AND STAFF OF TUSKEGEE INSTITUTE

# Tuskegee presses fight for mixing

TUSKEGEE, Ala., May 27—(AP)—The faculty and staff of Tuskegee Institute released a statement Friday urging President Kennedy, Congress and the Department of Justice to take further steps to fight racial segregation and discrimination.

Tuskegee President Dr. L. H. Foster said the group unanimously approved the statement urging the president to eliminate all signs and other deterrants indicating or imposing separate facilities upon the races and asking him to "proclaim the right of individuals to intrastate as well as interstate travel on a desegregated basis."

**The statement also asked Congress to enact legislation implementing constitutional guarantees of civil rights and urged the Department of Justice to "initiate devices to test the operation of democracy for everyone in this country."**

Referring to the "freedom riders," the group commended the federal government for its "effective efforts to protect bus travelers and those persons who have assembled peaceably to express support for the 'freedom riders.'"

The statement said that "Negroes in the South reject the humilating status to which they are subjected. . . ." And that the group insists "that public officials and others are gravely in error when they say the Southern Negro is satisfied with present arrangements which restrict his normal travel, educational opportunity, economic security, or any right guaranteed by the constitution."

## Jews Protest Actions Of Nazis' Hate Tour

WASHINGTON (AP) — The Jewish war veterans organization Monday protested action of the American Nazi party in sending a "hate" bus into the South.

Joseph F. Barr, national executive director of the Jewish organization protested to Atty. Gen. Robert F. Kennedy that the bus trip was a "flagrant and provocative agitation against Jews and Negroes."

## Mayor Warns Nazis, Riders

**Mayor deLesseps S. Morrison warned that "Nazi storm troopers" and "freedom riders" are not welcome in New Orleans and that they will be dealt with sternly. He issued the following statement Wednesday:**

**"New Orleans has demonstrated that it can handle its own problems without outside interference and thus every citizen deplores these repeated publicity stunts continuously put on by agitators repersenting extreme and radical viewpoints.**

**"The 'Nazi storm troopers and the 'Freedom Riders' and such other groups mean nothing but trouble and are not welcome here.**

**"I would like to assure every citizen that appropriate steps have been taken to deal sternly with these agitators and that the strict letter of the law will be carried out by the police department."**

## Louisiana Jails Driver Of 'Hate Bus'

NEW ORLEANS, May 24 (UPI)—State police today arrested one of the American Nazi "Storm Troopers" when their "hate bus" was involved in a minor traffic accident.

George Lincoln Rockwell, leader of the group, expressed displeasure at the treatment accorded his men. But he said he would conduct his anti-Jewish, anti-Negro campaign here, "if I have to picket alone."

Today they were booted out of the motel where they spent the night. They drove across Lake Pontchartrain to a State Park to prepare their "hate" songs, but State and parish officers refused to let them in.

On the return to New Orleans, their bus ran into the side of a bridge and was put out of commission. State Police arrested the driver, but let the others go.

The "storm troopers" arrived last night in a driving rain and ran smack into the unsympathetic police.

The American Nazi Party members first were headed out of town by police, then turned away by a motel operator, and finally permitted to stay in town overnight after agreeing to cover their "hate" signs.

The signs read "we hate Jew-Communism" and "we do hate race mixing."

## CLUB CONDEMNS 'RIDERS,' NAZIS

### Activities Held Excuses to Allow Intervention

The Young Men's Business Club Wednesday went on record as deploring the activities of the so-called Nazi and Freedom Rider groups and any others where the purpose and motiviation are to incite riots, disorder, lawlessness and breaches of the public peace.

The motion, brought up as "emergency" legislation at the Roosevelt hotel luncheon-meeting, was passed unanimously.

The resolution described the activities of both groups as "excuses to allow the federal government to move in and take over the rights of the states and that of local communities to govern themselves and thus to further weaken the ever diminishing area of states rights," and "putting our nation in a bad light before the world in a measure bearing no relation to their real significance and importance."

The federal government was also requested in the resolution, which is being forwarded to the President, vice-president, speaker of the House, attorney general and governors of all Southern states, to cease and desist from "encouraging and supporting such activities." It also called upon Congress to enact appropriate laws to safeguard local communities and individual sovereign states and the prestige, welfare and security of the people of the United States.

## Rockwell Gains Freedom On Bail

NEW ORLEANS, La. (AP)—George Lincoln Rockwell, self-designated Commander of the American Nazi party, left Orleans Parish Prison on bond Tuesday, but his nine "storm troopers" stayed behind.

Rockwell and his followers were arrested for disturbing the peace for picketing the movie "Exodus" at a downtown theater.

They had come to New Orleans in a German-made "hate bus," publicizing the party's hate of Communists and integrationists.

Dist. Atty. Richard Dowling said the trial for Rockwell and his group may come up later this week.

## NAZI ARRESTED AFTER ACCIDENT

### 'Hate Bus' Crashes into Side of Causeway

An American Nazi Party member, Beernard F. David Jr., 20, was booked with reckless driving Wednesday when the "hate bus" he was a... crashed on the Lake Pontchartrain causeway trying to elude state police.

His four companions, also so-called "storm troopers," were escorted with another group of American Nazis to New Orleans and released on Canal st.

They, and their leader, George Lincoln Rockwell, were scheduled to picket the Civic theater for the Wednesday night premiere showing here of the motion picture, "Exodus."

Also on their New Orleans schedule was a demonstration Wednesday night at a rally of the National Association for the Advancement of Colored People.

**OUSTED FROM MOTEL**

The arrest of David after he crashed the bus into the side of the causeway roadway, added to the following other events:

They were ordered out of their Chef Menteur hwy. motel Wednesday morning after occupying it overnight, and they were barred from Fontainebleau State Park, where they had planned to paint signs for the demonstrations.

Police followed them constantly.

Rockwell arrived Tuesday by plane. A small busload of his followers arrived by bus Tuesday night. A second group came Wednesday morning.

**COVER UP SIGNS**

State police attempted to stop their bus returning to New Orleans from St. Tammany parish but instead of stopping at the causeway turn-around, the bus sped down the turn-around ramp and crashed into the side of the roadway.

State Police Lt. Vincent Ebeier arrested the driver.

When the party members arrived in New Orleans Tuesday night, Police Capt. P. J. Trosclair ordered them to cover up the signs on their bus which declared the party's racial feelings.

Trosclair read to them a city ordinance on disturbing the peace.

All of the Nazis in New Orleans are from Arlington, Va.

—Photo by The Times-Picayune.

**BERNARD F. DAVID JR., driver of the "hate bus" in which a group calling themselves "Nazis" had an accident on the Lake Pontchartrain Causeway, is led away to jail in handcuffs by state police Lt. Vincent Ebeier.**

# Riders Arrested At Little Rock

Jackson Daily News Mes. 7-11-61

## Four Hustled Away As Crowd Gathers

LITTLE ROCK, Ark. (UPI)—Four "freedom riders" arrested Monday night before a howling crowd of 250 at an integrated bus station waiting room face breach of the peace charges today.

Jackson Daily News Thurs. 7-13-61

The four are charged under the same state law which led to the conviction of lunch counter sit-in demonstrators last year. The maximum penalty if convicted is a $500 fine and/or six months in jail.

Mes. 7-11-61

It was the first visit by riders to Little Rock, race-conscious since the 1957 Central High School integration crisis.

Jackson

The four who spent the night in jail, are the Rev. B. Elton Cox, 30, Negro, of High Point, N. C., field secretary for the Congress of Racial Equality; Bliss Ann Malone, 23, Negro, a St. Louis teacher; Janet Reintiz, 23, white, a New York housewife; and the Rev. John C. Raines, 27, white, pastor of the Setauket Methodist Church on Long Island.

A fifth rider, Annie Lumpkin, 18, St. Louis Negro student, did not reach the waiting room and was not charged.

P. 1

The arrests came after they sat in the room about seven minutes. Police guarded the doors, but many of the crowd, mostly teenagers carrying soft drink bottles, encircled the four.

Police Chief R. E. (Bob) Glasscock, fearing violence, twice ordered the riders to leave. When they didn't, officers pulled Raines to his feet, frisked him and escorted the four to police headquarters.

**THREAT TO PEACE**

"We waited as long as we could," Glasscock said. "I felt their presence was a threat to the peace of the community as there were several hundred persons gathered in the area and some were trying to enter the station."

There was no violence although the crowd applauded police and jeered the four riders as they were led from the station.

The waiting room and lunch counter are integrated to interstate bus passengers, segregated to intrastate passengers, according to a spokesman for Midwest Trailways.

The riders were interstate passengers. They left St. Louis earlier in the day to test facilities at Little Rock, Shreveport, La., and New Orleans, La.

pended fines and jail sentences.

One of the four, the Rev. John C. Raines, 27, of Setauket, N. Y., said the group discussed the matter and decided that to leave would be giving up something they believed was right.

Raines said he assumed they would begin serving six-month sentences.

Thurs. 7-13-61

They were arrested Monday night when they stopped here en route from St. Louis to Shreveport and New Orleans, La.

Municipal Judge Quinn Glover Wednesday morning convicted the four on breach of peace charges but said he would suspend their six-month terms and $500 fines if they would go home.

They conferred with their attorney and made telephone calls to officials of the Congress of Racial Equality—CORE—in St. Louis before agreeing to call off their Southern tour and return home. It was later in the day they decided to accept the sentence.

The four, in addition to Raines, are the Rev. B. Elton Cox of St. Louis, Negro field secretary for CORE; Miss Bliss Ann Malone, 23, Negro, of St. Louis, and Janet Reinitz, 23, a white New York housewife.

Montgomery, Ala.

A fifth member of the group, who was not arrested, Annie Lumpkin, 18, Negro, said she would return to her home but did not know when.

Glover rejected a defense contention that their arrests at a bus terminal here interfered with interstate commerce.

## Little Rock 'Riders' Do About Face

Ft. Montgomery Advertiser P. 24

LITTLE ROCK, Ark. (AP) — Four "Freedom Riders" changed their minds and returned to jail here Wednesday night after earlier agreeing to stop their tour of the South in exchange for sus-

# Little Rock Police Jail Four 'Riders'

LITTLE ROCK, Ark. (AP) — Five "Freedom Riders" arrived here on a Trailways bus Monday night and within minutes police had four of them in jail, charged with disturbing the peace

The fifth, Miss Annie Lumpkin, 18, Negro of St. Louis, was taken into custody but released. She went to the home of a Little Rock Negro minister.

It was the first group of Freedom Riders in Arkansas. They were met by a crowd of about 300 whites which shouted and jeered but did not become unruly.

**CROWD CHEERED**

Police Chief R. E. Glasscock arrested the four—two Negroes and two whites—after they sat down in the white waiting room in the Midwest Trailways bus station and refused to leave.

The crowd cheered when the arrest was made and again when the four were placed in a police car. Miss Lumpkin stood outside the station and was escorted to a police car a few seconds later. "I was told not to go inside," she told a reporter.

The four were booked under a 1959 state law aimed at anti-segregation demonstrations. The act's constitutionality is being tested before the State Supreme Court. It makes conduct that causes or threatens a breach of the peace a misdemeanor.

38a 1961 ARKANSAS FREEDOM RIDERS-LITTLE ROCK

# Arrival of Riders Stirs Little Rock; U. S. Court Delays Mississippi Suit

LITTLE ROCK, Ark., July 11 (AP).—A shouting crowd of about 300 white persons yesterday greeted the first Freedom Riders to reach Little Rock, where violence erupted over forced school integration in 1957.

When the five riders from St. Louis arrived at the Midwest Trailways bus station yesterday, there were taunts but the crowd never became unruly.

Police Chief R. E. Glasscock arrested two Negroes and two white persons when they refused to leave the white waiting room. The fifth, an 18-year-old Negro girl, was picked up by police outside the waiting room and later released.

The crowd which met the bus pressed around the small station and the police chief said he feared trouble at one point, but it did not develop.

The four were charged under a 1959 State law which makes it a misdemeanor to act in a way that causes or threatens a breach of the peace. Maximum penalty is a $500 fine, six months in jail, or both. The law's constitutionality is being tested in the Arkansas Supreme Court.

**Faubus Urges Quiet**

Earlier yesterday, Gov. Orval E. Faubus had said he hoped Little Rock residents would ignore the Freedom Riders, who announced in advance when they planned to arrive.

"If they were completely ignored it would be the worst disappointment they could have," Gov. Faubus said.

The Freedom Riders also suffered a temporary setback at Jackson, Miss., where 227 Negroes and white persons have been arrested since May 24 on breach of the peace charges for trying to desegregate bus, train and air terminals.

A three-judge Federal panel, with one judge dissenting, postponed until August 7 a suit seeking to halt arrest of the riders in Mississippi.

Despite objections of Chief Justice Elbert Tuttle of the United States Fifth Circuit Court of Appeals, the panel agreed to the postponement because of the illness of a Mississippi assistant attorney general.

**Suit Filed by NAACP**

The court action was filed by the National Association for the Advancement of Colored People. The suit attacked what it called unconstitutional State laws requiring segregation in railroad cars, buses, rest rooms, waiting rooms and other areas.

The Justice Department joined forces in a "friend of the court" brief which asked for an injunction to stop Mississippi from enforcing nine State laws calling for racial segregation of travelers. The brief called such laws clearly unconstitutional.

In City Court at Jackson, Judge James Spencer convicted 34 riders in two trials, the largest mass convictions to date. All were sentenced to $200 fines and four months in jail. The action brought to 224 the number convicted on breach-of-peace charges. Three riders arrested July 7 were turned over to juvenile authorities.

**Minnesota Disowns Riders**

The office of Gov. Ross Barnett of Mississippi made public a letter from Minnesota Gov. Elmer Andersen saying that violation of State laws by the riders strikes "at deep fundamentals in our American way of life."

If a law is wrong or bad, Gov. Andersen wrote, "there are proper ways to seek to change it. At no time can we condone deliberate breaking of any law."

He thanked Gov. Barnett for permitting Minnesota officials to inspect State prison facilities and treatment of Minnesota citizens jailed as riders.

In another development, white residents in Mayfield, Ky., filed a petition in the State Court of Appeals at Frankfort claiming an all-Negro housing development would violate the Supreme Court ruling outlawing segregation of the races.

The group objected principally to changing location of the 50-unit housing development from an area where most Mayfield Negroes live to a part of town that includes only a few Negro residents.

**Arrested in a Little Rock (Ark.) bus terminal on disorderly conduct charges, two freedom riders, Miss Bliss Ann Malone, 23, a St. Louis schoolteacher, and the Rev. John C. Raines, 27 (left), pastor of a Setauket (N. Y.) church, are led away by plainclothesmen.—AP Wirephoto.**

FREEDOM RIDERS-
LOS ANGELES RALLY CONTRIBUTE, $26,000

# 50,000 People Contribute $26,000 at Freedom Rally

(Courier News Service)

LOS ANGELES—In what Rev. Martin Luther King described as the "greatest civil right rally in the history of the U.S.," more than 50,000 Los Angelenos packed the new Sports Arena with an overflow crowd which contributed more than $26,000 to help the cause of the Freedom Riders and their crusade against discrimination.

**• "The Freedom Riders have made it crystal clear to the South that Negroes do not like segregation and that the rides will continue until they can ride in dignity and humility on the buses and other public carriers," Dr. King declared in a dynamic address to the crowd of 18,000 inside the Arena, and the more than 30,000 outside.**

"Some say we should cool off. We cannot in good conscience cool off in our determination to exercise our constitutional rights.

"Those who should cool off are the ones who are hot with violence and hatred in opposition to the rides," King declared.

Sponsored by the Western Christian Leadership Conference, the Rev. L. Sylvester Odom, president, the rally also featured singer Mahalia Jackson, Sammy Davis Jr., and comedian Dick Gregory.

**DR. KING** was introduced by Gov. Edmund Brown, who described King as "one of the greatest prophets of our times."

**• "As a result of our sit-ins, which started in Greensboro, N. C.," Dr. King pointed out, "more than 100 cities in the South have stopped segregation at their lunch counters."**

The Rev. Mr. King said that the great American dream can only be realized when discrimination and segregation are eliminated in America and when our national really adots a "one-world perspective."

**The crowd rose in thunderous applause when Dr. King said that "America has had a schizophrenic personality, practicing segregation, and all of this within the paradox of her philosophy that all men are created equal."**

# Pilgrimage Off On Racial Test

The Washington Post
Washington, D.C.
Fri. 5-5-61

By Elsie Carper
Staff Reporter

Thirteen men and women, Negro and white, boarded Greyhound and Trailway buses here yesterday to begin a two week pilgrimage through the deep South testing racial segregation in buses, eating facilities and rest stops.

The trip, called "Freedom Ride 1961," is sponsored by the Congress of Racial Equality (CORE) and is a repeat of the "Journey of Reconciliation," a trip made into border states 14 years ago.

The 13, divided into two groups, will visit Richmond, Petersburg and Lynchburg, Va.; Greensboro and Charlotte, N. C.; Rock Hill and Sumter, S. C.; Augusta and Atlanta, Ga.; Birmingham and Montgomery, Ala.; Jackson, Miss.; and New Orleans.

They plan to arrive in New Orleans May 17 to take part in a freedom rally marking the seventh anniversary of the Supreme Court school desegregation decision.

**Schedule Indefinite**

James Farmer, national director of CORE and one of the participants, conceded that the schedule may not be met. Those making the pilgrimage are pledged that if arrested they will not seek bail but serve jail sentences. Twelve of the 23 Negro and white participants in the "Journey of Reconciliation" were arrested.

Farmer said the 13 (seven Negroes and six whites), hope to focus public attention on segregation patterns in the South "that are degrading and destructive of human dignity."

Supreme Court decisions have outlawed segregated seating in buses in interstate commerce and in restaurants in terminals serving interstate passengers. Farmer said the group will test compliance with the Supreme Court decisions and also challenge segregation at lunch counter and rest room stops.

Officials of the two bus companies, the Interstate Commerce Commission and Attorney General Robert Kennedy have been informed of the itinerary, Farmer said. A letter outlining the project also was sent to President Kennedy.

**Ages From 18 to 61**

Henry Thomas, 19-year-old Howard University sophomore and a leader in desegregation demonstrations at lunch counters in Northern Virginia and at Glen Echo Amusement Park, is one of the participants. Ages of those taking part range from an 18-year-old Negro student from Morehouse College, Atlanta, to a 61-year-old white retired school administrator and college teacher from Detroit and his 57-year-old wife.

The 13 were selected by CORE from about 50 volunteers and spent three days in training in Washington before setting out. The raining consisted of discussions on meeting situations that may develop during the trip, Farmer said. The participants are committed to the doctrine of non-violence.

Ohers taking part include Albert Bigelow, 55-year-old artist from Cos Cob, Conn., who, as a Naval officer, commanded combat ships during World War II. He was captain of the Golden Rule, a ketch that three years ago, sought to enter the Pacific bomb detonating area in protest of the continuation of nuclear tests.

**Shown looking over a map of the route they will follow on a 2-week pilgrimage through the South testing racial segregation, are (from left) Edward Blankenheim of Tucson, Ariz.; James Farmer, New York City; Genevieve Hughes, Chevy Chase, Md.; the Rev. B. Elton Cox, High Point, N.C., and Henry Thomas, St. Augustine, Fla. The trip is called "Freedom 1961."**

# Freedom Ride To End With Rally Here May 17

The Louisiana Weekly
New Orleans, La.
Sat. 5-13-61

Freedom Ride, a bus trip through Southern states to challenge racial segregation, has headed for New Orleans where it will terminate with a public rally May 17 at 7:30 p.m., in New Zion Baptist Church, 2319 Third Street, Rev. A. L. Davis, Jr., pastor.

Sponsored by the Congress of Racial Equality, the Freedom Ride began in Washington and is touching principal Southern cities enroute to New Orleans.

Negro and white CORE members making the ride are seeking service in segregated bus terminals and other public facilities.

James Farmer, New York, national CORE director-founder, is heading the group of 16 Freedom Ride participants. Two Orleanians are included. They are Julia Aaron, student of Southern University at New Orleans and Jerome Smith, former student of Southern University in Baton Rouge. Both were arrested recently in connection with the picketing of Canal Street stores.

Early this week, only one arrest had been reported along Freedom Ride's route. Joseph Perkins, Jr., a CORE field secretary, was jailed in Charlotte, N. C., for entering the bus terminal barbershop and asking for a shoeshine. He was charged with trespassing, and elected to remain in jail rather than accept bail.

Farmer will be the principal speaker at the May 17 rally in the New Zion Baptist Church. CORE representatives said the general public is invited to the meeting.

38a 1961

D.C.

AUGUST
WASHINGTON- FREEDOM RIDERS
PICKET ICC HEARING

# Riders Picket ICC Hearing

Freedom Riders continued their round-the-clock prayer vigil today as a hearing into anti-segregation signs on buses in interstate commerce, and the lunch counters and waiting rooms connected with such travel, opened at the Interstate Commerce Commission.

The Riders began their vigil at 8:15 last night at the ICC building, Twelfth street and Constitution avenue N.W. About 18 alternated in picketing and holding prayer and meditation sessions in front of the Constitution avenue entrance.

At midnight, the riders, mostly Negro clergymen, were relieved by another shift which was to remain at the building until morning when more replacements would arrive.

Spokesman for the group, the Rev. Walter E. Fauntroy, regional representative of the Southern Christian Leadership Conference, said police authorities had told him no singing or loud Scripture reading would be allowed without a special permit for the conduct of an outdoor religious service.

"We'll have to limit our vigil to prayer and directed meditation," the Rev. Fauntroy said.

Other groups represented were the Congress on Racial Equality (CORE, the National Christian Leadership Council, the National Association for the Advancement of Colored People and the Students' Non-Violent Co-ordinating Committee. They will continue their vigil until sundown tonight.

The hearing, which opened at 10 a.m. today, is to consider Attorney General Kennedy's request that signs be placed on all buses, in bus terminal lunch and waiting rooms, stating that seating and admission are regardless to race, color, creed or national origin.

Representatatives of integration groups as well as the bus industry were to testify.

# 10 Clergy Freedom Riders Fined $500 in Tallahassee

By the Associated Press

Ten Freedom Riders were fined $500 last night and told to "clean up your own back yard" by a Tallahassee (Fla.) City Court Judge.

Judge John Rudd imposed the fines and delivered the lecture to the white and Negro clergymen after they were convicted of unlawful assembly stemming from efforts to integrate the white restaurant at Tallahassee's municipal airport.

The 10 posted appeal bonds and left by plane for New York. Their attorney, Tobias Simon of Miami, said the case would serve as a test of segregation at municipally-operated airport terminal facilities.

Judge Rudd told the group that if they had come to Tallahassee on a "noble, Christian purpose" he would have dismissed the charges. But, he said, "You came here for the whole purpose of forcing your views on this community."

### Cites Crime Rate

He said records would show Tallahassee has a much lower crime rate than any city from which they had come and that they should "clean up your own back yard before you go around trying to impose our views on someone else."

Each of the clergymen, who were arrested last Friday during a sit-in at the airport restaurant, took the stand to testify they had made a tour of Southern cities from Washington to Tallahssee to test segregation and to further the cause of equal rights for all persons. They said if they had been allowed to eat in the airport restaurant they would have returned home.

None of the clergymen commented on the sentence—the maximum under the law—but Rabbi Martin Freedman, 34, of Paterson, N. J., said, "I rather imagine there will be other Freedom Riders here this summer."

The clergymen who were fined, along with Rabbi Freedman, are the Revs. Robert McAfee Brown, 41; Ralph L. Roy, 32; A. McRaven Warner, 41; Robert Stone, 41, and Wayne Clyde Hartmire, jr., 29, all of New York, and Rabbi Israel Dresner, 32, Newark, N. J., all white, and the Revs. J. W. Collier, jr., 46, Newark; A. L. Hardge, 34, New Britain, Conn., and Petty D. McKinney, 40, Springfield, Mass., Negroes.

### Rally in New York

Meanwhile, a desegregation leader, the Rev. Fred Shuttlesworth of Birmingham, Ala., told a rally in New York in support of Freedom Riders that the Southerners' attitude is "bitter, vicious and unjustified."

In Jersey City, N. J., residents of the Marion section are seeking ways to relieve racial tensions between residents of a housing project and those in the surrounding neighborhood. Two policemen were stabbed in a street brawl there Tuesday night.

And in Des Moines, Iowa, an official of Local 7 of the United Packinghouse Workers of America said union members have voted to boycott the Black Hills area of South Dakota as a vacation spot because of racial discrimination.

# RIDERS ON TRIAL IN FLORIDA SIT-IN

## Court Told Robert Kennedy Tried to Halt Protest

TALLAHASSEE, Fla., June 22 (UPI) — Attorney General Robert F. Kennedy tried to persuade ten Freedom Riders to call off an anti-segregation demonstration at the Tallahassee Airport, it was disclosed in City Court here today.

The disclosure was made at the trial of the ten white and Negro clergymen from the New York and New England areas. The ten were arrested on charges of unlawful assembly last Friday. They demanded service at an airport restaurant used by whites and ignored policemen's orders to leave.

**The Rev. Petty D. McKinney (left) of Springfield, Mass., and the Rev. J. W. Collier, jr., Newark, N. J., were among 10 Freedom Riders fined yesterday at Tallahassee, Fla., on charges of unlawful assembly.—AP Wirephoto.**

City Attorney James Messer Jr. said Mr. Kennedy had sought a two-hour delay in the arrest of the group so he could try to have them abandon their protest. Mr. Messer said Mr. Kennedy's request had been relayed to city officials by Gov. Farris Bryant.

In the middle of the trial, the prosecution withdrew charges against Jeff Poland, a white teen-ager, and the Rev. Charles Hunter, a Negro, Tallahassee residents who were arrested with the Freedom Riders. Mr. Messer said they had apparently dispersed and had been arrested by mistake "in the confusion."

The trial, before City Judge John Rudd, attracted a large group of white and Negro spectators. Strict segregation was observed in seating. White and Negro defendants who sat down together were separated by the police.

The testimony about Mr. Kennedy's intervention was drawn from Mr. Messer by Tobias Simon of Miami, attorney for the Freedom Riders.

### Tells of Phone Call

Mr. Messer was not asked if he knew whether Mr. Kennedy had ever talked with the group. But the Rev. J. W. Collier, 46 years old of Newark, N. J., spokesman for the riders, said later that he was talking by telephone to a Kennedy assistant when Mr. Messer led a squad of policemen into the airport terminal.

Mr. Collier, a negro, identified the assistant as Burke Marshall, assistant attorney general in charge of covil rights. The conversation involved only a description of the situation leading to the airport sit-in, Mr. Collier said, when he had to hang up to listen to Mr. Messer's proclamation to disperse.

Mr. Messer, Police Chief Frank Stoutamire, State Attorney W. D. Hopkins and Police Lieut. Billy Bennett testified for the prosecution. All said they had believed there would have been violence had the group carried out their intention to sit in the airport until the restaurant served them on an integrated basis.

In addition to Mr. Collier, the defendants are:

The Rev. Arthur L. Hardge, 34, of New Britain, Conn.; the Rev Petty D. McKinney, 40, of Springfield, Mass., both Negroes; and the Rev. Wayne C. Hartmire Jr., 29, of New York City; the Rev. Robert J. Stone, 41, of New York; the Rev. Robert McBrown, 41, of New York; the Rev. Austin M. Warner, 41, of New York, the Rev. Ralph L. Roy, 39, of New York; Rabbi Martin Freedman, 34, of Paterson, N. J., and Rabbi Israel Dresner, 32, of Springfield, N. J.

The defense called all ten clergymen to the stand. They said their purpose in testing Florida segregation customs was to "bear witness as men of God to the struggle to obtain equal rights for all men."

JUNE, 1961
FREEDOM RIDERS- TALLAHASSEE

38a 1961

FLORIDA

# 17 Arrested as Disturbances Erupt On Freedom Ride Routes in Florida

By the Associated Press

Police arrested 17 persons for breach of the peace in disturbances that erupted, without injury, at three points along Freedom Riders' routes in North Florida yesterday.

Bus trips by racial integration-testing groups also produced five arrests in Mississippi.

A Freedom Ride leadership delegation conferred in Washington with Attorney General Robert Kennedy, reportedly to seek help in preventing further arrests.

Police in Tallahassee, Florida's Capital, arrested 10 hunger-striking clergymen, including seven white men, after the 10 defied an order to disperse at Tallahassee Airport.

### Three Seized at Ocala

Two Negroes and a white man were arrested at Ocala after a bus station scuffle with two unidentified white men, who were not arrested.

At St. Petersburg, a white truck driver was taken into custody after he and a St. Petersburg Negro preacher exchanged heated words at a bus depot where the Negro went to welcome Freedom Riders who traveled there from Jacksonville.

The group arrested at Tallahassee comprised two rabbis, five white ministers and three Negro ministers. All were jailed in lieu of posting $500 bond each on charges of unlawful assembly. Jailed also were two Tallahassee Negroes and a white man.

### Bail Is Provided

The Rev. Charles Hunter of Tallahassee provided bail last night. The 10 Freedom Riders went on a hunger strike a day before in protest to being denied food at the airport restaurant. In jail, they ate their first meal since breakfast Thursday.

The only Florida incident that approached violence came at Ocala, Gov. Farris Bryant's home town.

There was elbowing and jostling when seven Freedom Riders headed for the Ocala bus station cafeteria and were met by two white men. Three of the Freedom Riders obeyed a police order to climb back aboard their bus, and were not arrested.

Meanwhile, Freedom Riders were served almost without incident at lunch counters in Tampa, St. Petersburg and Gainesville.

At Gainesville, a white woman quickly moved away from the bus station lunch counter as the Negroes approached. Someone else played "Dixie," traditional battle song of the South, on the lunchroom juke box.

### More Riders Arrested

Authorities at Jackson, Miss., raised to 116 their total of arrests of Freedom Riders when five of the integration-testers alighted from a bus that brought them from Nashville, Tenn. The five riders were charged with breach of the peace when they failed to comply immediately with a police captain's order to move on.

Nine leaders in the Freedom Riders movement conferred in Washington with Attorney General Kennedy, reportedly to seek help in halting arrests of the demonstrators against segregation.

Mr. Kennedy's office said afterward only that "there was a frank exchange and the meeting was a useful one."

Attending the 20-minute conference was John Seigenthaler, the Attorney General's executive assistant, who was knocked unconscious last month in mob action at Montgomery, Ala.

### Rockefeller Lauds King

In other developments:

The Rev. Martin Luther King, jr., Southern integration leader, was described by New York's Gov. Nelson Rockefeller last night as a man with the same motivation and dedication as Mahatma Gandhi.

In turn, Dr. King said the entire Nation should be dedicated to Gov. Rockefeller "for his genuine liberalism, his humanitarian concern and his unswerving devotion to the principles of human dignity."

The exchange took place at a rally in a Negro church at Albany, N. Y., attended by a predominantly Negro audience. Dr. King is on a Nation-wide tour seeking support for the Southern Christian Leadership Conference, which advocates nonviolent resistance to segregation laws in the South.

At Louisville, Ky., two Negro integration leaders were jailed yesterday after a hearing before Juvenile Court Judge Henry M. Triplett. Frank M. Stanley, jr., and Arthur Smith were found guilty of contributing to the delinquency of a minor. Charges of breach of peace and delinquency against several juveniles arrested in the case, a racial demonstration, were continued until Tuesday.

Mr. Stanley, 23, co-chairman of the Steering Committee leading integration efforts at Louisville, was given a 90-day jail sentence and a $300 fine. Mr. Smith, 18, was given 30 days in jail and $100 fine.

### Chose to Go to Jail

The hearings grew out of the arrest of Mr. Stanley, Mr. Smith and nine adults in demonstrations at Fontaine Ferry Park Thursday afternoon. The jail sentences were suspended by Judge Triplett, but Mr. Stanley and Mr. Smith chose to go to jail rather than pay the fines, according to their attorney, Neville M. Tucker.

At Jackson, Miss., a New York free lance writer planned to sign and send a Federal Court petition to United States District Court Judge Sidney Mize today, asking if Mississippi's breach of peace law was constitutional.

Elizazbeth Porther Wyckoff, 45, a white Freedom Rider in jail at Jackson, made the announcement of new legal tactics yesterday through her lawyers —only a short time after six riders were convicted on breach of peace charges.

At Memphis, Tenn., the fiirst Negro bus driver in the history of the city was hired yesterday by the city-owned transit system.

Carl Carson, a member of the Memphis Transit Authority, said John L. Smith, 29, starts work Monday and will train three days before going out on an official run.

**Police at Tallahassee, Fla., clap handcuffs on Priscilla Stephens as they arrest the Tallahassee girl integrationist leader at the city airport. She and 10 freedom riders were jailed for unlawful assembly.—AP Wirephoto.**

# Hunger Strikers Jailed in Florida

By The Associated Press

Ten hunger-striking "freedom riders" refused to obey a police order to disperse at the Tallahassee, Fla., airport Friday and submitted quietly to arrest. Three others got into a scuffle with two white men at the Ocala, Fla., bus station and also were taken to jail.

Meanwhile, others in a total of 24 out-of-state riders who criss-crossed north and central Florida by bus in a campaign to challenge Southern racial segregation practices were served without incident at lunch counters at Tampa, Gainesville and St. Petersburg.

At Jackson, Miss., five new "freedom riders" stepped off a Greyhound bus after a trip from Nashville, Tenn., and were arrested immediately. A police captain ordered them to move on. When they did not comply, he arrested them for breach of the peace. The arrests brought to 116 the number of "freedom riders" arrested in Jackson since May 24.

In Washington, two homemade bombs were set off in a trash can and an unoccupied telephone booth Thursday night. An anonymous telephone caller told police the blasts were related to efforts of "freedom riders."

**WITHOUT FOOD**

The Tallahassee hunger strikers — white and Negro Protestant ministers and Jewish rabbis — were in their third day without food in a protest against their inability to obtain service at the state capital's airport restaurant.

**ORDERED ARREST**

Th five ministers and two rabbis were taken into custody early in the afternoon by about a dozen policemen led by Tallahassee City Atty. James Messer. The attorney ordered arrest of the clergymen after they refused to obey an order to disperse in 15 seconds.

Three others — a Negro woman, a Negro minister and a white youth, all from Tallahassee—also were arrested for failure to leave the scene.

At Ocala, two Negroes and a white man were picked up. They were taken into custody after a disturbance which erupted when seven "freedom riders" walked into the bus station and headed for its cafeteria. Two unidentified white men advanced to meet them and there was pushing and elbowing.

Four of the riders obeyed police orders to return to their bus. The other three refused and were jailed.

The white men with whom they scuffled were not arrested.

Ocala is the home town of Gov. Farris Bryant of Florida, who earlier this week urged citizens of the state to ignore the "freedom riders."

Two companies of "freedom riders" set out in separate buses from Jacksonville Friday morning after spending the night there.

In Louisville, Ky., a crowd of 100 spectators cheered Thursday night when police arrested 27 Negroes and one white person at a stand-in demonstration. Police said blocking the entrance to a business establishment would be the basis for prosecution.

# Tallahassee Police Jail 10 'Riders'

## 3 Nabbed After Ocala Scuffle In Bus Station

BY THE ASSOCIATED PRESS

Ten hunger-striking "Freedom Riders" refused to obey a police order to disperse at the Tallahassee, Fla., airport Friday and submitted quietly to arrest. Three others got into a scuffle with two white men at the Ocala, Fla., bus station and also were taken to jail.

One other rider stayed behind in Ocala to arrange bond for those arrested. He was Dan Stern, 26, white interne at Bellevue Hospital in New York City.

One of the riders who went on, Benny Winston, 42, a New York City Negro, said none of the riders engaged in any shoving or other violence as charged by the police.

Those arrested pleaded innocent to charges of unlawful assembly and failure to obey a police officer. Bonds were set at $500 each, returnable June 21.

**JAILED IN JACKSON**

Meanwhile, others in a total of 24 out-of-state riders who criss-crossed north and central Florida by bus in a campaign to challenge Southern racial segregation practices were served without incident at lunch counters at Tampa, Gainesville and St. Petersburg.

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The two Jacksonville group passed through Tampa and arrived at St. Petersburg. They were served at both cities without incident.

Later in the day, four "Freedom Riders" arrived at St. Petersburg from Tallahassee. They also were served.

The groups then left for meetings and workshops being held at Negro churches.

Police arrested an unidentified

(Continued From Page One)

white man after he exchanged heated words with a St. Petersburg Negro minister at the bus station.

The Tallahassee hunger strikers — white and Negro Protestant ministers and Jewish rabbis — had gone without food for more than 24 hours in a protest against their inability to obtain service at the state capital's airport restaurant.

The group included two rabbis, five white ministers and three Negro ministers.

**RESTAURANT CLOSED**

The restaurant was closed when the clergymen showed up Thursday. It was still closed when they returned to the airport Friday morning.

The ministers and rabbis were taken into custody early in the afternoon by about a dozen policemen led by Tallahassee City Atty. James Messer. The attorney ordered arrest of the clergymen after they refused to obey an order to disperse in 15 seconds.

Three others — a Negro woman, a Negro minister and a white youth, all from Tallahassee—also were arrested for failure to leave the scene.

At Ocala, two Negroes and a white man were picked up. They were taken into custody after a disturbance which erupted when seven "Freedom Riders" walked into the bus station and headed for its cafeteria. Two unidentified white men advanced to meet them and there was pushing and elbowing.

**REFUSE ORDER**

Four of the riders obeyed police orders to return to their bus. The other three refused and were jailed. They were the Rev. Leslie Smith, 35, Albany, N.Y., Negro minister; Herbert A. Collender, 27, Negro member of the National Association for the Advancement of Colored People, and United Auto Workers from Mahwah, N.J., and James OConner, 31, a white economics instructor from Barnard College, New York City.

Pleas of innocent were made before Marion County Judge L. O. Meyers by the trio, and bond was set at $500 each for hearing June 21.

The white men with whom they scuffled were not arrested.

Ocala is the home town of Gov. Farris Bryant of Florida, who earlier this week urged citizens of the state to ignore the "Freedom Riders."

Two companies of riders set out in separate buses from Jacksonville Friday morning after spending the night there.

**PEACEFUL SPOT**

Although Jacksonville was the scene of race riots last year when Negroes staged lunch counter sit-ins, it was one of the most peaceful spots on the "Freedom Riders" itinerary this week. The arrivals and departures of the integration crusaders passed almost unheeded by residents.

The Tallahassee segregation challenge began quietly, too. The clergymen were served in routine fashion when they arrived at the bus station and entered its restaurant.

# 17 Jailed 'To Avoid Violence'

By United Press International

A two-day "freedom ride" into a dozen north and central Florida cities ended on a sour note for both participants and state officials Friday when 17 persons were arrested. Police said the arrests were made to avoid threatened racial violence.

An 'interfaith' group of 10 Protestant ministers and Jewish rabbis was jailed in Tallahassee charged with "unlawful assembly" during a sit-in demonstration at the new airport terminal in the capital. Police said the clergymen had caused an angry crowd to collect outside the building and they were jailed when they refused to end the protest.

Tallahassee police also arrested three other persons sitting with the ministers at the airport.

At Ocala, three "freedom riders" were arrested and later released on bond in a scuffle with three unidentified white men. Police said the riders were "jostled" at the door of the bus terminal restaurant and were jailed when they refused to return to their bus.

**ARRESTED FOR REMARKS**

A white man, truck driver Robert D. Bierl, 26, was arrested at St. Petersburg when he made what police termed "improper remarks" to a Negro clergyman at the bus terminal entrance.

"Freedom riders" also met with arrest Friday in Jackson, Miss., where 116 of the anti-segregationists have now been jailed.

A group of four white persons and one Negro came to the Mississippi capital by bus from Nashville, Tenn., and was arrested at a lunch counter in the Greyhound terminal.

Two attorneys in Jackson announced Friday they will ask federal Judge Sidney Mize at a hearing in Gulfport, Miss., on Monday to declare the arrests of "freedom riders" unconstitutional.

**ROCKERFELLER LAUDS KING**

New York Gov. Nelson Rockefeller appeared at an integration rally in Albany Friday night and compared Negro integration leader Martin Luther King Jr. to the late Indian leader, Mahandas K. Gandhi.

Rockefeller introduced king, an Atlanta minister, by comparing King's policy of "non-violence" in the integration campaign to Gandhi's attempts for peace during his lifetime.

The Rev. Wyatt Tee Walker of Atlanta also spoke at the rally and declared Negro leaders would not adopt a "cooling off" period in the "freedom rides" as suggested by U.S. Attorney General Robert F. Kennedy.

While Rockefeller was praising the "freedom riders," Gov. Farris Bryant of Florida, a segregationist, was defending the action of police in his state who arrested

the integrationists.

"Regardless of cost or convenience their trip across Florida was made peaceful and without incident," Bryant said. "Unfortunately, these people were not willing to leave Florida without creating discord and securing attendant publicity."

Another group of "freedom riders" touring Florida under the sponsorship of the state NAACP ended a two-day trip Friday night and reported they met with little difficulty.

Thursday night after a relatively uneventful "freedom ride" that stretched from the nation's capital to Florida's capital city.

# Rabbis, Ministers Arrested In Fla. 'Riders' Issue

Atlanta Constitution 6-11-61

TALLAHASSEE, Fla. — (UPI)— Florida police stepped in and arrested 24 "freedom" riders" and three sympathizers Friday after allowing one day of integration.

One "interfaith" group, made up of ten white and Negro Protestant ministers and rabbis, was taken into custody when members persisted in demands that they be served at Tallahassee's Airport restaurant .

Police told the clergymen it was feared their presence would spark a riot. They were given 15 seconds to disperse.

Another "freedom riders" group made up of two Negroes and a white man, was arrested at Ocala for attempting to enter a white waiting room in a bus station.

The three were jailed in lieu of bond on charges of attempting to incite a riot and failing to obey a police officer. Maximum penalty in Florida for unlawful assembly and inciting to riot is 60 days in jail or a $500 fine.

Tallahassee police also arrested the Rev Dan Speed, local official of the National Association for the Advancement of Colored People.

NAACP; Priscilla Stephens, and official of the Congress of Racial Equality CORE, and Jeff Poland, 18 - year -old Florida State University student. The three were sitting with "interfaith" riders at the air terminal.

When the Stephens woman balkat getting in a police car, she was handcuffed and forced into the vehicle.

Meanwhile, at Jackson, Miss., five more "freedom riders" were arrested when they arrived from Nashville, Tenn. The new riders brought to 116 the total arrested in Jackson since May 24.

The "interfaith" group had been scheduled to return to New York

38a 1961

# 'RIDERS' RECEIVE COOL RECEPTION

The Times-Picayune

## Group Florida-Bound Reaches Charleston

Thurs. 6-15-61

(The Associated Press)

The first of three bus-riding groups of "Freedom Riders" re- tion in South Carolina Wednesday.

They were the vanguard of 32 white and Negro riders testing segregated facilities at interstate bus stations in the Deep South en route to Florida.

Seven members of the party from Washington were greeted at a lunch counter in the Charleston, S.C., bus terminal by an elderly white woman carrying a cane. She shook hands with a white minister and a Negro minister in the group. p. 22

Uniformed and plainclothces policemen were on hand as the Greyhound bus rolled in.

**DAY IS QUIET**

It was an uneventful day for the group, which left Wilmington, N.C., after spending the night in a Negro hotel. As the bus drove southward, the number of white onlookers at bus terminals grew larger. Brief uneventful stops were made at Myrtle Beach, Georgetown, and other coastal cities.

New Orleans

An unmarked patrol car carrying two state law enforcement division plainclothesmen escorted the bus as it left Myrtle Beach. Six city police cars converged on the bus station at Georgetown, but again there were no threats of violence.

Seven more riders left Wilmington and planned to join the first group in Charleston to spend the night.

A third group of 18 left Raleigh, N.C., for Sumter, S.C. Four rabbis, eight white Protestant ministers and six Negro ministers made up the party. They are due in Tallahassee, Fla., Thursday and plan to fly back to New York for a news conference Friday.

The groups who spent the night in Charleston were bound for Jacksonville and St. Petersburg, Fla.

**PLANS ANNOUNCED**

All were traveling by regularly scheduled buses. Their trips are sponsored by the Congress of Racial Equality.

A group of four Negroes and one white woman in Daytona Beach, Fla., announced plans to check treatment of Negroes at bus stations in north Florida and south Georgia. An official of the Florida branch of the National Association for the Advancement of Colored People said Thursday's trip will be the first of four.

Ralph McGill, publisher of the Atlanta Constitution, told an audience at Harvard University:

"One of the saddest aspects of the Southern race problem has been that governors have, by plan, had lawyers join with them in statements which deliberately deceived the people by distorting, and falsifying, the fact and the Constitution. All too often this alliance has been assisted by lawyer-members of the Congress."

The attorney general of Alabama, interviewed on a national television network (NBC), attacked sponsorship of the Freedom Rides and said the citizens of his state highly resented the use of federal marshals there last month.

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## Not Too Much Sense in Rides—Atty. Gen.

Attorney General Robert F. Kennedy said Wednesday he did not believe continued "freedom rides" into the heart of the South make "a great deal of sense" in advancing the cause of desegregation.

The President's younger brother told a news conference here that he would like to see desegregation "settled in the courts, not in the streets."

"I think they (the freedom riders) have a legal right to make these trips," he stressed. But he added:

"I don't think at present it makes a great deal of sense as far as advancing their own purposes."

He noted that the issue of desegregated travel was now before the courts and the interstate commerce commission and added, "I hope and expect that in the near future the ICC will take action to end discrimination in interstate buses." eH said the ICC order was expected within the next few months.

FLORIDA

# 'Freedom Riders' Will Test Florida

The Miami Herald

p. 1

**'Rider' Ban Lifted ... 8A**

From Our Washington Bureau

WASHINGTON, 3-6-61 Two groups of interracial freedom riders will leave Washington by bus today to test racial segregation at interstate terminal facilities in Florida.

The announcement was made in Washington by Genevieve Hughes of New York, field secretary of the Congress of Racial Equality.

Announcement of the tests came as Gov. Farris Bryan signed into law Monday a bil rushed through the Florida Legislature because of possible freedom rider excursions into the state.

The new law adds city commissioners and highway patrolmen to the officials given authority to order dispersal of persons unlawfully assembled. Mayors in Florida already had such authority.

Cities to be tested in Florida include Tallahassee, St. Petersburg, Jacksonville and Tampa.

**One group, called the "interfaith" group, will consist of 14 Protestant ministers and four rabbis. Seven of the ministers are white. Another group will include 14 "union and professional" workers, Miss Hughes said.**

The groups will travel on regularly scheduled Greyhound buses. The interfaith group will end its ride through five Southern states at Tallahassee. The other group will wind up at St. Petersburg.

The interfaith group is due in Jacksonville at 7:45 a.m. Thursday and will go from there to Tallahassee.

**The union and professional workers will go to Jacksonville Thursday, split into two groups and stay overnight.**

One group will leave at 6 a.m. Friday and the other at 7 a.m., both headed for St. Petersburg.

One group will arrive at St. Petersburg at 12:45 p.m. and the other at 5:10 p.m. after a side trip to Tampa.

Miss Hughes said CORE had informed the FBI and municipal police in Florida of the trips.

JUNE 1961
TALLAHASSEE- FREEDOM RIDERS
RESTAURANT CLOSED

# Restaurant Closed to Freedom Riders in Tallahassee

By RICK TUTTLE
Capital Bureau Chief

TALLAHASSEE — Ter "freedom riders" found segre gation at the airport termi nal here Thursday and refused to board the plane that wa to take them back to thei homes in the North.

The 16, part of a group o 18 who have been traveling through Northern Florida t test segregation barriers in in ter-state transportation, sa the airport's restaurant clos as they approached to see service.

Eight of the "freedom rid boarded the plane fo home. But the rest wired the Interstate Commerce Commis sion asking for immediate ac tion to open the restaurant Then they sat down to wai for a reply.

The Freedom Riders had just completed a 170-mile bus tour from Jacksonville to this capital city.

**It was the first Florida test of bus station facilities by the same organization that set off bloody rioting in Montgomery, Ala., last month.**

The closest thing to an outbreak came at a bus station in Tallahassee, but it was so minor few people in the crowded station even knew it occurred.

A white clergyman and a Negro minister were shoved out of a formerly all-white bathroom by two local toughs. Two detectives quickly took the white men outside with no disturbance.

The first group of riders, sponsored by the Congress of Racial Equality, arrived in Jacksonville early Thursday. A half-hour later the 14 Protestant ministers and four rabbis caught a bus to Tallahassee with brief stops at Lake City, Live Oak, Madison, Greenville and Monticello.

A second group of riders, called the union and professional group, will arrive in Jacksonville today and make a test run to St. Petersburg and Tampa.

**On the same bus with the "freedom riders" was a NAACP "fact-finding" group of four Negroes and a white woman, Mrs. Don Calhoun of Daytona Beach.**

They planned a side trip to Thomasville, Ga., then will leave early today for Gainesville, Ocala, Tampa and Orlando before returning to Daytona Beach which they left Thursday morning.

**"We were quite pleased with the trip,"** said Rabbi Israel Dresner of Springfield, N.J., a "Freedom Rider" spokesman.

**"We have found all the facilities integrated and it's a major step in the right direction."**

**The Negro riders were ignored at Lake City's white bus station restaurant, although the seven white ministers were served in the Negro restaurant.**

At every stop, small groups of men gathered to gawk and laugh but they never came closer than 100 yards of the buses.

At least 50 Negroes pushed into the bus station restaurant here behind the riders and were served along with them. Regular white waitresses served the white riders and Negro waiters served the Negro riders.

Within half an hour, the station was packed with Negroes and whites, plus reporters and cameramen.

**They all stood around watching the Negroes eat. A crowd gathered outside and looked through the windows.**

Police then blocked the doors and allowed no one else inside. One plainclothesman worked with a walkie-talkie.

A Tallahassee detective handed out pamphlets that charged the NAACP with two goals: 1—"To make trouble—and get attention." 2—"To force Negro-white mixing."

It was entitled "Massive Isolation."

"To isolate them is to defeat both purposes," the pamphlet said. "Turn your back — leave the store — ignore them."

**The message was in keeping with Gov. Farris Bryant's attitude toward the integrationists, but he refused to comment on the paper later in the day.**

The riders made the trip in two buses.

**A Florida Highway Patrol trooper in an unmarked car drove ahead several miles to alert local police at each stop.**

**All along the route — U.S. 90 West — highway patrol cars radioed ahead as the buses passed check points.**

At each stop, town police cars were waiting and unmarked cars circled the block, watching for trouble.

The Rev. E. C. Tillman, leader of the NAACP group, said he would file a report of his findings with the Federal Civil Rights Commission. He denied that his trip was timed to coincide with the Freedom Riders who left Washington Monday.

A Southern mother and her daughter — caught on the Freedom Riders bus by accident at Jacksonville — were not pleased with the demonstration.

Said Mrs. E. C.Gregory:

**"They are just causing more trouble. I was born in Mississippi and I have nothing aaginst the Negroes. But since they started all this, the feeling between the races has become worse."**

However, Mrs. Gregory and her daughter, Caroline, did not move away when two Negro men sat beside them at a table.

"Why, I wouldn't get up and walk away," she said. "That would just cause more hard feelings."

—Associated Press Wirepho

**Riders Are Told 'We're Closed'**
*... manager Bill Isdell talks to three of the 18 riders*

38a 1961

# Riding Clergy Advised 'Clean Up At Home'

TALLAHASSEE, Fla. (UPI)—Ten clergymen convicted of unlawful assembly during a "Freedom Ride" sit-in at the city airport returned north today with a pledge that other anti-segregationists would follow them here.

The biracial group of ministers and rabbis was convicted in city court Thursday night and received the maximum sentence of a $500 fine or 60 days in jail. Each posted $1,000 and filed notice of appeal.

Municipal Judge John Rudd told the clergymen at the end of the day-long trial:

"If I thought for one minute... that you came here on a noble, Christian purpose and acted accordingly, you would not be here now. Stop and think when you go back home and check the records of crime, prostitution and racial strife there compared to Tallahassee.

"Then clean up your own parishes, and you'll find you have more than you can take care of."

SPONSORED BY CORE

The seven whites and three Negroes, all from New York and New England, were sponsored on a "Freedom Ride" through the Southeast by the Congress of Racial Equality (CORE). They were arrested June 16 during a sit-in at the segregated municipal airport restaurant.

The ministers, who departed for Jacksonville, returned north by plane from the port city.

The clergymen promised that "others will follow us to Tallahassee," Florida's capital city. A spokesman would not say when another group might come here, however.

Rudd sentenced Priscilla Stephens, a student at Florida A&M University for Negroes, to a fine of $200 to 60 days in jail, plus a mandatory five-day jail term. The girl was arrested with the "Freedom Riders" a week ago.

The girl was convicted in a separate case of resisting arrest and interfering with a policeman. Witnesses testified she had to be handcuffed and forced into a police car. The judge said the arrest violated an earlier probation stemming from a sit-in demonstration.

KENNEDY SOUTH DELAY

Highlight of the trial Thursday was testimony that U.S. Atty. Gen. Robert F. Kennedy, at the request of Florida Gov. Farrris Bryant, had sought a two-hour delay in arrest of the "Freedom Riders" in order to try to have them call off the airport demonstration.

Tallahassee city attorney James Messer Jr., said the governor relayed Kennedy's request to city officials.

One of the Negro clergymen, the Rev. J. W. Collier, 41, of Newark, N.J., said he was talking by telephone with one of Kennedy's assistants when Messer and a squad of police arrived at the airport to arrest them.

City police and other local officials testified that the clergymen refused to leave the airport despite warnings that their presence could lead to violence.

FLORIDA

now," Rudd said. "Stop and think when you go back home and check the records of crime, prostitution and racial strife there compared to Tallahassee. Then clean up your own parishes, and you'll find you have more than you can take care of."

He denied a defense motion for a new trial.

It was brought out at the trial that U.S. Atty. Gen. Robt. Kennedy tried to talk the "freedom riders" into calling off ther airport demonstration.

# FLORIDA JUDGE CONVICTS TEN FREEDOM RIDERS

TALLAHASSEE, Fla. —(UPI)— A Tallahassee city judge Thursday night convicted 10 white and Negro clergymen from New York and New England of unlawful assembly for demanding service in a "white only" restaurant at the city's airport.

Judge John Rudd imposed the maximum sentence of a $500 fine or 60 days in jail on the group of rabbis and Protestant ministers who were arrested last Friday when they refused to leave the airport. The clergymen were part of a team of "freedom riders" sent to Florida by the Congress of Racial Equality (CORE) in New York.

Rudd told the group to "go back north and clean up your own parishes" of crime and racial discrimination before coming south again.

Defense attorneys announced immediately they would appeal. Rudd set bond at $1,000 each for the 10 and they all posted bond.

"If I thought for one minute . . . that you came here on a noble, Christian purpose and acted accordingly, you would not be here

# Riders' Trial Told of Robert Kennedy's Role

TALLAHASSEE, June 22 (UPI)—Attorney General Robert F. Kennedy tried to talk 10 white and Negro "Freedom Riders" into calling off an anti-segregation demonstration at the Tallahassee Airport, it was disclosed today.

The testimony came out at the City Court trial of the New York and New England clergymen who were arrested on charges on unlawful assembly last Friday. They had demanded service at a "white only" restaurant at the airport and refused police orders to leave.

City Attorney James Messer Jr., said Kennedy sought a two-hour delay in the arrest of the group so he could try to have them call it off. Messer said Kennedy's request was relayed to city officials by Gov. Farris Bryant.

In the middle of the trial, the prosecution withdrew charges against Jeff Poland, a white teen-ager, and Negro minister Charles Hunter, local residents arrested with the Freedom Riders. Messer said they apparently had dispersed and were arrested by mistake "in the confusion."

The trial before city Judge John Rudd attracted a large group of white and Negro spectators to the tiny courtroom in the ancient brick City Hall. Strict segregation was observed in seating. White and Negro defendants who sat down together were separated by police.

Testimony about Kennedy's intervention in the incident was draw from Messer by Tobias Simon of Miami, attorney for the Freedom Riders.

### *Jersey City Asked To Gird for Tension*

JERSEY CITY, June 22 (UPI)—A new committee of Negroes and whites called on city officials today to step up law enforcement in a racially tense residential section.

The committee was organized yesterday in the wake of a 40-minute outburst of racial violence Tuesday night in which two policemen were stabbed while trying to keep some 300 persons of both races from rioting.

Feelings in the Marion Gardens housing project area had been running high since Sunday when a group of Negroes from the housing project tried to crash an Italian festival at a church. The Negroes were chased.

JUNE 1961

FREEDOM RIDERS - EN ROUTE
TALLAHASSEE, OCALA, FLORIDA (INCIDENT)
TAMPA, GAINESVILLE, ST.PETERSBURG, FLORIDA
(WITHOUT INCIDENT)

# MORE FREEDOM RIDERS NABBED

## Arrests Made in Florida and Mississippi

(The Associated Press)

Ten hunger-striking "Freedom Riders" refused to obey a police order to disperse at the Tallahassee, Fla., airport Friday and submitted quietly to arrest. Three others got into a scuffle with two white men at the Ocala, Fla., bus station and also were taken to jail.

Meanwhile, others in a total of 24 out-of-state riders who criss-crossed north and central Florida by bus in a campaign to challenge Southern racial segregation practices were served without incident at lunch counters at Tampa, Gainesville and St. Petersburg.

At Jackson, Miss., five new Freedom Riders stepped off a Greyhound bus after a trip from Nashville, Tenn., and were arrested immediately. A police captain ordered them to move on. When they did not comply, he arrested them for breach of the peace. The arrests brought to 116 the number of Freedom Riders arrested in Jackson since May 24.

**CLERGYMEN FAIL TO EAT**

In Washington, two homemade bombs were set off in a trash can and an unoccupied telephone booth Thursday night. An anonymous telephone caller told police the blasts were related to efforts of Freedom Riders.

The Tallahassee hunger strikers — white and Negro Protestant ministers and Jewish rabbis — had gone without food for more than 24 hours in a protest against their inability to obtain service at the state capital's airport restaurant.

The group included two rabbis, five white ministers and three Negro ministers.

The restaurant was closed when the clergymen showed up Thursday. It was still closed when they returned to the airport Friday morning.

**TAKEN INTO CUSTODY**

The ministers and rabbis were taken into custody early in the afternoon by about a dozen policemen led by Tallahassee City Atty. James Messer. The attorney ordered arrest of the clergymen after they refused to obey an order to disperse in 15 seconds.

Three others — a Negro woman, a Negro minister and a white youth, all from Tallahassee—also were arrested for failure to leave the scene.

At Ocala, two Negroes and a white man were picked up. They were taken into custody after a disturbance which erupted when seven Freedom Riders walked into the bus station and headed for its cafeteria. Two unidentified white men advanced to meet them and there was pushing and elbowing.

Four of the riders obeyed police orders to return to their bus. The other three refused and were jailed. They were the Rev. Leslie Smith, 35, Albany, N.Y., Negro minister; Herbert A. Collender, 27, Negro member of the National Association for the Advancement of Colored People, and United Auto Workers from Mahwah, N.J., and James O'Conner, 31, a white economics instructor from Barnard College, New York City.

**ALMOST UNHEEDED**

The white men with whom they scuffled were not arrested.

Ocala is the home town of Gov. Farris Bryant of Florida, who earlier this week urged citizens of the state to ignore the Freedom Riders.

Two companies of Freedom Riders set out in separate buses from Jacksonville Friday morning after spending the night there.

Although Jacksonville was the scene of race riots last year when Negroes staged lunch counter sit-ins, it was one of the most peaceful spots on the Freedom Riders' itinerary this week. The arrivals and departures of the integration crusaders passed almost unheeded by residents.

The Tallahassee segregation challenge began quietly, too. The clergymen were served in routine fashion when they arrived at the bus station and entered its restaurant.

**OPPOSITION RISES**

But opposition mushroomed within hours. By the time the party reached the airport, its lunchroom was closed. When another group of integrationists—Floridians from Daytona Beach who called themselves "fact finders" rather than Freedom Riders —sought to eat at the bus station Friday morning they were turned away. The manager said he always closed in the early morning to clean up.

Other racial developments:

At Parchman, Miss., Fred Jones, superintendent of Mississippi State Prison, said he doesn't plan to put 45 transferred Freedom Riders to work in cotton fields with other prisoners. He said he thought it would create trouble. The Freedom Riders were taken to the state prison from jails in Jackson, where they had been arrested on breach of peace charges.

In Louisville, Ky., a crowd of 100 spectators cheered Thursday night when police arrested 27 Negroes and one white person at a stand-in demonstration. Police said blocking the entrance to a business establishment would be the basis for prosecution.

At Columbia, S. C., a white state park was closed when 20 Negroes in three automobiles sought admission.

# Racial Riders Plan Headquarters Here

The Atlanta Constitution

P. 10

By BRUCE GALPHIN

Negro leaders here, some just released from jail in Alabama, plunged Tuesday into organizing a flow of "freedom rides" which they vowed would continue until bus terminal segregation is ended throughout the South.

To be tagged the Freedom Ride Coordinating Committee, the organization will have its headquarters in Atlanta, with branches in Montgomery, Jackson, Miss., and New Orleans.

Atlanta, Ga.

The coordinating committee is composed of Dr. Martin Luther King's Southern Christian Leadership Conference, CORE, the Student Non-violent Coordinating Committee and the Nashville Christian Leadership Conference.

One of the leaders of the new movement, the Rev. Wyatt Tee Walker, who was released on bond from a Montgomery jail Monday night, rejected any suggestion of a "cooling-off" period in an interview Tuesday.

Wed. 5-31-61

"He (Atty. Gen. Robert Kennedy) is asking the wrong people to cool off," Walker declared.

Later Tuesday, the biracial Southern Regional Council issued a special report asserting that the momentum of the freedom rides is "too great to be held back."

"There would be no freedom ride, if there were compliance with law and decency in the South," the report continued.

"The white South," it declared, "has got to acquire the habit of introducing change before it is demanded. If this is wishful thinking, it is also a statement of fact."

Walker said Atty. Gen. Kennedy's request that the Interstate Commerce Commission issue regulations at once requiring the full desegregation of terminals was "the most hopeful thing that has developed to date."

If such a regulation is issued, Walker continued, the freedom rides probably will end soon afterward.

But he added that a "sort of watchdog network" of the Freedom Ride Coordinating Committee will be maintained to be sure the regulation is enforced.

Walker said the group is going to ask Greyhound and Trailways bus lines to close their colored restaurants outright and operate only desegregated counters.

"Most of the while people in the South are law-abiding," he continued. "The emotional climate of the people who seem unbending will adjust."

Walker was accompanied from Montgomery by Bernard Lee, who has been active in Atlanta and Montgomery sit-ins and who was jailed along with Walker.

They said they posted bond only because they were asked to help run the new coordinating committee.

38a 1961

FREEDOM TRAIN
N A A C P

FREEDOM TRAIN SPONSORED BY
NAACP
SCHEDULED TO LEAVE NEW YORK
JULY, 1961

## 'Freedom Train' Plans Are Told

NEW YORK (AP) — A "freedom train" sponsored by the National Association for Advancement of Colored People will roll into Washington next month in a new push for civil rights legislation.

The train, carrying more than 1000 Negroes and whites, will leave Philadelphia on July 12, third day of a week-long NAACP convention there, officials announced.

FREEDOM RIDES TO RESUME
ATLANTA-MONTGOMERY-JACKSON

# More 'Riders' Alabama-Bound

ATLANTA (AP) — More "Freedom Rides" were promised Monday after a federal judge refused to prolong a temporary restraining order against the antisegregation activities in Alabama.

A spokesman for the "Freedom Ride" coordinating committee said inter-racial groups of students and adults would resume the rides sometime this week.

The Rev. Wyatt Tee Walker made the announcement after U.S. Dist. Judge Frank M. Johnson Jr. let the restraining order die in Montgomery.

Walker said the "Riders" would go from Atlanta to Montgomery and then to Jackson, Miss. He also said the group would reopen its Montgomery office within 24 hours.

$5,000 GIFT
FREEDOM RIDERS
TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

# TWU gives $5,000 to Freedom Riders

NEW YORK — Michael J. Quill, international president of the Transport Workers Union of America, AFL-CIO, announced that TWU was forwarding an additional check for $5,000 to the Committee on Racial Equality in support of the "Freedom Riders."

At the same time, Quill attacked the proposal for a "cooling off" period stating, instead, that "what is needed is the full force of federal troops with a thorough understanding of their assignment."

**QUILL'S STATEMENTS** were included in a letter, signed also by Matthew Guinan, international secretary-treasurer, and Frank Sheehan, director of organization, which was addressed to the office of James Farmer, national director of CORE now in a Mississippi jail for his participating in the crusade for equality.

Quill and the other TWU officers praised the challenge to segregation laws now being hurled by the CORE "freedom riders" and said, "it is organized labor's duty to help you in this fight."

GENERAL

JUNE, 1961
FREEDOM RIDERS- FROM WASHINGTON, D.C.
EN ROUTE TO RALEIGH, N.C. WILMINGTON, N.C.
JACKSONVILLE, FLA. ST. PETERSBURG, FLA.

# 2 Groups of Riders On Way to Florida

By The Associated Press

Two groups of "freedom riders" arrived in Raleigh, N.C., by bus from Washington without incident Tuesday en route to the first such test of racial segregation in Florida.

The first group stayed only a few minutes before going to Wilmington, N. C., their next stop on a trip to Jacksonville and St. Petersburg, Fla. The five white and five Negro men, and two white and two Negro women, were to all spend the night in a Negro hotel at Wilmington.

The second group, which arrived a few hours later, was composed of four Jewish rabbis, eight white protestant ministers and six Negro ministers.

They planned to leave Raleigh Wednesday morning headed for Tallahassee, Florida's capital. The clergymen are to fly from Tallahassee to New York Thursday and hold a news conference in New York.

St. Petersburg Police Chief E. Wilson Purdy said any U.S. citizen can come to the Florida city. "Integration and segregation are social and not police problems," the officer added. "However, any violation growing out of them will be handled as such."

The office of Florida Gov. Farris Bryant, who was in Washington, said he believes Floridians will ignore the "Freedom Riders" when they arrive in the state.

In other racial developments:

A federal judge at Jacksonville directed Mayor Haydon Burns and five other city officials to show cause why they should not be cited for contempt for refusing to permit Negroes to enter a municipally operated swimming pool. A federal court has barred the city from operating any of its recreational facilities on a segregated basis.

Two Negro groups staged sit-in demonstrations in downtown Woolworth and Kress stores in Pensacola, Fla. The lunch counters were closed immediately, and there were no incidents.

A white New York legislator and a Negro leader, arrested in a white rest room last week at Jackson, Miss., said they will sue for false arrest and false imprisonment. They are Mark Lane, a Manhattan Democrat and member of the state assembly, and Percy Sutton, president of the New York Chapter of the National Association for the Advancement of Colored People.

At Jackson, a 24-year-old Mississippi Negro who caught a "freedom ride" from Chicago to his home state's capital, said, "I'd rather be in jail here than starve in Chicago."

FREEDOM RIDERS
TOTAL

# 72 Freedom Riders come from 29 cities, 13 states

The Afro-American

JACKSON, Miss. — As of the past week-end, the 72 colored and white persons arrested here as Freedom Riders came from 29 cities and towns in 15 states and the District of Columbia.

In addition to the District of Columbia, the states are Alabama, Alaska, Florida, Georgia, Illinois, Indiana, Louisana, New York, Ohio, Oklahoma, South Carolina, Tennessee, and Wisconsin.

**First Bus From Montgomery, Ala.**

Rev. C. T. Vivian, 36, Nashville, pastor of Community Baptist Church; James L. Bevel, 24, Nashville; Harold Andrews, 23, Atlanta, student at Morehouse College; Rev. Bernard Lafayette, 20, Baptist minister, Tampa, Fla., James L. Farmer, 41, New York City, national director of CORE;

Paul D. Deitrich, 29, Washington, D.C., office worker; Julia Aaron, 20, New Orleans, student at Southern University; James M. Lawson Jr., 32, Methodist minister, Nashville; Jean C. Thompson, 19, New Orleans; Matthew Walker, 19, Nashville, student at Fisk University; Joseph Carter, 22, Baptist minister, Brooklyn; Alexander M. Anderson, 33, Methodist minister.

**Second Bus From Montgomery**

Peter M. Ackerberg, New York City, student at Antioch College, Yellow Springs, Ohio; Lucretia R. Collins, 21, Fairbanks, Alaska, student at Tennessee A. and I. College, Nashville; Ernest Patton Jr., 21, Nashville, student at A. and I.: Frank G. Holloway, 22, Atlanta, student at Morehouse College; John R. Lewis, Troy, Ala., student at American Baptist Seminary, Nashville;

Baltimore

James L. Farmer, 41, New York City, national director of CORE; Dion Tyrone Diamond, 19, Petersburg, Va., student at Howard University, Washington, D.C., John L. Copeland, 44, Baptist minister of Nashville; John H. Moody Jr., 30, Philadelphia, student at Howard University; Jerome H. Smith, 22, New Orleans, longshoreman; Doris J. Castle, 18, New Orleans;

* * *

Rev. Grady H. Donald, 31, Nashville; Henry J. Thomas, 19; Elton, Fla., student at Howard University; Clarence L. Thomas Jr., 20, Champaign, Ill., student at ABS; Leroy Glenn Wright, 19, Nashville, student at Fisk University.

**Third Bus, From Nashville**

Catherine Burks, 21, Birmingham, A. and I. College; Mary Smith, 19, Nashville, Clarence M. Wright, 19, Nashville; William E. Harbour, 19, Nashville; Etta Simpson, 19, Nashville; Frederick Leonard, 18, Chattanooga; Lester G. McKennie, 21, Belvoir, Tenn.; Frances L. Wilson, 23, Cincinnati, Ohio; William B. City, Okla.

**Fourth Bus, From Montgomery**

Daniel B. Fankhauser, 19, Cincinnati, student at Central State College, Ohio; Charles Davis Myers, 21, Nobleville, Ind., student at Central State College; William C. Mahoney, 19, Washington, D.C., Howard University; Franklin W. Hunt, 22, Washington; Larry F. Hunter, 18, Atlanta A. and I. College; Allen Cason Jr., 19, Orlando, Fla., A. and I. College; Albert L. Dunn, 26, Fort Worth Texas, Methodist minister at Clarkston, Ga., and Pauline E. Knight, 20, Nashville, A. and I. College.

**Train From New Orleans**

Peter Sterling, 20, Tulane University, Rye, N.Y.; Robert L. Heller, 19, Rockville Centre, N.Y.; Paul S. Green, 22, Ithaca, N.Y.; Charles A. Haynie, 25, Ithaca, all of Cornell University; Sandra Marie Nixon, Southern University; Glenda J. Gaither, 18, Great Falls, S.C., Claflin College; James K. DAvis, Jr., 21, Florence, S.C., Claflin; Joe H. Griffin, 26, Cornell University, Ithaca.

**Fifth Bus, From Atlanta**

Charles Butler, 19, Nashville; Joy Reagon, 19, Nashville; Ruby Smith, 19, Atlanta, student at Spelman College; James McDonald, 20, New York City; Kenneth Shiman, 19, New York City; Price Chatham, 29, East Rockaway, N.Y.

**Sixth Bus, Montgomery**

Jesse Harris, the Rev Richard Gleason, Caroline Reed, Cordell Reagon, Nashville, Elizabeth World, Elizabeth Wyckoff.

# 'Riders' Ask ICC For Force In Travel Push

The Montgomery Advertiser

By THE ASSOCIATED PRESS

"Freedom Riders" asked the Interstate Commerce in Washington Tuesday to add "moral force" to their legal maneuvers to remove segregation barriers from travel facilities.

Atty. Gen. Joe Patterson of Mississippi joined his state public service commission in blasting proposals for an ICC crackdown on such segregation.

Carl Rachlin, general counsel of the Congress of Racial Equality, sponsor of the riders, told the ICC in oral arguments "our job is to help Mississippians to get rid of a tradition which is morally wrong."

Wed. 8-16-61

Rachlin said he was just back from Jackson where hundreds of riders have been arrested and many jailed.

U.S. Atty. Gen. Robert F. Kennedy has filed a petition asking the ICC to issue regulations to require bus companies to post this sign in buses:

"Seating aboard this vehicle is without regard to race, color, creed or national origin."

**WHAT PURPOSE?**

Patterson said he couldn't understand what the "billboards" proposed by Kennedy would accomplish. He said the crackdown was illegal, unworkable and capricious.

Meanwhile, rider attorney William Kunstler and Prosecutor Jack Travis of Jackson prepared arguments on a suit set before Federal District Judge Harold Cox Saturday in Jackson.

The petition brought five Freedom Rider cases into federal court and Travis has asked Judge Cox to return them to Hinds County Court.

The judge must decide whether the cases involve civil rights. If they do, he keeps the cases; if not, they go back to state courts. There is no appeal on his decision.

Montgomery Ala.

**SLIM CHANCE**

"I think we have a slim chance," Kunstler said, "because this federal law hasn't been thoroughly tested. It has been used only for voting suits.

"But if we are successful, we will remove all the cases from county court and transfer them to federal court under this statute."

County Judge Russel Moore received pleas of innocent to breach of peace charges from three riders Tuesday after 188 entered their pleas Monday.

The riders are appealing Jackson City Court convictions after their arrests for refusing to obey police orders to move on while attempting to desegregate transportation terminal facilities in Jackson.

The first riders reached Jackson last May 24. Since then 297 have been arrested and many remain in Jackson jails and at the state penitentiary at Parchman.

Two trials a day will be held for riders out on $500 appeal bonds beginning Aug. 22. All of the current rider appeal trials are expected to be completed by Jan. 19.

38a 1961

GENERAL

FREEDOM RIDERS-THE CAROLINAS enroute TO FLORIDA

# Riders Head for Florida, Report Only Minor Incidents in Carolinas

CHARLESTON, S. C., Jun 25 (AP)—Florida-bound Freedom Riders today continued their protest against bus station segregation after testing South Carolina's citadel of racial separation without serious incident.

The largest of three groups left Sumter, S. C., without difficulty shortly after midnight, en route to Jacksonville, Fla. The four Jewish rabbis, eight white Protestant ministers and six Negro ministers planned to change buses at Jacksonville and go to Tallahassee, Florida's Capital, before flying back to New York this afternoon.

Two inter-racial groups spent the night in Charleston and were to leave for Savannah, Ga., in the morning. From there the seven men and women in each group were to go to Jacksonville, spend the night and possibly combine for an extended ride, probably to Tampa, Fla.

### First Florida Test

The riders left Washington via Greyhound bus to make the first such test of Florida's segregation practices. They were refused restaurant service in two small South Carolina towns but encountered no trouble in the Charleston terminal restaurant.

Two buses brought 14 of the challengers to Charltston from Wilmington, N. C. A third bus carried the clergymen from Raleigh, N. C., to Sumter, where they halted for a church service. The clergymen were refused lunch counter service at a motel cafe on the outskirts of Sumter. They later ate at a Negro cafe.

The first group of riders arriving from Wilmington reported no difficulty en route. The second group of seven reported two members ran into trouble at Conway, S. C.

Mrs. Dupree C. White, a 40-year-old Negro from New York, said a white man walked behind the depot lunch counter, grabbed a knife, and ordered her and a companion to leave She said a waitress refused them service.

### Law Upheld

Mrs. Laura Randall, 25, a New York white woman making her first Freedom Ride, said the man gestured with the knife but she did not view his action as a threat to attack them.

Mrs. Randall said the trip so far had been almost a complete success. The travelers experienced some rudeness, but she said police are upholding the law.

Her husband, Francis B. Randall, 29, history teacher at Columbia University, was among the seven on the first bus to arrive in Charleston.

The Charleston bus station was desegregated three months ago. A white and a Negro soldier sat together at the station's lunch counter talking as the second group of Feredom Riders entered.

The white and Negro riders were served together at the counter without incident. Two dozen or more white passengers in the station paid little attention to the visitors.

### Riders Transferred

In other racial developments: Mississippi authorities today transferred 44 of the Freedom Riders from the jail at Jackson to the State Penitentiary at Parchman.

Members of the interracial group were singing as they climbed aboard one large truck and two small ones for the trip of about 130 miles into the Mississippi delta country. A heavy convoy of deputies was on hand, but there were no disturbances.

The Freedom Riders were scheduled to be lodged in the maximum security unit at the State penitentiary, reportedly to keep them away from the other prisoners.

Only the male members of the Freedom Riders—80 of whom were being held in jail—were transferred to Parchman.

A 26-year-old white man was arrested in Jackson as the 111th Freedom Rider to reach the city since arrivals began May 24.

### Man Arrested

Daniel Ray Thompson of Cleveland, Ohio, arrived at the Greyhound bus terminal alone and was arrested on charges of breach of the peace after entering the Negro waiting room.

At Pensacola, Fla., the county school board submitted a school desegregation plan to Federal court as ordered by a Federal judge.

The city of Memphis, Tenn. asked a Federal court to approve a plan for gradual desegregation of municipal recreation facilities. The plan was a counter to a suit demanding that all tax-supported recreational facilities be desegregated immediately.

### Probe Ordered

The New Britain (Conn.) Park Board ordered an investigation of the rejection of membership applications from two Negroes by a golf club which uses the municipal course and makes special use of municipal clubhouse facilities.

At Evansville, Ind., two 18-year-old Ohio college coeds charged they were dismissed from their jobs at the Evansville State Hospital because they participated in a sit-in demonstration protesting racial segregation.

The charges were made by Liane Davis and Lois Faibisch. Both are students at Antioch College at Yellow Springs, Ohio, but had been working in the social service department of the hospital since last April as part of Antioch's on-the-job training.

The girls were among 24 persons arrested in Henderson, Ky., last Saturday on charges of trespassing. Their trials are scheduled for Monday.

**Three Freedom Riders are served at a lunch counter in the Charleston (S. C.) bus station after arrival from Wilmington, N. C. Left to right: Rabbi Jerald Bobrow, Port Washington, N. Y.; The Rev. Leslie Smith, Albany, N. Y., and The Rev. Gordon Negen, New York City.—AP Wirephoto.**

JUNE, 1961
FREEDOM RIDERS-CHARLESTON, SOUTH CAROLINA
EN ROUTE -CAROLINAS - FLORIDA

38a 1961

# POLICE GUARD 32 ON FREEDOM RIDE

The New York Times

## 3 Groups Are Unmolested on Trip in Carolinas

CHARLESTON, S. C., June 14 (AP)—Freedom riders received a cool but orderly reception in South Carolina today.

Thirty-two white and Negro riders are testing segregated facilities at interstate bus stations on their way to Florida.

Seven members of the party from Washington were greeted at a lunch counter in the bus terminal here by an elderly white woman carrying a cane. She took hands with a white minister and a Negro minister in the group.

Uniformed and plainclothes policemen were on hand as the Greyhound bus rolled in.

It was an uneventful day for the group, which left Wilmington, N. C., after spending the night in a Negro hotel. As the bus drove southward, the number of white onlookers at bus terminals grew larger. Brief, uneventful stops were made at Myrtle Beach, Georgetown, and other coastal cities.

An unmarked patrol car carrying two State Law Enforcement Division plainclothesmen escorted the bus at is left Myrtle Beach. Six city police cars were at the bus station at Georgetown, but again there were no threats of violence.

Seven other riders left Wilmington and planned to join the first group in Charleston to spend the night.

### 14 Clergy in Group

A third group of eighteen left Raleigh, N. C., for Sumter, S. C. Four rabbis, eight white Protestant ministers and six Negro ministers made up the party. They are due in Tallahassee, Fla., tomorrow and plan to fly back to New York Friday.

The groups who spent the night in Charleston were bound for Jacksonville and St. Petersburg.

All were traveling by regularly scheduled buses. Their trips are sponsored by the Congress of Racial Equality.

"True Southern hospitality" greeted the group in Raleigh, one said. "I even had some grits for breakfast," said Rabbi Martin Freedman of Paterson, N. J. "First time since I was in the Army."

Meanwhile, a group of four Negroes and one white woman in Daytona Beach, Fla., announced plans to check treatment of Negroes at bus stations in north Florida and south eGorgia starting tomorrow.

In Jackson, Miss., a 26-year-old white man was arrested as the 111th Freedom Rider to reach the city since arrivals began May 24.

Daniel Ray Thompson of Cleveland, Ohio, arrived at the Greyhound bus terminal alone and was arrested on charges of breach of the peace after entering the Negro waiting room.

The superintendent of the Mississippi State Penitentiary said he has cleared space there for the 81 Freedom Riders now in Hinds County and Jackson jails.

Fred Jones said preparations should be complete next week at the new first offender camp to house 400 prisoners.

### Accusation on TV

Alabama's Attorney General, MacDonald Gallion, charged in a television interview yesterday that one of the white Freedom Ride leaders was "Communist associated."

Mr. MacDonald, in a taped interview on the "Dave Garroway Show" of the National Broadcasting Company, made the accusation against James Douglas Peck, an official of the Congress of Racial Equality.

Mr. Peck, who recently was beaten by a mob in Alabama on one of the first freedom rides, described the charge as "simply a rehash of the irresponsible charge made on the Senate floor May 25 by Senator James O. Eastland of Mississippi."

Mr. Gallion said records of the Senate Internal Security Committee showed Mr. Peck on the letterhead of the Civil Defense Protection Committee and said this committee was "on the subversive list."

Mr. Peck said of this allegation: "I am not on the Civil Defense Protection Committee because it does not exist. I am on the Civil Defense Protest Committee and it is not on the subversive list."

38a 1961

GENERAL

FREEDOM RIDERS
$330 AME CHURCH

**AME'S AID RIDERS** — The Rev. Dr. Fred C. James, AME Consultant-Director of Social Action thanks general board president, Bishop George W. Baber, right, for offering of $330 for Freedom Riders defense, taken during a session of the AME board meeting at Allen Chapel AME Church, Indianapolis, Ind., last week. At left, looking on approvingly is Bishop Joseph Gomez.

38a 1961

GENERAL

FREEDOM RIDERS
COST- DEMOCRATIC NATIONAL COMMITTEE
$16,000

# Freedom Riders cost Democrats $16,000

WASHINGTON — (ANP)— The Alabama "Freedom Riders cost the Democratic National Committee $16,100 in cold cash, it was learned last week.

On May 12, Alabama Democrats held a party fund-raising dinner. Vice President Lyndon Johnson had been scheduled as the star speaker but his round - the - world goodwill tour forced a cancellation of his appearance.

House Speaker Sam Rayburn was sent south by Democratic Party leaders as a substitute and proved a major drawing card. The dinner raised $16,000.

* * *

ON SUNDAY, May 4, the Freedom Riders descended upon the state. Before the next week was over, Attorney General Robert Kennedy had sent United States marshals into Alabama to help maintain order.

Kennedy lawyers went into federal court and sought a federal injunction against Police Commissioner Eugene Connor of Birmingham on charges that he had failed to protect the Freedom Riders from mob attack. Connor was cleared, but he is a Democrat with an elephant's memory.

Connor, the Kennedy Administration has learned, is Democratic National committeeman from Alabama. The $16,000 from the dinner which normally would have been sent to Washington headquarters within a matter of days after the party, has not been received here.

SEPTEMBER
FREEDOM RIDERS - C O R E
FREEDOM RIDERS URGED TO RETURN
TO JACKSON, MISS., TO SERVE TERMS

# Riders Urged to Serve Terms

WASHINGTON (AP)—The Congress of Racial Equality Monday urged all "freedom riders" who have appealed their convictions of breaching the peace in Jackson, Miss. to return there and serve sentences imposed in city court.

It said 260 now are free on bond. The cases stem from the Congress' efforts earlier this year to break down racial segregation in bus, railroad and airport terminal facilities. Most of the sentences were for two months' imprisonment plus fines of $200.

At the same time CORE announced the launching of new campaigns to end discriminatory employment practices in national retail chain stores, to secure unlimited decent housing for all Americans and to continue and intensify its campaign for registering eligible Negro voters.

It said the attack on employment practices will place "particular emphasis" on Sears Roebuck and might later include a nationwide Negro boycott of its goods.

serve out the sentences imposed on them in city court.

The riders were convicted of breach of the peace in refusing to obey police orders to move on while attempting to end segregation of bus terminal facilities in Jackson.

**MAXIMUM SENTENCE**

Farmer said the results of the appeals trials are "fairly predictable." He said the County Court juries have given the maximum sentence, compared with a lighter sentence in city court, in two of about 190 cases appealed.

"Our feeding is," Farmer said, "the authorities of Mississippi are merely harassing us by demanding that each person return to Mississippi for an individual trial.

**HARD SENTENCE**

"It seems clear that each will receive the maximum sentence in the appeal trial regardless of the sentence previously received.

"For example, the two already tried in County Court received two months' suspended sentence plus $200 fine originally. In the appeal trial they received the maximum of four months, nothing suspended, plus $200."

Two other riders have dropped their appeals and gone back to jail, Farmer said.

Farmer himself served 40 days in jail after receiving a sentence of two months suspended plus $200 fine. He refused to pay the fine and went to jail to serve it out at the rate of $3 a day. If he drops his appeal he will return to Jackson to serve the remaining 27 days.

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The decisions were made in resolutions adopted at the conclusion of the Congress' annual four-day convention here.

James Farmer, CORE national director, said the date of the "freedom riders" return to Jackson has not been decided but would be in September.

"Those who cannot return, we will assist in defending when their trials come up in county recorders court," he told a news conference, " . . . we will carry a few test cases all the way up to the US supreme court if necessary."

He made it plain this would not mean the end of the "freedom rider" effort in Jackson. The convention voted, he said, to begin recruiting a select, "trained and disciplined" group prepared to go on more rides to Jackson and "when and if arrested stay in jail for their maximum sentences."

He said he didn't know how many would be picked or when they might renew their rides. "We will seek whatever we can get," he said. "If we can get hundreds, fine . . . we cannot let this protest die."

The convention also voted to urge citizens of Jackson to engage in sit-ins, stand-ins, to register to vote and take any other form of direct non-violent action to end racial discrimination in their city wherever they found it.

# Riders May Drop Appeals In Jackson

WASHINGTON (AP)—The Congress of Racial Equality gathered Friday for a four-day convention with indications it will decide to urge dropping of appeals in the "Freedom Rider" cases in Jackson, Miss.

As about 150 bi-racial delegates registered for a night opening session CORE National Director James Farmer, one of the first arrested for breach of the peace in Jackson, told a newsman that he and other "Freedom Riders" might withdraw their appeals.

But he said a final decision would be left to the convention which runs through Monday. Dropping of the appeals to the county court would mean that more than 180 "Freedom Riders" would

# 'RIDERS' URGED TO SERVE TERMS

## Return to Jackson Asked by CORE

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38a 1961

GENERAL

SEPTEMBER
FREEDOM RIDERS-SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE
HARRY BELAFONTE

# Belafonte concert to benefit riders

NASHVILLE, Tenn. — Singer Harry Belafonte will open the three - day Southern Christian Leadership Conference Sept. 27 with a benefit concert in Ryan Auditorium. Special awards will be make during the intermission.

In addition to the internationally famous folk singer, other headline attractions to the star - studded "Tribute to the Freedom Riders" will be African singer Miriam Mekeba, the Chad Mitchell Trio and comedian George Kirby.

**THE REV. JAMES LAWSON**, whose expulsion as a theology student at the University of Tennessee caused the dean of the Divinity School and 10 members of the faculty to resign, will be the keynote speaker.

Others scheduled to address the conference, which will be centered around "The Deep South in Social Revolution," are:

Dean Spottswood Robinson of Howard University, who also is a member of the Civil Rights Commission; Dr. Martin Luther King Jr., SCLC president; James Farmer, national director of CORE; and William Kunstler, American Civil Liberties attorney.

**ONE OF THE** special features of the conference will be a Forum and Seminar Day for civil rights lawyers on Sept. 29. Most of the leading attorneys in the South will participate.

All sessions will be held in Clark Memorial Methodist Church, with the exception of the Forum and Seminar Day which will be held at the general headquarters, First Baptist Church, where the host, the Rev. Kelly Miller Smith, is pastor.

AUGUST
C O R E - ADDS 3 TO STAFF TO EXPAND
FREEDOM RIDERS DRIVE

38a 1961

ON CIVIL RIGHTS FRONT

# CORE adds 3 to staff, expands rider drive

NEW YORK—CORE national director James Farmer announced this week the hiring of four additional staff members "to increase the momentum of our direct action challenge to bigotry."

Three new field secretaries initially will be assigned to CORE Freedom Ride efforts. They and other field secretaries will be responsible for screening and training Freedom Riders and will be assigned to lead riders that will criss-cross the South.

The new field secretaries have all participated in the Freedom Rides. They are: the Rev. B. Elton Cox, Edward Blankenheim, and Henry Thomas. Cox, a 30-year-old Congregational minister from High Point, North Carolina, was a member of CORE's first Freedom Ride and was active in the sit-ins in the High Point area last year.

* * *

**IN OTHER ACTIONS** involving sit-in and civil rights cases throughout the country: The Columbus (Ohio) Committee on Racial Equality reports that the latest effort by the management of Rollerland Skating Rink, 318 East Mound St., to prevent the integration of its skating facilities has been the formation of "private skating clubs" which "meet" there on nights on which colored skaters are not to be admitted.

* * *

**THE LOUISIANA STATE** Supreme Court upheld the conviction of four CORE members for a sit-in demonstration at a McCrory lunch counter Sept. 17, 1960. The sit-in was the first in New Orleans.

An early appeal to the U.S. Supreme Court is planned according to CORE attorney Lolis Elie.

The state court, in an opinion by Associate Justice Frank W. Summers, upheld the conviction of CORE Chairman Rudolph Lombard; Sydney L. Goldfinch, a former Tulane student; Miss Orethat Castle and Cecil Carter Jr.

Each was fined $350 and sentenced to serve 60 days in the Parish Prison.

* * *

**IN MEMPHIS,** Tenn., three persons were arrested in a downtown drugstore after a brief exchange of punches in the wake of a sit-in demonstration.

White customers reportedly threw itching power at the sit-ins at a Walgreen lunch counter here, and later one customer exchanged blows with one of the sit-inners.

* * *

**IN POCATELLO,** Idaho, Charlie F. Woods, 52, NAACP officer, who suffered a cut on his face that required 12 stitches when he visited a bar to investigate a discrimination report, this week, signed a police complaint against two men, Buddy Lee Welch, Pocatello, and Jack Halpin, Alameda.

Woods acted on a report that musicians had been refused service at the bar and, along with other NAACP staff members, went to investigate when they were attacked by white patrons.

At Ft. Lauderdale, Florida, following an attack upon residents for using a public beach here, Mrs. Eula Johnson, president of the Ft. Lauderdale Branch NAACP, has called upon Mayor Ed Burry to use his authority "to see that the rights of all citizens are protected in the free and uninterrupted use of all tax-supported facilities."

Mrs. Johnson's letter, dated July 27, also asked "that members of the police force be informed of their duties to protect and not hinder persons who peacefully are using these facilities and that their duty is to arrest those persons who, because of prejudice, seek to prevent citizens from using these facilities."

Those attempting to use the beach on July 23 were set upon by angry whites and driven from the area. The police did nothing to prevent the attack or to arrest the hoodlums who started it.

GENERAL

# Dallas Sets Plans For Desegregation

The Washington Post
p. A5

Negroes dined at 40 previously all-white eating places in downtown Dallas last week, virtually without incident, as a step to prepare for peaceful desegregation of some schools there in September.

Meanwhile, the number of Freedom Riders arrested in Jackson, Miss., since the protest rides began May 24 neared 300. Mon. 7-31-61

The desegregation plans in Dallas were prepared by a special committee of seven Negroes and seven whites, working closely with the influential Dallas Citizens Council, composed of 250 of the city's business executives.

The Council reported that only four or five calls were received protesting the presence of Negroes in restaurants and cafeterias at downtown department stores and other business places.

The diners were 159 specially chosen Negro business and professional men, clergymen and their wives. Their desegregation efforts were carried out without publicity.

**One-Fifth Negro**

Washington, D.C.

Dallas, a city of 850,000, about one-fifth Negro, is under court order to desegregate schools at the first grade level this fall.

Several weeks ago facilities at Fair Park, a huge amusement area, and the State Fair theatrical productions were opened to Negroes without demonstrations. Further desegregation steps are planned before the schools open.

Police in Jackson, Miss., arrested a bi-racial group of 15 Freedom Riders yesterday in the city's railroad station. Most of the 10 white and five Negro riders are students at the University of California at Los Angeles. All were booked on the usual breach-of-peace charges.

All but two of the 296 riders who have come to Jackson by bus, train and plane since May 24 have been arrested.

The exceptions are Norma Wagner of Rochester, N. Y., a blind woman, and Wiejonarke Gjokreadisumarte, an Indonesian exchange student. They were with eight other white Freedom Riders in a desegregation attempt at the Greyhound bus station Saturday.

Chief of Detectives M. B. Pierce said the exchange student was not charged because "he is a guest in our country," United Press International reported.

Pierce was quoted as saying Miss Wagner was released because "it was the only humane thing to do." Miss Wagner, 44, said she felt she was being "discriminated against" because she is blind.

**Other Happenings**

There were these other developments in race relations last week:

• In Chicago, about 100 Negro and white "Freedom Wadders" held the fourth Sunday demonstration yesterday at the South Side's Rainbow Beach. Although they were greeted by a sign which read "Go Home Nigger," painted on a concrete retaining wall, no incidents on the beach were reported.

• An NAACP youth group held a sit-in demonstration at a Kansas City, Mo., drive-in restaurant to protest the serving of beverages in paper cups to Negroes and in glasses to whites. The demonstrators refused service in paper cups and departed after an hour.

• Bernard Katzen, a member of the New York State Commission against Discrimination, protested a pattern of discrimination against hiring Negro elevator operators he says exists in luxury apartment houses in New York City's East Side.

• Attorney General Robert F. Kennedy listed 39 complaints of racial discrimination on interstate buses—three of them in Northern states—in asking the Interstate Commerce Commission for specific rules barring segregation in interstate buses and terminals.

• Charles F. Woods, president of the Pocatello, Idaho, chapter of the NAACP, said he and several other Negroes were jumped by a group of whites while investigating a segregation complaint.

CORE- PRESIDENT KENNEDY ASKED FOR MARSHALS AT RIDER TRIALS

# Pres. Kennedy Asked For Marshals At Rider Trials

Atlanta World 8/6-61

NEW YORK (UPI)—The Congress of Racial Equality (CORE) asked the Kennedy administration Saturday to station federal marshals in Jackson, Miss., Aug. 14 when at least 186 "freedom riders" will appeal their breach of peace convictions.

Atlanta Ga.

CORE said the so-called "freedom riders" would arrive in Jackson Aug. 13 for a rally the night before the mass appeals.

James Farmer, national director of CORE who served 40 days on a breach of peace charge, appealed for federal marshals in identical telegrams to President Kennedy and U.S. Atty. Gen. Robert F. Kennedy.

Farmer said CORE attorneys had tried to work out "an orderly and peaceful series of trials," but that Jackson's prosecuting attorney, Jack Travis, refused.

"Travis ordered all defendants to be present Aug. 14 though it will be physically impossible to try them all then, or even in the next few months," Farmer said in the telegrams.

Farmer said CORE would "make every effort to see that our conduct is completely non-violent. At the same time, CORE shall continue to protest segregation in Jackson. We cannot guarantee the conduct of hoodlum elements."

The CORE national director said there had been 305 arrests of persons testing segregation in the Mississippi capital. He said the 186 who plan to appeal their convictions are out of jail, and that they might be joined by others who still are in jail but who post bond for the court appearance.

He said the "freedom riders" would come to Jackson by bus from New Orleans, Nashville and Atlanta.

38a 1961 GENERAL NOV. FREEDOM RIDERS

# 14 More Negroes Are Arrested In Montgomery, Baltimore Sit-Ins

The Evening Star p. 1 c

By PAUL HOPE
Star Staff Writer

Fourteen Negroes have been arrested in new sit-in demonstrations at restaurants in Montgomery County and Baltimore.

One adult and eight juveniles were charged with trespassing last night after they refused to leave the Double B Restaurant in Gaithersburg.

Four ministers and the president of a Baltimore real estate form were arrested yesterday when they tried to eat at Hooper's Restaurant in downtown Baltimore.

In another development, 10 persons arrested last week end in an Annapolis sit-in demonstration asked Gov. Tawes to call a special session of the General Assembly to enact a law to bar racial discrimination in hotels and restaurants. Four of the 10 are on a hunger strike at the Anne Arundel County jail.

### Test Scheduled Today

The Congress of Racial Equality plans to visit restaurants on Route 40 in Maryland today to see if the owners will abide by their promise to desegregate the eating places. A scheduled Freedom Ride was called off November 11 after 35 restaurants along the Maryland portion of Route 40 north of Baltimore agreed to begin serving Negroes.

In the Gaithersburg demonstration last night, George Hackley, 27, of 13 Martins lane, Rockville, was charged with trespassing and with contributing to the delinquency of minors involved in the demonstration. He was released on $500 bond and a hearing was scheduled for Monday in Rockville Peoples Court.

The eight juveniles, who also were charged with trespassing, were released to their parents.

Mr. Hackley said the juveniles were among a group from Richard Montgomery and Gaithersburg High Schools who participated in the demonstration.

### Points Up Issue

Mr. Hackley, who idenfified himself as a former University of Maryland student, said the demonstration was carried out to "point out to the Montgomery County Council the need for an anti-discrimination ordinance." An ordinance to bar discrimination in places of public accommodation is before the council.

Warrants charging the nine with trespassing were sworn out by waitress Nancy James who first asked the group to leave, county police said. Police said the owner, Michael J. More, of 114 Rolling road, Gaithersburg, had heard of a possible demonstration a few minutes earlier and had instructed the waitress to swear out the warrants if the demonstrators would not leave.

Mr. Hackley said the demonstrating group went into the Diamond Drug Store earlier in the evening and were served. He said they had been refused service there the night before.

The group arrested yesterday in Baltimore included the Rev. Logan Kearse, pastor of Cornerstone Baptist Church and leader of anti-segregation demonstrations in the Baltimore area the past two week ends.

### Others Identified

The others were identified by the Associated Press as George Crawley, Herbert O. Edwards and Matthew R. Silver, all pastors of Baltimore churches, and Warren Shaw, president of the Manning-shaw Realty Co. of Baltimore.

Hooper's Restaurant was the scene of another demonstration November 11 in which 13 were arrested.

The 10 jailed in Annapolis sent Gov. Tawes this petition:

"We young people, now in jail in Annapolis for requesting service in segregated restaurants, implore you to call a special session of the Maryland General Assembly to enact an effective public accommodations law.

"There are four of us fasting in protest as long as our endurance will allow or until the special session is called."

Gov. Tawes has said he will support anti-discrimination legislation at the regular session of the General Assembly in February, but he has refused to call a special session.

AUGUST DEC
FREEDOM RIDERS

# Supreme Court says no to freedom bid

WASHINGTON

The legal strategy of a Freedom Rider defense counsel to win the release of his client from Mississippi state prison failed last week when two U.S. Supreme Court justices ruled that there was insufficient evidence to show that all state legal processes had been exhausted.

Atty. William Kunstler had petitioned the U.S. Supreme court for a habeas corpus on behalf of Miss Elizabeth Porter Wyckoff, 45, of New York City, who was convicted and jailed for 60 days for breach of the peace in connection with Freedom Rider activities in Jackson. She is scheduled to be released on Aug. 11.

The habeas corpus petition contended that her conviction was unconstitutional and invalid, that appeals to state courts on the contention were useless. The attorney also noted that a pending appeal to the U.S. Circuit Court of appeals woud not be decided before the sentence expires. The circuit court had earlier denied the habeas corpus petition.

* * *

**THE HIGH COURT** denial was issued by Justice Hugo L. Black (Alabama) and concurred in by Justice Tom C. Clark (Texas), sole members of the Supreme Court available. The court is in summer recess.

Undaunted by this setback, Kunstler announced that he would petition Hinds County Judge Russel Moore to arrange for four of the 260 cases pending in Jackson, Miss., to represent the entire group in appeals.

This new strategy is expected to determine the outcome of the entire batch of Freedom Rider convictions and appeals. More than 100 riders have been released on appeal bonds, and others are scheduled to win their release under similar conditions.

Hearing on the test appeals would, if granted by Judge Moore, be held in county court sometime in August.

**ALSO IN JACKSON,** city courts continued to hand out sentences for "breach of the peace" to Freedom Riders.

Judge James Spencer convicted CORE field secretary Richard Haley, 45, of Chicago, and Miss Helen Jean O'Neal, 20, of Clarksdale, Miss., for picketing a meeting of Southern Governors at the Heidelberg Hotel.

Judge Spencer also convicted the Rev. Matthew Petway, pastor of a Montgomery, Ala., AME Zion Church, his two children, Miss Kreddle Petway, 20 and Alfonso, 16, and Dr. Cecil A. Thomas, an Albany, Calif., YMCA official, on breach of peace charges.

The four were arrested as they attempted to desegregate the city airport. Each was fined $200 and given four months in jail. All posted appeal bonds and were released.

In Houston, two Freedom Riders were released from jail after posting $500 bonds for "unlawful assembly."

In Louisville, Ky., three Freedom Riders were fined $25 each on charges of breach of the peace, in connection with a sit-in demonstration in downtown restaurants; and the cases of 19 others were taken under advisement. Fourteen cases were filed and seven were dismissed.

* * *

**ON THE** wade - in scene, the 14th complaint was made to the St. Louis Council on Human relations that the Forest Park Highlands swimming pool discriminates racially.

In Nashville, the park commissioners closed all of its public swimming pools, with the excuse the shuttings were necessary for "financial reasons." The closings followed the denial of admissions of colored swimmers at one of the pools.

The municipal pool at Maplewood, a suburb of St. Louis was ordered closed, after 35 swimmers sought admission. The pool has had a white only policy since it opened in 1936.

At Fort Lauderdale, Fla., some 200 were permitted to use the public beach, without incident.

In Louisiana, the State Supreme Court upheld the conviction of four CORE members for a sit-in demonstration at a McCrory lunch counter last September. The sit-in was the first in New Orleans.

On the legislative level, the Alabama House of Representatives has a bill under consideration which would levy $300 fine and six month sentences on Freedom riders within the state.

The measure stipulates that the law is aimed at anyone convicted of announcing before hand and then carrying out a challenge to the state's segregation statutes.

In Jackson, Miss., key employes of the state's sovereignty commission, charged with preserving segregation in Mississippi, have received pay increases because of the Freedom Riders movement.

The pay increases were ordered by Gov. Ross Barnett because of the heavy work load caused by integrationists.

* * *

**IN OTHER AREAS,** Freedom Riders continued their assaults upon segregated travel facilities. The second group of riders to visit Little Rock were quietly received. The group, consisting of three whites and two colored, obtained integrated service at the Union Terminal and at the airport restaurants.

The group also had no trouble in Charlottesville and Roanoke, in Virginia; Knoxville, Chattanooga, and Memphis, in Tennessee.

However, some difficulties were presented in Elizabethtown and Culpepper, Va. and in Stuttgart, Ark.

At Birmingham, Ala., trial was scheduled in the September term of circuit court for Howard Thurston Edwards, 26, who was indicted last week on a charge of assault with intent to murder, as a result of violence against Freedom Riders at the Trailways bus station last May.

Edwards is accused of being one of a group of men who attacked Birminbham Post - Herald photographer Tom Langston and smashed his camera last May 14.

# In Columbus, Ga.—

# a different story

COLUMBUS, Ga. — An integrated group of responsible citizens, as Columbus faced possible sit-in demonstrations, has taken action which will result in the desegregation of "a number of lunch counters" here early in 1962.

Quite a few lunch counters and cafes lowered color bars in Atlanta, Savannah and Macon following prolonged sit-in demonstrations and picketing.

A prepared statement, released by the Columbus Chamber of Commerce, said in part:

"Serious study has been given to similar action taken in Atlanta, Macon and Savannah. In each instance, it was shown to be an apparent break with tradition, yet it was successfully accomplished.

"In Columbus, the desegregation of the airport, city buses, train and bus stations has been peaceful. Beginning in early 1962, a number of lunch counters will follow this recommendation."

* * *

IN KENTUCKY, the recent Supreme Court ruling in favor of 16 Louisiana youths played a big part in the dismissing of "breach-of-peace" charges against 40 Louisville youths convicted in sit - in demonstrations last summer.

Judge J. W. Hodges dismissed the charges in Special Criminal Court after Laurence E. Higgens, commonwealth attorney, declared "there was no evidence that these people were guilty of breaching the peace."

The commonwealth attorney also cited the recent ruling of the U.S. Supreme Court in a similar case.

"If the facts as you explained them are uncontradicted," said Judge Hodges, "I don't need the Supreme Court to tell me what to do. Cases dismissed."

* * *

AND IN Frankfort, some [illegible] members of High Street Baptist Church last Sunday marched about a mile to the steps of the capitol in protest of segregation.

A spokesman for the group which sang hymns as they walked to the capitol and back to church, said the march was in observance of Human Rights Week, proclaimed by Governor Combs.

Some 150 demonstrators marched through downtown Frankfort the night before, protesting segregated restaurants. A local editor received a letter the same day which threatened an economic boycott unless cafes and theatres were opened on an integrated basis.

IN LEXINGTON, Louis Armonstrong was urged by CORE pickets last Friday to "blow the trumpet for desegregation" in connection with his appearance at segregated Phoenix Hotel.

The band leader expressed strong support for the interracial CORE demonstration and indicated that if he were not bound by contract he would not have appeared at the hotel.

Outside the hotel, members picketed for four hours in intermittent rains. Others staged sit - ins in the hotel coffee shop where colored members of the Boston Celtics had been turned away recently.

IN COLUMBIA, the South Carolina Court upheld trespass convictions of 24 youths arrested in sit-in demonstrations at a Charleston variety store on April 1, 1960, but reversed their conviction of interferring with a policeman in the performance of his duties.

The opinion upholding the trespass convictions stated that it is a "well-established" rule that a private restaurant operator "has the right to select the clientele he will serve and to make such selection based on color or race if he so desires."

But in connection with the arrest on the other charge, the court held that "It appears to us that the conduct of the appellants... did not constitute interference with said officer in the discharge of his official duty."

AT THE REQUEST of the Greyhound Bus Co., the U.S. has filed suit in U.S. District Court seeking an injunction against the City of Birmingham to prevent it from interferring with the operation of a bus terminal restaurant.

Bus company officials called on the U.S. for help when city officials asked the bus company to show cause why its restaurant license should not be revoked for violating local segregation laws.

The company desegregated its terminal cafe facilities in compliance with the recent Interstate Commerce Commission ruling.

ANDREW PHILLIPS and John L. Gibson of Atlanta last week lost their bid to get an injunction forbidding the Fulton County courthouse cafeteria to discriminate on the basis of color.

Judge Lewis R. Morgan dismissed the suit on the ground the cafeteria on Dec. 1 was given permission to serve only employees of the courthouse and its annex.

Employees of the courthouse and annex are served on an integrated basis.

* * *

ALSO IN Atlanta, Stouffer's Restaurant on Peachtree St. reportedly served five colored patrons last week for the first time. Some three of the diners, however, were African students on a tour of the nation under auspices of the State Department.

In High Point, N.C., a local supermarket chain promoted a colored employee to cashier when faced with a NAACP-sponsored boycott.

The association threatened the boycott to back up demands that the A. and P. hire colored in other than menial capacities.

* * *

MEANWHILE, in Rockville Centre, N.Y., the NAACP had picket lines in three Long Island communities last week in protest of discrimination in urban renewal programs.

Association officials charged that apartment and homes torn down in the area were being replaced with middle - income apartments—too expensive for the displaced families.

And in Shreveport, La., Justice Department officials have filed suit to remove segregation signs in Trailways terminal in Ruston, La.

The suit is almost identical to suits filed earlier relating to terminals in Baton Rouge, Monroe and Alexandria, La.

FREEDOM RIDERS
COMMITTEE ON RACIAL EQUALITY

# Apostle of Gandhi

The New York Times
James Leonard Farmer
New York, N.Y.

ONE of the leading protagonists of the Freedom Riders' campaign for equality is a soft-spoken, tall and scholarly Negro who was born in Marshall, Tex., Jan. 12, 1920, the son of a scholar and the grandson of a slave.

He is James Leonard Farmer, national director of the Congress of Racial Equality, one of the groups behind the campain against segregation in the Southern states.

**Man in the News**

Mr. Farmer says that his "first awareness" of segregation came when as a small boy, living in Holly Springs, Miss., he was walking with his mother.

"We passed a drug store and I said I was thirsty. Mother said, 'you'll have to wait until you get home. That place is for white folks'. I didn't know until then that I was colored."

**A Sheltered Life**

"I lived a sheltered life because my father was a minister and a college professor—the first Negro Ph. D. in Texas—and we lived on segregated campuses," he recalls. Inaccessible drugstore counters, sweltering balconies in movie houses, rear seats in public conveyances and a thousand large and small experiences of racial apartness have run like a ragged thread through his life.

Some rebuffs were blunt and some were subtle during a period of ten years in Mississippi, three in Georgia, three in Washington, D. C., one in Chicago and the remainder of his forty-one in New York.

At one time he through of entering the ministry, but, his studies completed, he was unable to reconcile the division of the Methodist Church into its North and South branches at the time. They have since united.

In 1941, he had begun to read extensively of Ganhi's passive resistance movement and non-violent techniques in India. A year later he says he says, evolved a program of Negro resistance to segregation based on the Gandhi principles.

When he first advocated non-violence, other Negros asked:

"You aren't going to fight back?"

Mr. Farmer replied:

"We are fighting back; we are only using new weapons."

The New York Times
"We are fighting back"

But should non-violence fail—and Mr. Farmer does not believe it will—he prefers violence to acquissence to discrimination, he has said.

**Called a 'Front Man'**

Opponents of Mr. Farmer within Negro circles have charged that he is more of a "front man" than a true leader of the C. O. R. E. movement. But Marvin Rich, in charge of C. O. R. E.'s community relations, says that Mr. Farmer is the true leader of the organization.

Nevertheless the foremost advocate of non-violence as a means of fighting segregation is generally recognized to be the Rev. Dr. Martin Luther King.

In 1946, Mr. Farmer was divorced from his first wife, a Negro. In 1949 he married a white woman from Chicago. They have a 2-year-old daughter.

"My daughter, Tami, is not conscious or her color yet," he says.

He once served as program director for the National Association for the Advancement of Colored People. He was, until recently, an international representative of the State, County and Municipal Employees Union.

He lives in Greenwich Village.

# CORE Leader Freed

The Courier
Pittsburgh

Charlotte, N. C.—CORE field secretary Joseph Perkins, Jr., was acquitted today of trespass charges in Charlotte City Recorder Court.

Perkins, who is participating in Freedom Ride, CORE's challenge to bus segregation, was arrested while attempting to secure a shoe shine in the barber shop of the Union Bus Terminal in Charlotte on May 8.

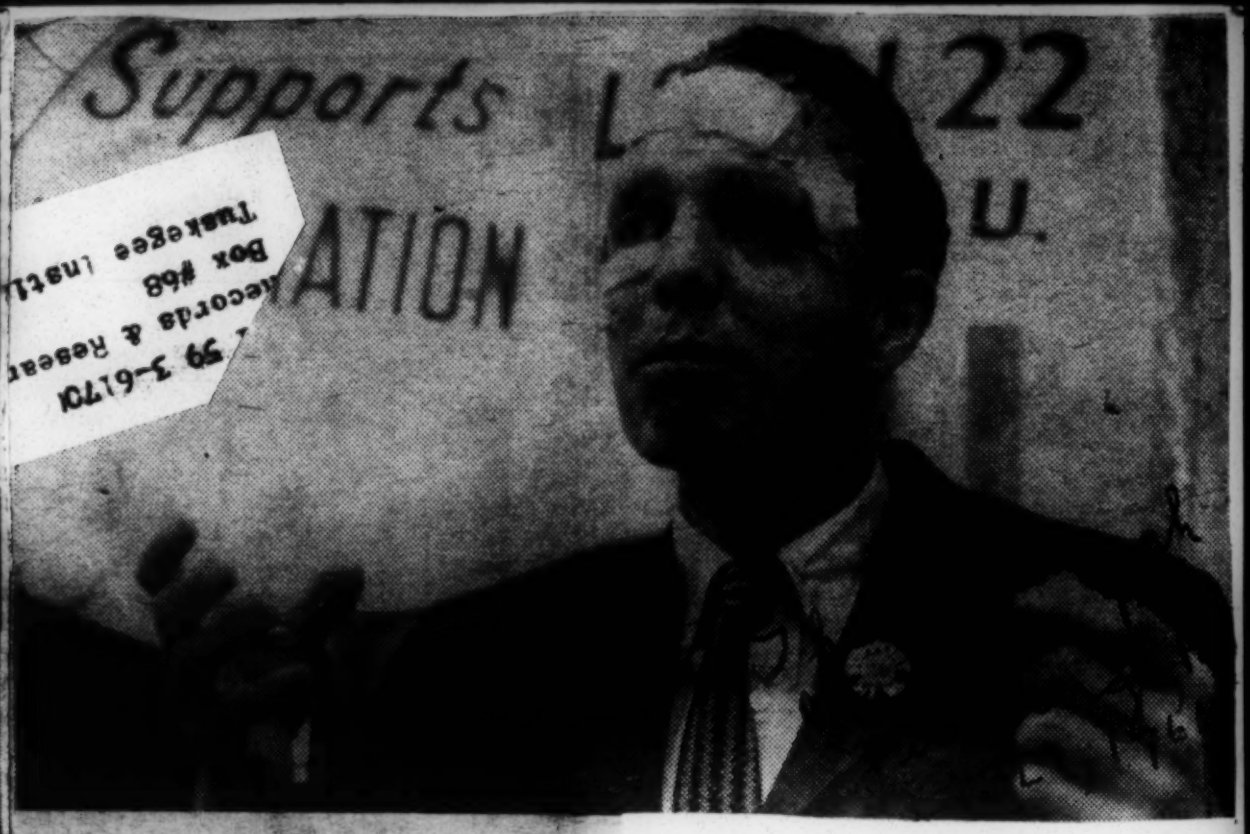
Thurs. 5-18-61
Des Moines Iowa

Judge Howard Arbuckle ruled that the barber shop is an integral part of the bus terminal and therefore an interstate passenger could not be excluded because of race. Judge Arbuckle based his decision on the December, 1960 Supreme Court decision in the Boynton case.

Perkins, Jr.

**RIDERS VOLUNTEER** — Prospective "freedom riders" interested in making the trip from New Orleans to Jackson, raise hands to volunteer during "training class" at New Orleans. CORE Field Secretary James McCain, foreground, refused to identify the members of the group, some of whom may arrive in Jackson today aboard The City of New Orleans.—Daily News-AP Wirephoto.

GROWD HAILS "FREEDOM RIDERS" - Shown at the CORE - sponsored Freedom Ride Rally which attracted more than 1,000 persons to New Zion Baptist Church here last week, in the top left scene, from left, are Rev. B. Eldred Cox, Congregational minister, High Point, N. C.; Gordon Carey, New York, field director of CORE, and Rudolph Lombard, New Orleans CORE chairman. The top right scene shows a section of the audience. The lower left scene shows Edward Blankenheim, chemist, Tucson, Ariz.; Miss Doris Castle, New Orleans CORE member; Albert Bigelow, artist, Cos Cob, Conn., and Joseph Perkins, CORE field secretary, Owensboro, Ky. Blankenheim, Bigelow and Perkins were among the Freedom Riders who were beaten in Alabama. The lower right picture shows Jerome Smith, CORE member jailed in New Orleans for picketing recently; Rev. Sylvester Lyle and Rev. Milton Upton, local ministers, and the Rev. Mr. Cox, who was principal speaker at the rally. Photos by Porter.




**CALLED FOR FREEDOM FRONT**—James Peck, CORE officer, describes bus-burning, head-beating incident at Birmingham (Ala.) bus terminal, when "Freedom Riders" were attacked by whites. One of the mobsters' chief targets, Peck was brutally kicked and beaten, ing due to the ..... Peck had 53 stitches taken in his wounds.

FREEDOM RIDERS
COMMITTEE ON RACIAL EQUALITY

# Freedom Riders Brutally Beaten

The Louisville Defender
Louisville, Ky.

## CORE Members Cancel Tours

Dhurs. 5-18-61

Birmingham, Ala. — Several white and Negro members participating in the Congress of Racial Equality (CORE) two-week old "Freedom Ride" through the deep South, were beaten this week by white mobs in North Carolina and Alabama.

The freedom riders, however, decided to abandon their integration attempt after were unable to secure bus service to Montgomery. A Alabama patrol car was scheduled to follow the bus to the Alabama capitol.

Governor John Patterson said he would escort the freedom riders to the nearest state line but not to any other cities in Alabama to "continue their rabbler rousing.

P-1

The CORE members boarded a plane for New Orleans Monday night where they held a press conference Tuesday. Spokesmen for the group said the trip was successful because it proved that citizen could not enjoy the privileges of interstate travel despite U. S. Supreme Court rulings.

A regular scheduled Greyhound Bus carrying the freedom riders, was burned and stoned outside Anniston, Ala., by a group of white men. Ten persons were taken to a local hospital suffering mostly from smoke inhalation and slight burns.

Two days earlier, the riders were beaten by white hoodlums in the Rock Hill, N. C., Greyhound Bus Terminal when they sought to use the "white only" waiting room.

The freedom riders arriving in Birmingham from Atlanta were attacked in a Trailways Bus Station and severly beaten before police arrived. One Negro and a white man, who was accompanying him, were targets of the attack.

### New Yorker Beaten

A Negro identified as James Peck, 46, of New York City, was treated at a Birmingham hospital for severe cuts inflicted by white men using iron pipes for clubs during the bus station beating. He was later released.

A total of 13 persons, white and Negro, were reported to be taken to the hospital in the two Alabama incidents. No arrests were made by police in either case.

Reports said that police arrived 10 minutes after the Negroes and white freedom riders were beaten in Birmingham. State highway patrolmen dispersed the mob near Anniston.

Freedom Riders, organized into two groups of eight white and eight Negroes, left Washington, D. C., to ride regularly scheduled buses to test racial segregation in the South. All were members of CORE.

The group leaving North Carolina, spent a day in Atlanta before boarding two different buses for Birmingham.

When the first bus arrived at the station at Anniston, they were greeted by an angry mob of 200 white persons. The bus headed for Birmingham but stopped ot repair a flat tire six miles outside of Anniston. The riders said the bus tires had been cut.

The mob of white men, who had followed the bus in cars, tried to board the bus but were prevented by Eli Cowling, a state investigator who had boarded the bus in Atlanta. Moments later the fire bomb, contained in a pop bottle, was thrown through a window of the bus.

### Kentuckian With Group

When the second bus reached Birmingham a second mob of white men waited. The freedom riders, led by Peck and his white companion, walked into the white waiting room after being warned by a white man blocking their entrance.

The man asked, "Where do you think you're going? — you don't know where you are." When Peck attempted to walk through a group of white men, he was struck to the floor. He and his white companion were struck several times before they staggered from the station bloodied and beaten.

Joseph Perkins, a CORE field secretary and native resident of Owensboro, Ky., was a member of the party at Anniston. Perkins, who has conducted several non-violent workshops here, was acquitted two days earlier of tresspassing charges in Charlotte (N. C.) in connection with the freedom ride.

Owensboro, Ky.
Louisville, Ky.
Dhurs. 5-18-61
P-1b

Despite the severity of the beatings, the CORE members earlier vowed to continue their ride through the South.

## Freedom Riders Relive Experience

BIRMINGHAM, Ala. — Negro and white members of CORE'S *Freedom Ride*—pledged to nonviolent resistence—told recently how Alabama police stood by while mobs of white men attacked them with clubs and burned their bus.

The Louisville Defender

Their hands and faces still showing the traces of smoke from a bomb hurled through one of the bus's shattered windows, they nursed their wounded in Birmingham and planned their next step—the trip to Montgomery.

P-9 Thurs. 5-25-61

As the bus riders gave their accounts of violence on the highway, the FBI opened an investigation of the bus burning and CORE national director James Farmer, talked with officials of the Department of Justice. Atty. Gen. Kennedy promised protection.

The CORE Freedom Riders are testing segregation on a bus trip from Washington, D. C. to New Orleans. Only minor difficulties had been experienced by the group before it reached Alabama.

Louisville, Ky

"The trouble started when we got to Anniston, about 60 miles from Birmingham," artist Albert Bigelow, 55, of Cos Cob, Conn., who was on the first bus to leave. "At the outskirts of town a plainclothesman got on the bus and told us there was a crowd waiting in Anniston. He talked to the bus driver and we thought they'd go right on through town. But when we reached the bus station, the bus stopped," said Bigelow.

"A mob of hoodlums was waiting there for us. They had stones and clubs and lead pipes and they were screaming and yelling and trying to cave in the windows. One of them apparently slashed the left front tire.

### A Sudden Following

"After a few minutes," he continued, "the bus pulled out. Suddenly, we had picked up a cavalcade of cars. There were two in front, dodging to keep us from passing and about 40 behind. When that tire finally went and the driver had to stop at a filling station, the cars pulled up and these men piled out.

"The plainclothesman tried to block the front door, but the mob surrounded the bus. They smashed more windows and tried to get in at us. For ten minutes there were no police. Then a state trooper chewing a big cigar came up.

"While the trooper was talking to the driver, the bomb came through the rear window. It was incredible. The bus was filled with black, terrible smoke and outside these hoodlums were shouting 'Heil Hitler' and 'Seig Heil.'

"We were in a terrible predicament. We had either to stay in the bus choking with the smoke—or go out and face the mob. Then we noticed the head and we realized the bus was on fire and we had no choice."

### 4 Exit Through Window

Four members of the small CORE group left through the smashed rear window. The others piled out the front with three other passengers.

"By this time," said Bigelow, "a few more troopers came. There were three, altogether.

The mob backed away and ambulances came and took us to the hospital." They were treated for smoke inhalations and released. A motorcade of local Negroes took them to Birmingham

The second bus, which carried the other small group of "Freedom Riders," left Atlanta shortly after noon and it, too, ran into trouble at Anniston—this time from other passengers.

"Seven hoodlums boarded the bus just before Anniston," Mrs. Bergman, wife of a retired University of Michigan professor said. "They just sat there while my husband went out and got coffee and sandwiches," she said.

"When he came back, the bus driver told us:

" 'Now, we don't want any trouble. The last bus that went through here got burned. You niggers get to the back.' " No one moved.

### 'Fists Hit Flesh'

"Then," said Mrs. Bergman, "these hoodlums got up and started going after one of the Negro students, Charles Person of Morehouse and my husband. Jim Peck went up to try and block the blows. Then they turned on all the Negroes and my husband and Peck. One had an empty coke bottle. They beat them and kicked them and stomped them.

"I was standing there agonizing. All I could hear was the sounds of fists hitting flesh. After they beat all the Negroes, they grabbed them and threw them on top of my husband who was on his face on the floor in the aisle between the seats.

"A policeman who was standing outside the bus came in then and when we asked him to do something, he just said: 'I don't see anything. If I don't see anything, I can't do anything.'

### More Violence

Near collapse, the "Freedom Riders," who have been testing integrated facilities in bus stations, slumped in their seats and the bus moved on to Birmingham.

Knots of angry whites were clustered around the Birmingham station to greet the "Freedom Riders," but no police appeared.

The authorities, in fact, did not show up until Peck, who lives at 552 Riverside Drive in New York, and the Negroes were badly beaten by whites. Roving gangs of whites followed the Negroes through the station. One grabbed a young Negro and as the whites shouted "Hit him," slammed his fist into the Negro's face.

Bleeding, the Negro fell to the ground. As he struggled to get up, the white man hit him again, knocking him into the arms of the whites who hoisted up the Negro for more punishment.

## Two Attacked By Angry Mob Here

Two elderly men were among four reported innocent by-standers who were beaten and kicked allegedly by the angry mob of white men who attacked the CORE "Freedom Riders" at the Trailways Bus Station, around 3:30 p. m., May 14, police said.

One of the elderly victims, Jimmy Ayers, 70, of 1514 North 8th Avenue, was reported admitted to University Hospital, police said.

Police identified the other victims of mob-attack as George Webb, 30, of 614 Southwest Center Street; Henry Hines, 51, of 842 Short 16th Street; and James Daniel, 66, of 416 South Gamma St.

Investigators quoted Webb as saying that he was at the bus station awaiting the arrival of his girl-friend when four white men struck him with a club and kicked him in his head, jaw and shoulder.

Hines told police that he was beaten with fists by the four attackers.

Ayers was quoted as saying he, Hines and Daniel were standing on North 7th Avenue and 18th Street, when four white men drove up in a car, got out and started beating them with fists, police said.

38a 1961

GENERAL

NOVEMBER

FREEDOM RIDES

C O R E - SPENDS $282,000 ON FREEDOM RIDES

## Freedom Is Costly

It costs money — real money — to win freedom. But how costly it is staggers the imagination. CORE (Congress of Racial Equality) announced this week that already it has spent more than $282,000 on the Freedom Rides. This sum includes the cost of bail bonds, legal fees, legal expenses, travel for Freedom Riders to stand trial, training for the Riders, hospital bills, telephone calls, telegrams and printing.

This amount does not include overhead, office expenses or fund-raising costs. Nor does it include salaries for CORE workers. This $282,000 was spent directly on the Freedom Rides. Jhe Cuel Ans 11-17-61

With expenses mounting up in this fashion, it is no wonder that CORE's national director, James Farmer, this week had words of praise for Jack Greenberg, new director of the NAACP Legal Defense and Educational Fund, for assuming the legal burden of defending the Freedom Riders in court.

In announcing that they will share the financial burden of defending the Freedom Riders in court, CORE and the NAACP demonstrate a unity of determination and purpose to see that justice is done. It is ironic, however, that in a land which professes democracy and justice for all, it is necessary for a group of citizens to spend over a quarter million dollars to fight for the freedom which should be theirs as a matter of course. If the NAACP ever totaled up the cost of all of the cases it has taken to the United States Supreme Court, the amount truly would be a staggering revelation. Kansas City Mo P. 21

We are glad to see the NAACP join CORE in the legal defense of the Freedom Riders. The young people who risked their liberty and safety for a principle deserve all of the legal help they can get.

The Freedom Riders and the sit-in demonstrators who proceeded them have performed a great service to American democracy. Many doors, lunch counters and bus terminal waiting rooms have been opened as a result of their efforts which may have remained closed for many more months, perhaps years, had they not staged their dramatic protests.

Freedom is costly, but it is worth every cent and every dollar that must be spent to bring America's practices in line with her principles.

Both CORE and the NAACP will welcome contributions at this time.

## -ore Spends $282,000 On Freedom Rides

Jhe Cuel. Ans. 11-17-61 P. 1

NEW YORK CITY. — (NNPA) — The Congress of Racial Equality reported Monday that it had spent over $282,000 on the direct costs of the Freedom Riders. Kansas City Mo

At the same time CORE National Director James Farmer lauded Jack Greenberg, director of the NAACP Legal Defense and Educational Fund, for assuming much of the future legal burden of defending the Freedom Riders.

"This unity of action should help make clear to Mississippi segregationists that a new day has come," said Farmer. "We in CORE can now concentrate on our direct action program and leave much of the legal defense to the NAACP which has unmatched skill in this field."

Farmer pointed out that CORE will continue to maintain a responsibility and an interest in the Jackson cases. At the request of the Episcopal ministers, CORE will continue to defend these 15 cases directly.

Of the others arrested in Jackson, 85 have been finally adjudicated either through serving of the complete sentence, death, or payment of fine. In 32 cases appeals have been taken from the decision of the Hinds County Court. One hundred seventy-seven cases have not yet reached this court. Jhe Cuel

CORE will continue to assume the transportation costs of bringing the Riders to and from Jackson for their trials. CORE will share responsibility for bail bond with the Legal Defense Fund. An additional $177,000 is still needed for this purpose. Ans 11-17-61

Farmer pointed out that the Freedom Rides have already cost over $282,000. Core will continue to be solely responsible for Freedom Ride cases in Shreveport, La.; Ocala and Tallahassee, Fla., and Houston, Texas. Future Freedom Ride cases in Jackson and elsewhere will also be CORE responsibilities.

38a 1961

GENERAL

AUGUST
FREEDOM RIDERS - PLAN
SOUTH -To-NORTH
FREEDOM RIDE

# Southern Group Plans Freedom Ride to North

Evening Star 8-17-61
Hours 8-17-61

ATLANTA, Aug. 12 (AP).—The leader of an Episcopal desegregation group has announced plans for a "South-to-North Freedom Ride" next month.

The Rev. John Morris, executive director of the Episcopal Society for Cultural and Racial Unity, said last night the Freedom Ride, called a prayer pilgrimage, would include 30 to 35 Episcopal clergymen—both white and Negro.

He said the group will leave New Orleans September 12 en route to the general convention of the Episcopal Church in Detroit.

Washington D.C

The clergymen will visit Episcopal schools and colleges to see what is being done about desegregation, Mr. Morris said, as well as investigating integration of public facilities along the way.

Stops will be made, he said, in Vicksburg and Jackson, Miss.; Birmingham, Ala.; Sewanee, Tenn.; Versailles, Ky., and Cincinnati.

"We anticipate the possibility of some delay," he said, "in Jackson, Miss."

Meanwhile, Mr. Morris charged that the University of the South at Sewanee, while it announced that students would be accepted without regard to race, actually is discriminating against Negro students in certain university facilities.

Specifically, he said, two Negro students in Sewanee's graduate school of theology were denied service early this week at Sewanee Inn and Claramont Restaurant, which the Atlanta minister said are "university-owned facilities."

At Sewanee, Dr. Edward McGrady, vice chancellor of the university, was quick to challenge the statement by the ESCRU director.

"The Sewanee Inn and Claramont Restaurant," he said, "are not university facilities. The property is owned by the university, but is operated under lease by a private contractor, Mrs. Clara Shoemate.

"The university's contract with Mrs. Shoemate does not give us any right to determine who will be served or who will be denied service.

"I can assure Mr. Morris that if his group visits Sewanee, we will serve them, if they desire, in university dining halls and other university-owned and operated facilities, without regard to the racial make-up of the visiting delegation."

The board of regents of the university, which is supported by 21 Episcopal dioceses in the South, last June announced that Sewanee would accept all qualified students without regard to race.

At Atlanta yesterday a Federal judge continued until August 30 a hearing on a court order restraining the Georgia State Board of Education from allowing a white Atlanta girl, Sandra Melkild, to transfer from a desegregated school to a segregated one.

United States District Judge Frank Hooper had earlier scheduled the hearing for tomorrow. The new date is the day the city schools open. The State, which is preparing an all-out fight to sustain the State board's ruling, asked for the continuance.

At Montgomery, Ala., a county Court of Common Pleas trial of 10 Freedom Riders was postponed after prosecution and defense attorneys conferred in a Federal judge's office.

Originally scheduled for August 28, the trial was postponed until September 15. A hearing on a Federal suit in which the defendants ask an injunction against the trial is slated for September 5.

At Jackson, Miss., a Federal judge took under advisement a suit by James H. Meredith, 28-year-old Negro seeking to enter the University of Mississippi. Federal District Judge Sidney Mize said he will rule on the motion after written briefs are filed September 5.

Judge Mize said he doubted Mr. Meredith could attend the university in September, regardless of his ruling, because it probably would be appealed to a higher court.

Negro integration leader Martin Luther King, jr., announced at Miami Beach, Fla. an intensive campaign to double Negro voter registration in the South.

Dr. King told a news conference that before long thousands will stage "stand-ins" at places where Negroes have not been permitted to register.

## Murrow Cites Reaction

Edward R. Murrow said yesterday that the violence against Freedom Riders in Alabama had had "a harmful effect" on the American image abroad.

In testimony prepared for a hearing of the House Committee on Education and Labor at the Federal Building in Foley Square, Mr. Murrow, director of the United States Information Agency, said:

"This agency's job of counteracting the detrimental effects of civil rights violations is not easy. We cannot make good news out of bad practice."

Mr. Murrow did not appear before the committee. His report was outlined by Adam Clayton Powell Jr. of Manhattan, the committee chairman. Mr. Powell took special pains to read the following section of a covering letter from Mr. Murrow:

"I think it would be a mistake to base our action against discrimination mainly on the ground that our image abroad is being hurt. We should attack this problem because it is right that we do so. To do otherwise, whatever the overseas reaction might be, would violate the very essence of what our country stands for."

In his report, the first survey of world-wide reactions to segregation and discrimination since the Freedom Riders began, Mr. Murrow said headlines and news stories in the press abroad had "presented a stark picture of the Alabama incidents."

He pointed out that while there had been an effort by "most free world reporters to include some balance in their stories and to give the Federal Government full credit for its prompt intervention," the attempt had not been successful.

### Journalists Outweighed

"Despite the mitigating condition, notably the Government's unequivocal reaction," Mr. Murrow's report continued, "the generally critical tenor of comment and the impressions reported by our field officers, indicate that the reactions of peoples to the news reports themselves were so sharp as to outweigh the attempts of serious and well informed journalists to put the events in perspective."

Even so, Mr. Murrow went on, the agency felt that its work "and our country's exchange programs with all parts of the world have resulted in a more perceptive reaction to the deplorable recent episodes than was true a few years ago—say at the time when Little Rock was in the headlines."

The report contained excerpts from news articles in papers in various parts of the world. Mr. Murrow described the African press and radio comment as mixed. In the Far East, he said, despite restrained comments in the press, "the recent racial incidents have damaged America's reputation as a defender of individual rights and have provided America's detractors with the obvious usable material."

### 'Strongly Negative'

In the Near East and South Asia, Mr. Murrow said, "the net impact generally has been assessed as strongly negative in character."

Western European coverage was described as "predominantly negative," running "the scale from immediate horror and disgust to longer-range concern that American world policy was being seriously compromised."

Editorial comment in Latin America "strongly condemned the action of Southern segregationists," Mr. Murrow said. "The Left-Wing, pro-Communist press has used the issue to attack the Kennedy Administration."

Finally, reporting on the Soviet Union and Communist China, Mr. Murrow said that after "initial low-volume reaction, Soviet propaganda exploitation of the Alabama incidents and Mississippi jailings was stepped up considerably."

In Communist China, he said "Peking writers bore down hard on the theme that rampant racism has 'exposed' the savage nature of American freedom and democracy."

# NEGROES FOUGHT RACISM IN NORTH

## 'Freedom Rides' Produced Pre-Civil War Riots

North American Newspaper Alliance

*The following article is by Leon F. Litwack, Assistant Professor of History at the University of Wisconsin, who is one of the country's foremost experts in the field of discrimination against the Negro in the North. His book, "North of Slavery," has just been published by the University of Chicago Press.*

MADISON, Wis., June 24—More than 100 years ago, Negro and white "freedom riders" challenged racial segregation on public transportation facilities in the North.

Employing the weapons of nonviolent resistance and agitation, they pleaded their case for equal rights before a generally hostile or indifferent public.

Although finally victorious, these early "freedom riders" had to wage a long and often bitter struggle, marked by occasional violence, before the proprietors of Northern railroads, omnibuses and street cars reluctantly agreed to give up segregation practices.

Racial prejudice sharply proscribed the position of the Negro in the pre-Civil War North, as Southerners repeatedly pointed out. While statutes curtailed the Negro's political rights, disfranchising him in most of the North, public sentiment and custom confined him largely to menial employment and either excluded him from theatres, hotels, restaurants, resorts, churches, schools, cemeteries and public conveyances, or assigned him to separate and usually inferior sections.

### Had to Keep His 'Place'

This was the Negro's "place" in Northern society, and he was expected to keep it. Race riots in New York, Philadelphia and Cincinnati made this abundantly clear.

When railroads first came into public use, segregation precedents already established on steamboats and stage coaches dictated separate accommodations for Negroes. One New England railroad official recalled "scenes of riot and violence" before his company finally decided to provide special cars for Negroes.

These separate accommodations also existed in city transportation, especially in the larger centers of Negro population.

Protesting the inferiority of segregated facilities and the stigma of separateness, the Northern Negro, together with sympathetic whites, sought to break down existing racial barriers. Unlike his Southern brethren, he could at least organize and peacefully protest his condition through public meetings, newspapers, petitions and demonstrations. And this he proceeded to do.

### Constant Pressure Needed

Experience soon taught him that only constant pressure for immediate change, rather than a resigned trust in gradualism, would produce results. Rejecting violent measures, the Northern Negro placed his faith in the power of passive resistance agitation and political action.

Recognizing that their newspapers and petitions reached a limtied audience, Massachusetts Negroes resolved to strike more directly and dramatically at segregation by deliberately violating company rules and taking seats in the coaches reserved for whites.

In the Eighteen Forties Northern newspapers reported numerous cases, most of them in New England, where Negroes had to be dragged from the exclusive cars into the "Jim Crow" coaches or off the trains altogether.

On one occasion a Massachusetts Negro woman, carrying an infant in her arms, was dragged from a train for violating segregation rules and was thrown to the ground, while her husband was severely beaten for coming to her assistance.

### Triumph in Massachusetts

Failing to achieve favorable court action, Massachusetts Negroes and white abolitionists urged a boycott of discriminatory railroad lines and turned to the State Legislature for relief. After investigating the matter, a joint legislative committee recommended in 1842 a bill that would prohibit any discrimination in accommodations because of descent, sect or color.

Although the proposed bill never passed, the relentless agitation of Negroes and white abolitionists, combined with the threat of legislation, finally prompted Massachusetts railroads to abandon segregation. It was a significant triumph, considering the extent of racial prejudice in the Forties and it had been won largely through direct and nonviolent resistance.

Meanwhile, New York Negroes, tired of being harassed on street cars and omnibuses, organized a Legal Rights Association and deliberately violated company segregation rules. In 1854, they scored a momentary victory. Forcibly removed from a street car, a Negro school teacher sued for damages and, with the legal assistance of Chester A. Arthur, later a President of the United States, won the case.

By the end of the Civil War, racial distinctions in Northern transportation facilities had been virtually eliminated.

# Freedom Riders, Dixie Antagonists Get Ready for More Head-On Clashes

By Associated Negro Press

Both sides of the "Freedom Rider" impasse are girding themselves for further head-on battles over the issue of integrating or keeping segregated travel facilities throughout the deep South.

In Alabama, a house committee rushed approval of a bill to make it a misdemeanor for "freedom riders" to enter the state after publicly announcing their intentions. The measure provides a $300 fine or six months in jail.

### Calls Riders "Communist-Inspired"

In Mississippi, a smear campaign has been launched to discredit the "freedom riders." Under the aegis of T. B. Birdsong, state commissioner of public safety, the highway patrol has been collecting evidence which purports to prove that the freedom riders are sponsored and being supported by the Communists. Specifically, the evidence singles out the Congress of Racial Equality (CORE) is a Communist front group.

Simultaneously, Birdsong disclosed that old Mississippi Bureau of Investigation, which functioned briefly during a bus driver strike in 947-48, was to be revived. Though he indicated the statute covering the MBI was not being used, he said, "had it been continued, we would have had the benefit of its investigations throughout the ensuing years, instead of the responsibility of accumulating this material now."

### Riders "In Good Spirits"

On the other side of the fence, the "freedom riders" were reported to be "still in good spirits" and the campaign, which started last May 24, "is just beginning." This observation came from James Farmer, 41, national director of CORE, during a press interview in which he charged that Mississippi prison officials are inflicting "psychological cruelty" upon the jailed freedom riders.

"My three weeks at the penitentiary tried my faith in human nature," he said upon his release on bond. He said officials sought to turn the "freedom riders into animals, and that the riders were allowed fewer privileges than murderers.

### Slept On Hard, Cold Floors

He and other riders were forced to sleep for three nights in their underwear "on hard, cold steel floods" with fans "going full blast to freeze us out."

Then, he said, "the fans were turned completely off for three days, making the heat unbearable and the stench stifling. It was difficult to breathe."

Farmer said the action was taken because they sang.

Evidence of the determination to continue the fight for integration was displayed at a three-hour strategy session by leaders of the "freedom riders," movement, in deciding unanimously to "continue to exert moral pressure" against segregation.

The leaders attending the meeting were Dr. Martin Luther King, Jr., president, Southern Christian Leadership conference (SCLC), Atlanta; Gordon Carey, field officer for CORE; Miss Diane Nash, Nashville Christian Leadership council; and Charles Sherrod, field secretary, Student Non-Violent Coordinating committee.

Though the arrest total for the 43 day assault upon segregated facilities in Jackson climed to a total of 173, freedom riders continue to storm the city's bastions. The second group of riders from the San Francisco Day area are preparing for their day of protest in Jackson. The group, composed of religious leaders, is headed by Drs. Cecil Thomas and Charles S. McCoy, co-chairmen of the Bay Area Interfaith committee.

### Plan "Prayer Pilgrimage"

In the East, 37 Negro and white Episcopalian clergymen are laying plans for a "prayer pilgrimage" across the entire south, beginning Sept. 12. The trip, sponsored by the Episcopal Society for Cultural and Racial Unity, will take the group to terminal restaurants along the route and from New Orleans north to Detroit. It will end on Sept. 17 in Detroit, where the group will be on hand forthe open of the Episcopal church's general conference.

One invasion is planned by CORE for a northern community, that of Dearborn, a suburb of Detroit. The Ann Arbor chapter of CORE announced that it wants to investigate "segregated public facilities" in this white-only community of 112,000. No date has been set for the visit but Dearborn's mayor, Orville L. Hubbard, has extended an invitation to tea to what he calls "the freedom clowns" when they do arrive.

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GENERAL

JUNE, 1961
FREEDOM RIDERS
ATTY. GEN. ROBERT F. KENNEDY

# Bob Kennedy Questions Value of Freedom Rides

NEW YORK (UPI)—Atty. Gen. Robert F. Kennedy said Wednesday he did not believe continued freedom rides into the heart of the South make "a great deal of sense" in advancing the cause of desegregation.

The President's younger brother told a news conference here he would like to see desegregation "settled in the courts, not in the streets."

"I think they (the "freedom riders") have a legal right to make these trips," he stressed. But he added:

"I don't think at present it makes a great deal of sense as far as advancing their own purposes."

It was on Kennedy's orders that U.S. marshals were dispatched to Alabama to protect 'freedom riders' from a series of mob attacks, and the attorney general said Wednesday the Justice department would continue its insistence that the riders have the right to travel by bus and plane without being subjected to violence.

He noted that the issue of desegregated travel was now before the courts and the Interstate Commerce Commission and added, "I hope and expect that in the near future the ICC will take action to end discrimination in interstate buses."

He said the ICC order was expected within the next few months. It could be adverse, he said, in which case the situation would have to be reviewed.

The news conference accompanied Kennedy's luncheon speech before the closing session of the 55th annual meeting of the National Association of Attorneys children have been attending private segregated schools financed mainly by county and state tuition grants.

The overwhelming majority of the county's 1,800 Negro school-age children have not had any formal instruction since the public schools closed.

The tuition grants — for educasponsibility whatsoever for the closing of public schools in Prince Edward County."

tion in private nonsectarian schools or public schools in another locality — are available to the Negroes, too, but only a handful have applied for them.

In a related case, Lewis earlier granted Negroes a move to broaden their case to include the question of the constitutionality of the grants and of the state law under which the schools were closed.

Lewis denied a move by the state to dismiss the Negroes' broadened suit. He said, "The paramount question raised . . . is whether or not the defendants . . . are deliberately circumventing or attempting to circumvent or frustrate the order of this court. On that question the plaintiffs are entitled to be heard."

He granted the defendants two days to file answers to the broadened suit and fixed July 24 for a hearing on the merits of the case. If any of the parties ask for a pretrial hearing, he set one for July 10.

Attorney General Kennedy, in his move to intervene, had asked the court to prohibit Virginia from expending funds to maintain free public schools elsewhere in the state so long as those in Prince Edward remained closed.

Lewis noted that although Asst. Atty. Gen. St. John Barrett had argued it was not the intent of the government to force the closing of the public schools in Virginia, Barrett had refused to delete this from his intervention plea, saying "he did not have the authority to do so."

"Therefore this court can only conclude," Lewis said, "if the government be permitted to intervene as a party plaintiff, it would urge this court to enter an order that would jeopardize the education of several hundred thousand Virginia children who have no re-

Associated Press Wirephoto

HAS HOLE IN SOLE

*Bobby Meets Press*

# Attorney General Questions Value of More Freedom Rides

United Press International

Attorney General Robert F. Kennedy said yesterday he did not believe continued Freedom Rides into the heart of the South make "a great deal of sense" in advancing the cause of desegregation.

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**Now Before Courts and ICC**

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Freedom Rider groups put segregated facilities to a test in two South Carolina cities yesterday and received widely varying receptions.

A group of 18 "Interfaith" Riders was turned away from a motor court lunchroom outside Sumter.

However, another group of seven riders who arrived in Charleston shortly after noon had lunch without incident at the downtown bus terminal. They left in the company of an NAACP official.

Meanwhile, a lone Freedom Rider who split off from an earlier group was arrested at Jackson, Miss., Wednesday. Daniel Ray Thompson, 26, a white man from Cleveland, Ohio, was taken into custody for refusing to leave a Negro waiting room in a bus station.

Like the 110 riders who preceded him to Jackson, Thompson was charged with breach of the peace.

## Doubtful Value Put On 'Rides'

### Atty. Gen. Kennedy Thinks Further Push Doesn't 'Make Sense'

By United Press International

NEW YORK, June 14.—Atty. Gen. Robert F. Kennedy said Wednesday he did not believe continued so-called "Freedom Rides" into the heart of the South make "a great deal of sense" in advancing the cause of desegregation.

The President's brother told a news conference here he would like to see desegregation "settled in the courts, not in the streets."

**Says They Have Right**

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**111th Rider Arrives In Jackson Jail**

JACKSON, Miss., June 14.—(UPI)—Protest rider No. 111 arrived here Wednesday.

Daniel Ray Thompson, like the 110 riders who preceded him, was arrested on a breach of the peace charge.

Thompson, 26, a white man from Cleveland, Ohio, was taken into custody after refusing orders to leave the Greyhound bus station's Negro waiting room.

Thompson left Nashville, with six other riders who were jailed here Saturday but he separated from the others in Memphis.

**81 Remain In Jail**

Eighty-one of the riders, who began pouring into Jackson three weeks ago, are remaining in jail rather than posting bonds or paying fines.

However, they are expected to be transferred to the State Penitentiary this week, possibly Thursday. Hinds County Sheriff J. R. Gilfoy had a breakfast meeting Wednesday morning with Gov. Ross Barnett and other officials to discuss the transfer.

United Press International

**Three of the 14 "Freedom Riders" en route from Washington to Florida are shown as they were being served at a lunch counter in the Union Bus Terminal in Wilmington, N. C., yesterday. The three, all New Yorkers, are Joyce Lebowitz, of Radcliffe College; Sheree Masaquoi, an art student, and Dupree White.**

Plans have been made to keep the riders segregated from other prisoners at the penitentiary in the Mississippi Delta, where they will chop cotton and perform other menial labor.

**South Carolina Greeting Is Cool But Orderly**

CHARLESTON, S. C., June 14.—(AP)—The first of three bus-riding groups of protest riders received a cool but orderly reception in South Carolina Wednesday.

They were the vanguard of 32 white and Negro riders testing segregated facilities at interstate bus stations in the Deep South en route to Florida.

Seven members of the party from Washington were greeted at a lunch counter in the Charleston bus terminal by an elderly white woman carrying a cane. She shook hands with a white minister and a Negro minister in the group.

Uniformed and plainclothes policemen were on hand as the Greyhound bus rolled in.

It was an uneventful day for the group, which left Wilmington, N. C., after spending the night in a Negro hotel. As the bus drove southward, the number of white onlookers at bus terminals grew larger. Brief uneventful stops were made at Myrtle Beach, Georgetown, and other coastal cities.

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GENERAL

FREEDOM RIDERS
$25,000 FUND

# $25,000 freedom fund for Dr. King's group

ATLANTA, Ga. —Contributions totaling more than $25,500 were announced this week by officials of the Southern Christian Leadership Conference headed by Dr. Martin Luther King Jr.

The sum of $5,500 was turned over to Dr. King by Dr. O. K. Maxwell, president of the National Sunday School and BTU Congress. The money was raised by the congress at a special civil rights night held during its recent convention in St. Louis, Mo.

The Empire State Baptist Convention, Dr. Sandy F. Ray, president, gave SCLC $18,000, the Rev. Wyatt T. Walker, executive secretary, announced.

* * *

**THE REV. WALKER** said the money was included in more than $20,000 raised by Baptists of the Greater New York area as a result of five civil rights meetings.

Dr. King said the gifts "Reflect a sincere concern... for the Freedom Struggle in the South."

Dr. Ray and the Rev. George Lawrence of Brooklyn observed: "Dr. King and the Revs. Ralph D. Abernathy and Walker, as well as others, are working down there (in the South) in the front line trenches. The least we can do is give them our moral and financial support."

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GENERAL

FREEDOM RIDERS
TOP FREEDOM RIDERS BENEFIT
LOUIS ARMSTRONG, JULIAN(CANNONBALL) ADDERLEY-OTHERS

# Satchmo, Cannonball top 'Freedom Rider' benefit

RANDALLS ISLAND, N. Y. — A three-hour jazz show was staged at Downing Stadium Wednesday night, featuring Louis Armstrong and his All Stars, Cannonball Adderley's quintet and the Gerry Mulligan Concert Jazz Band.

Each group was given an hour on stand, a fact which enabled all to produce an outstanding effort.

* * *

IT WAS A commendable step there by May and Gus Sperber, who presented this concert as a benefit for the Freedom Riders Fund of the Congress of Racial Equality, and who have scheduled two more next month.

In an hour, a jazz group can accomplish quite a bit.

Armstrong was, of course, uniquely and predictably Mr. Armstrong, playing the program that has become standard for his group over the last ten years.

* * *

ADDERLEY'S quintet managed to refute very effectively the notion that it is doggedly attached to "soul jazz."

Cannonball on alto saxophone and his brother Nat on cornet led the group through some merrily jaunty pieces and a selection featuring Sam Jones, the group's bassist, playing pizzicato 'cello in very swinging fashion.

There was not even a suggestion of the heavy repetitious gospel chords that are at the heart of "soul jazz."

* * *

MULLIGAN'S thirteen-piece band, now just a year old, has become remarkably light on its musical feet.

JULIAN (CANNONBALL) ADDERLEY

The keynote to its playing is the light, almost pussyfooting, attack that Mulligan occasionally uses on his baritone saxophone.

Its repertoire has changed relatively little since its early days, but the band now handles is material with a deftness that its quite unusual in so large a group.

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GENERAL

FREEDOM RIDERS
FORMER PRESIDENT TRUMAN

# Truman 'spanked' for 'nonsense' on Freedom Riders

BY EDWARD PEEKS
WASHINGTON

Carl T. Rowan, deputy assistant Secretary of State for public affairs, took former President Truman to the woodshed for his recent attack on Freedom Riders.

**Mr. Rowan put the ex-President in a category termed "nonsense" in a tough speech Saturday before the Catholic Interracial Council of Washington.**

Freedom Riders will do more to change the image of America around the world for the good of all, he said, "than all the speeches and communiques that we can pour out of the State Department and the U.S. Information Agency."

* * *

**HE TOLD** the luncheon meeting at the Burlington Hotel:

"I might say here that there is nothing complicated about how to stop Freedom Rides. Give freedom and you destroy the reason to ride."

He described two elements of "softness" representing hostility to riders testing decisions by the Supreme Court and Interstate Commerce Commission, but said of another element involving Mr. Truman:

**"The third bit of nonsense — and extremely dangerous nonsense it is—finds as its chief purveyor none other than former President Truman.**

"In his usually brash tones, he has referred to those ministers, students and others who are challenging racial segregation in airports and railway stations as 'meddlers.'

"Let me make it clear that I have the highest regard for Mr. Truman's actions as President. I think that on many occasions he showed great courage, and not infrequently in the field of civil rights.

"So I am doubly saddened that he, most of all, should help to create the impression that bigotry and racial injustice in Jackson, Miss., is not the business of a citizen of Washington or New York or Minneapolis."

* * *

**MR. ROWAN** quoted his own boss, Secretary of State Rusk, and President Kennedy to the effect that segregation hurts this country's relations with the rest of the world.

His speech, however, stands out as the most pointed ever delivered by a member of the Kennedy Administration on the question of Freedom Riders.

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GENERAL

FREEDOM RIDERS
DR. MORDECAI W. JOHNSON

# Mordecai Johnson voices Freedom Rider approval

ST. LOUIS — Dr. Mordecai W. Johnson, president emeritus of Howard University, sided with Dr. Martin Luther King in support of Freedom Riders in a speech here last week before the National Sunday School and Baptist Training Union Congress.

Earlier Dr. King and Chicago's Dr. J. H. Jackson, a claimant to the presidency of the National Baptist Convention, USA, Inc., had clashed over the Freedom Rides.

Jackson approved the motives behind the Freedom Rides, but said he did not favor violating laws in an effort to secure rights. King, on the other hand, said "we have no moral obligation to obey an unjust law."

* * *

DR. JOHNSON said Dr. King is "doing more than any man alive" to make white and colored churches realize their Christian responsibility.

The speaker said it was his "fervent hope" that there would be many more followers of the riders in the months to come.

Dr. Johnson added that if Abraham Lincoln were to visit the average meeting of the Republican Party he would hardly recongnize it as the party with which he was once affiliated. The speaker said the GOP "is as bad as the Democrats" in its forsaking of minority rights.

The speaker called for the unification of the "great -liberals" of both parties as a moving force to eradicate the evils of our democracy.

MORDECAI JOHNSON

38a 1961

GENERAL

FREEDOM RIDERS- JUNE 1961
MR. RANDOLPH WHITE, EDITOR (NEGRO)
CHARLOTTESVILLE ALBERMARIE TRIBUNE

# *Negro Editor In Virginia Hits Riders' Actions*

CHARLOTTESVILLE, Va., (AP)—Randolph White, editor of the (Negro) Charlottesville Albemarle Tribune and a Negro himself, lashed out Friday in an editorial against the freedom riders.

White said "We are at a loss to understand what Negroes hope to gain by willfully committing acts to get thrown into the clink and then refusing to make or accept bail, or appeal their convictions, if they really think the laws they are violating are unconstitutional.

White, a conservative, also said, "The courts have been established to handle these problems and it would seem that all that is necessary is to institute a test case and solve the problem legally and without fanfare."

JUNE, 1961

FREEDOM RIDERS

GENERAL

MR. EDEARD R. MURROW, USIA DIRECTOR

38a 1961

# Murrow Says World Upset Over Riders

## 'American Image Damaged', Claims Information Chief

NEW YORK (UPI)—The United States Information Agency said today that world reaction to racial violence in Alabama was so sharp that it outweighed attempts by well-informed journalists to put the events into perspective.

The agency said the violence in Alabama and the jailings of "Freedom Riders" in Mississippi "have had a harmful effect" on the American image abroad.

The estimate of world reaction to the latest racial flare-ups in the United States was contained in a report submitted by USIA Director Edward R. Murrow to the House Education and Labor Committee at a hearing in New York.

**TOUGH JOB**

Murrow said the job of "counteracting the detrimental effects of civil rights violations is not easy."

"We cannot make good news out of bad practice," he said.

The USIA report said "assessed in terms of their impact on the American image abroad, the violence against the 'Freedom Riders' in Alabama, and to a lesser extent their jailing in Mississippi, have had a harmful effect."

It said the "worldwide headlines and news stories presented a stark picture" but the exchange programs and work by the agency "have resulted in a more perceptive reaction to the deplorable recent episodes than was true a few years ago—say at the time when Little Rock was in the headlines."

The agency said that despite some editorial comment applauding quick government action, "the reactions of peoples...were so sharp as to outweigh the attempts of serious and well informed foreign journalists to put the events in perspective."

It found that:

In Africa, there was full news coverage but "surprisingly light" editorial comment. Some editors praised the federal government's quick reaction while a few pointed up America's slowness in solving problems of discrimination.

**'DAMAGED IMAGE'**

In the Far East there was "restrained comment" but a finding that the racial incidents "have damaged America's image as a defender of individual rights."

In the Near East there was limited editorial comment but "sensational" news coverage.

Western European papers carried strong and "predominantly negative" coverage.

Latin American newspapers and radios had only moderate news coverage but editorial comment "strongly condemned the action of Southern segregationists."

The Soviet Union and Communist China launched broad propaganda programs with Peiping writers bearing down on the theme that "rampant racism" has exposed the savagery of American freedom.

38a 1961

GENERAL

FREEDOM RIDERS
ATTY.GEN. ROBERT KENNEDY

# Bobby Says He Opposed 'Rider' Trip

Montgomery Advertiser 8-1
Date 8-1-61

## Attorney General Claims Opposition To Local Venture

Montgomery Ala

ATLANTA (AP) — Atty. Gen. Robert Kennedy said Monday night that he did not encourage "Freedom Riders" on a journey that was punctuated by riots in Montgomery.

On the contrary, he said, his representatives tried during the week preceding the Montgomery incident to persuade the riders not to make such trips.

Kennedy defended the administration's actions in sending federal marshals to Alabama in an interview with Ray Moore, news director for WSB-TV. The interview, taped in Washington, was broadcast Monday night.

In a discussion of school closings in Prince Edward County, Va., Kennedy was asked if he thought tuition grants made available to both white and Negro children were inadequate.

**FIRST HE KNEW**

"I don't think that's the proper way of handling it" he replied.

Discussing desegregation of Atlanta high schools in the fall, Kennedy was asked if he thought tuition grants are legal or constitutional. He said he would have to "get into the specifics or the particulars" to answer that question.

Kennedy said the first he knew of "Freedom Riders" taking rides was after receiving information on the bus burning in Anniston, Ala. President Kennedy, he said, tried to get in touch with Gov. John Patterson of Alabama "to get assurance that they would handle this themselves so that the federal government could stay out of it."

The attorney general said Patterson wouldn't talk to the President. Later Patterson sent word he wanted to talk to a representative of the President and John Siegenthaler of the attorney general's staff went to Montgomery.

**GAVE ASSURANCES**

Kennedy said Patterson assured Siegenthaler the state had the means, the will and the ability to protect the "Freedom Riders." The Alabama governor, he added, gave assurance that people traveling across the state would not be molested.

"Twelve hours later," Kennedy said, "Mr. Siegenthaler was lying on the ground in Montgomery unconscious, having been beaten by this mob. . .

"All of these things are just a small minority of the population giving the city, the area and the whole state a bad name.

"If you put it to a vote asking how many people would support the "Freedom Riders"—It would be a small number, but if you asked the question of how many want these people beaten up, a vast majority of people in Alabama and any other state would say that they are in favor of law and order."

38a 1961

GENERAL

FREEDOM RIDERS-
PRESIDENT LUTHER H. FOSTER, JR.

# Tuskegee President Speaks Well Of The "Freedom Riders"

The Informer & Texas Houston, Texas

BY RAY BOONE

TUSKEGEE, INSTITUTE —Tuskegee President L. H. Foster has supported the "Peace Corps" and "Freedom Riders," saying they are among groups which "accentuate the positive" in today's world drive "for human dignity."

Jul 29-61

Dr Foster said these two groups are adding "their constructive bit in behalf of the surge so clearly asserted for human dignity."

Speaking at a convocation for teachers attending summer school here, Dr Foster also said the future welfare of the nation depends on "our young people," despite their . "inadequate early school and community experiences."

"It is true that our young people are at a distressing disadvantage because of inadequate early school and community experiences," he said. Nevertheless he continued, this country's future welfare "depends crucially" upon how Negro youths meet "new responsibilities now being thrust upon them."

But responsibility is not with youth alone, he said. "We teachers have some duties, too. We are obligated to take more effective leadership in education .. for the job of facilitating intellectual growth is our strength."

Dr Foster said there are today more groups "dedicated to the people's welfare" -but there still remain "anti-humanistic" forces that block and oppose movement in behalf of human dignity.

He said the conflict between these opposing forces is "real" -, but many persons try to avoid reality "by trying to live in a state of 'weightlessness'"

Discouraging weightlessness," Dr Foster said these people fail to act in local, national and world affairs, because they think their action cannot be "felt constructively."

Respect for the individual, encouragement of self-reliance, and willingness to be different, confidence in the future, and a respect for facts are five things Dr Foster said are essential to world understanding.

Such endeavors as the "Peace Corps and "Freedom Riders" are doing "their constructive bit .. and working here in America to accentuate the positive in human relations and national affairs," he declared.

Dr Foster said the "dominant humanistic influence of our day" has been dwindling colonialism and the drive against the unequal distribution of material goods among the world's population."

"The ideals of human dignity and of greater equity in resource distribution," he said, "have acquired a tenacious hold on our world society, which will hardly be loosed.

Offering that "our confidence in the future" is perhaps the most "important resource of all" for solving world problems, Dr Foster expressed deep confidence in today's youth, saying:

"The constructive influence of young people .. suggests that there is an unusual strength among young people which we need to bring into our society more effectively than has been possible previously."

## CAPITAL COMMENT by Lynn Williams

# 'Hard-Core' Segregationists Puzzled By 'Vigorous' New Negro Leadership

HARD-CORE segregationists deep in the heart of Dixie are bewildered, frustrated and hard put these days trying to figure what to do about the vigorous, action-oriented new Negro leadership.

They have yet to come up with a formula that adequately meets the direct personal challenge of the "sit-inners" and "Freedom Riders."

Head-whipping, jail sentences and other punitive measures that once were effective in keeping things under control seem to stimulate more determined nonviolent action, rather than deter it. Those "Freedom Riders" who were bludgeoned, stomped and hustled off to jail in Birmingham, were quickly replaced by eager new recruits.

**● The Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, put it this way: They don't know what to do with us in jail and they don't know what to do with us out of jail . . ."**

Whereas the principal source of the South's obfuscation is the fearless, intensity of purpose that characterizes the unrelenting assaults on long impregnable bastions of segregation, the core of the matter is more deep-seated.

■

**OVER THE YEARS,** Southern segregationists had developed formulas and techniques to deal with the NAACP, the Urban League and like proponents of equal rights. Just as chronic sufferers of diabetes or high blood pressure adjust to their ailments, segregation leaders had learned to live with old line civil rights organizations.

**ON THE MOVE** — The Rev. Wyatt T. Walker, executive director, and Dr. Martin Luther King, president, of the Southern Christian Leadership Conference, are assisted by TWA official James Plinton, prior to their departure from New York, via TWA Superjet, for Los Angeles.

**● But how can you deal with young, intelligent people who disregard the formalities of dispatching courteous, carefully composed communications respectfully soliciting your consideration; and tell you they've got no time for conferences around a table in downtown offices, etc.**

**● Recently when Julius Hobson, president of the CORE chapter in Washington, D. C., called on Robert Levy, president of the Hect Department Stores in the D. C. Hobson said: "I didn't come to have a conference. We leave that to the NAACP and the Urban League. CORE is an action group. I simply came to inform you that on the basis of our survey of your employment pattern, which we have found very unfair to Negroes, CORE will initiate a picket line at your store next week . . ."**

**Perplexed segregationists may or may not get any consolation from the fact that the emergence of this new Negro leadership has made a tremendous impact also on the thinking in tan communities all across the nation.**

Now and again among older conservative Negroes one may hear some doubtful concern expressed, but by and large Negroes cheer each new challenge registered by those carrying the battle to the heart-land of Dixie.

One provocative question that seems to stimulate celebration and lively arguments is: what should be their role in this new era of galvanized action?"

Opinions, comments and observations on this are just as diverse as are our tan communities; depending in large measure on the background of the source from which they emanate; the age group, economic level and whether or not one is a member of the proletariat, the bourgeoisie or the cognoscenti.

■

**IT IS MY** considered opinion that both the NAACP and the Urban League are strengthened by recent developments; and are in position now to play a more vital role than ever before.

Of course both organizations must discard some of their stuffiness, must become more flexible. They should re-tool and gear their programs to the stepped up tempo that characterizes the forward thrust of the new Negro leadership.

Organizations, just as do people, tend to become conservative and fixed in habits and routine as they grow older. But organizations may be infused with new blood, new ideas and new vigor by succeeding generations. Herein lies the hope and salvation of the NAACP and the Urban League.

As a former soldier, the situation seems to me to be analagous in one respect to the World War II Ardennes Buldge Battle. The First Army had pushed into Germany far ahead of the support on both flanks. Just before Christmas, 1944, a violent counter-attack was launched by 15 German divisions under General Von Modell. General George Pat-

lon's Third Army rescued the beseiged Americans at Bastogne on Dec. 21, 1945, and made secure the ground previously gained.

■

**CERTAINLY** the NAACP and the Urgan League can gear the program to cover the flanks of those thrusting forward, and make secure the gains made.

Of equal certainty is the assurance that these two organizations will meet the challenge of change and add new lustre to their records of distinguished service toward making democracy mean-

merica.

# 'Price of freedom expensive, good reason to join NAACP'

RICHMOND

"The price of freedom is very expensive. We must be prepared to pay this cost with finance, education, dedication, suffering and service."

This spoke the Rev. L. Francis Griffin, of Farmville, Va., special NAACP consultant, as he addressed a mass meeting which helped spark the current Richmond NAACP membership campaign.

The meeting was held at Fourth Baptist Church, the Rev. Robert T. Taylor, pastor. James Bailey, NAACP vice president, presided.

* * *

THE REV. MR. Griffin is also president of the Prince Edward County Improvement association which bas been working diligently for the reopening of public schools in that county.

He also advised his listeners as follows:

"Don't be afraid of going to jail if necessary to secure your rights. From the Delta Land and cotton fields of the Southland the voice of freedom is being heard.

"My people, wake up, get up and join the ranks of crusaders all over the Southland who are determined to be free.

"We must eliminate the unjust and out-dated customs and traditions of the Southland.

"Leaders of my people, teach my people how to live. Lead my people to the Promised Land of freedom. Rededicate your lives to the principles of justice, freedom, and universal brotherhood."

## NAACP Asks Protection Of Riders From Police

JACKSON, Miss. (AP) — The National Association for the Advancement of Colored People entered the "riders" movement Friday, asking U.S. District Court to protect the riders from police interference.

The move aligned the NAACP with the Congress of Racial Equality—CORE—in its southwide test of segregation laws and traditions.

The NAACP has favored legal action, and has looked with reserve upon the more direct CORE-sponsored rides, although supporting the goal of desegregated travel facilities.

The NAACP petition was filed by Constance Baker Motley and chief NAACP attorney Thurgood Marshall of New York and R. Jess Brown of Jackson, and Vicksburg, Miss.

The petition is a class action asking that a three-judge federal court consider the request for protection against the arrest of riders.

Under the law, U.S. Dist. Judge Sidney Mize must refer the petition to the chief judge of the U.S. 5th Circuit Court of Appeals in New Orleans, Judge Elbert P. Tuttle, for consideration.

## NAACP's Request Is Forwarded

The chief judge of the U.S. Fifth Circuit Court of Appeals in New Orleans will decide if a three-judge court will hear an NAACP request for bus integration and an end to "freedom rider" arrests in Jackson.

U.S. District Judge Sidney Mize said he will send the NAACP's petition to Chief Judge Elbert P. Tuttle for a decision on the matter.

The NAACP filed a petition here yesterday asking a three-judge court to enjoin the state and city from enforcing segregation laws on buses and trains and in their terminals.

The petition also asked for an injunction forcing Jackson police to stop arresting persons who violate segregation laws in transportation facilities.

# NAACP Suit Hits Mississippi Acts

JACKSON, Miss., June 9 (AP)—NAACP attorneys today filed suit in U. S. Federal District Court here seeking a permanent injunction against the enforcement of Mississippi's transportation segregation laws.

The suit also sought an end to the massive arrests of "Freedom Riders" entering the state.

It was the first action brought by Negro attorneys seeking a halt to the city's handling of the longest stream of riders which began pouring into the state May 15, and came after five more riders were jailed early today on charges of breaching the peace after alighting from a train from Nashville, Tenn.

**98 Jailed**

The arrests brought to 98 the total jailed here when they attempt to use segregated facilities at the city's two bus stations, train depot and municipal airport.

The suit was filed shortly before noon by Negro Attys. R. Jess Brown, legal counsel for the Mississippi NAACP, Mrs. Constance Motley and Thurgood Marshall of New York, legal counsel for the NAACP.

The three lawyers were listed as attorneys for the plaintiffs, while Attys. Derrick A. Bell and Norman C. Amaker of New York, were named as assisting counsel.

Three Jackson Negroes, Samuel Bailey, Joseph Broadwater and Burnett L. Jacob, were named as plaintiffs in the suit.

**Named In The Suit**

The action seeks to enjoin the state of Mississippi, the city of Jackson, Trailways, Greyhound, Jackson City Lines, the Illinois Central Railroad, and the restaurant at the Municipal Airport terminal.

It cited state and local segregation laws as being contrary to the due process and equal protection uses of the U. S. Constitution's h Amendment, the commerce use and clauses pertaining to lroad and pipeline and motor criers.

The suit charged that members the Negro race "have suffered d shall continue to suffer irparable injury as a result of the forcement" of the statutes.

complained that the segrega- subjected Negroes to "daily lic inconveniences, harrassent and embarrassment," and plates "rights secured . . . by e process and equal protection auses of the fourteenth amendent to the Federal Constitution

## NAACP Asks U. S. Court To Protect Protest Riders

By The Associated Press

JACKSON, Miss., June 9.—The National Association for the Advancement of Colored People entered the so-called "Freedom Rider" movement Friday, asking Federal District Court to protect the riders from police interference.

The move aligned the NAACP with the Congress of Racial Equality in its Southwide test of segregation laws and traditions.

The NAACP has favored legal action and has looked with reserve upon the more direct C.O.R.E.-sponsored rides, although supporting the goal of desegregated travel facilities.

The NAACP petition was filed by Mrs. Constance Baker Motley, chief NAACP attorney Thurgood Marshall of New York and R. Jess Brown of Jackson and Vicksburg, Miss.

The petition is a class action asking that a three-judge Federal court consider the request for protection against the arrest of riders.

**To Refer Petition**

Under the law, Federal District Judge Sidney Mize must refer the petition to the chief judge of the United States Fifth Circuit Court of Appeals in New Orleans, Judge Elbert P. Tuttle, for consideration.

Since May 24, the riders have poured into Jackson by bus, train and air with the announced intention of testing segregation laws.

All have been arrested on charges of breach of peace growing out of their refusal to obey police orders to move out of the terminals.

Police have said the presence of the riders in Jackson after

announcing their intention to violate a law is a breach of the peace, compounded by their refusal to move out of the terminal.

The petition attacked what it called unconstitutional state laws requiring segregated railroad cars, buses, rest rooms and waiting rooms and the posting of segregation signs at terminals.

Such laws, the petition said, subject Negroes "to daily public inconvenience, harassment, and embarrassment (and) violate rights secured . . . by the due process clause of the 14th amendment to the United States Constitution."

**Named In Petition**

The petition was filed for Samuel Bailey, Joseph Broadwater and Burnett L. Jacob, all Jackson Negroes, against State Atty. Gen. Joe Patterson, Mayor Allen C. Thompson and the Jackson City Council, Police Chief W. D. Rayfield, Trailways and Greyhound bus lines, Illinois Central Railroad, Jackson City Lines and an airport restaurant.

The NAACP petition came shortly before five more riders were convicted of breach of

**The Gallup Poll**

# 64% Vote Disapproves Freedom Riders' Way

PRINCETON, N. J., June 20—A majority of the public approves, in principle, of bringing an end to racial segregation on trains and buses and in public waiting rooms.

But many Americans currently have misgivings about the way in which white and Negro Freedom Riders have been attempting to accomplish this goal in recent weeks.

In a Nation-wide Gallup Poll, conducted since the arrival of Freedom Riders in Alabama touched off riots and violence, two out of three persons say they approve of the Supreme Court ruling calling for an end to segregation practices in public transportation facilities.

The question asked of a cross-section of 1502 adults in all regions of the country in the latest survey:

*"The U. S. Supreme Court has ruled that racial segregation on trains, buses, and in public waiting rooms must end. Do you approve or disapprove of this ruling?"*

The current findings and those in 1957:

| | Today | 1957 |
|---|---|---|
| **Approve** | 66% | 60% |
| **Disapprove** | 28 | 32 |
| **No opinion** | 6 | 8 |

In the South today—as was the case four years ago—a majority voice opposition to the Court's ruling.

The vote in the South:

| | Today | 1957 |
|---|---|---|
| **Approve** | 26% | 27% |
| **Disapprove** | 66 | 64 |
| **No opinion** | 8 | 9 |

Despite a generally favorable climate of opinion at the national level in regard to the principle of desegregated public transportation, the violent reaction in the South to the Freedom Riders has caused many Americans — in both North and South — to question the value of this approach to ending segregation barriers.

Those persons having at least a general idea of the Freedom Riders' activities were asked:

*"Do you approve or disapprove of what the 'Freedom Riders' are doing?"*

The vote of the 63 per cent who indicated they knew something about the Freedom Riders:

| | |
|---|---|
| **Approve** | 24% |
| **Disapprove** | 64 |
| **No opinion** | 12 |

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GENERAL

JUNE,1961
FREEDOM RIDERS- 2 GOVERNORS BACK
GOV. NELSON A.ROCKEFELLER, NEW YORK
GOV. EDMUND G. BROWN, CALIFORNIA

# 2 governors back Freedom Riders

GOV. NELSON ROCKEFELLER of New York, who has his eye on the Republican nomination in 1964, told a Syracuse, N.Y., radio audience that "he can't help but admire the Freedom Riders' integration attempts in the South." He described their efforts as "an evidence of vitality in our system."

* * *

GOV. EDMUND G. BROWN of California, in an address to the graduating class of the University of Santa Clara, praised the "growing political awareness of America's college students which has them marching off to jail with our segregated colored citizens. If America is still on the way up it will welcome this new, impatient, critical crop of young people," he said.

# Freedom Riders Seeking 'Super Rights'- Talmadge

Senator Herman E. Talmadge, (D-Ga.) today charged that the "Freedom Riders" want "super rights" for the Negro, since they "violate local laws while calling on the other hand for intervention of Federal authority, to protect them from the consequences of their lawless acts."

The arch-segregationist said in a news letter, "The interracial provocators coming into the South for the avowed purpose of creating trouble are demanding a double standard of justice for themselves."

# Freedom Riders Urge All Communities Push Drive

The Afro American

p. 17

## Refused service in Tenn. city

Sat. 8-5-61

Baltimore, Md.

By PETER D. SIMMONS

CHATTANOOGA, Tenn. — The five Freedom Riders who arrived here recently without fanfare, spent what they called a pleasant stay except for one incident—a refusal of service at a Howard Johnson Restaurant.

The five visited many places here and were well received, according to Henry Thomas, a member of the original Freedom Riders and Rabbi Sidney Shanker of Cranford, N.J. "We have had a pleasant stay in Chattanooga."

At a get-to-gether at the home of a prominent Chattanoogan, they told of incidents in other places and Mr. Thomas gave first hand account of his stay in the Jackson, Mississippi jail.

* * *

ACCORDING TO Mr. Thomas, the Rev. C. T. Vivian, pastor of Chattanooga's Cosmopolitan Community Church, who was among the original riders, was badly beaten while in jail by guards. He told of having to sleep without mattresses and then being put in solitary confinement.

Until it was mentioned that the riders would visit Chattanooga, not many people here knew that the Chattanooga Greyhound bus terminal restaurant was integrated. The newspapers, radios and TV pointed it up in telling that there were no facilities here to be tested.

The five riders dined in the Greyhound terminal restaurant twice while here with two local colored ministers. They questioned the fact that there were no other diners in the restaurant while they were there.

* * *

THEY ATTENDED AN integrated rally at Second Baptist Church, where the Rev. F. L. Shuttleworth of Birmingham spoke.

He told the large audience "It's full speed ahead now; we have gone too far to turn back. Like Admiral Faragut said, 'damn the torpedoes' . . .A strange wind is blowing in the world and its blowing empires away."

He said the Freedom Riders will end when "Mississippi and Alabama learn a lesson in social justice. They will end when men are free to ride."

* * *

IN A JOINT statement issued to the press. the five riders said "With the exception of Elizabethon, Tenn., we have been well received where ever we have gone.

"Although we have tried to go as ordinary travelers would, we could not since the light of publicity has preceded us on this journey.

"Nonetheless we have enjoyed this trip and are grateful for the courtesy and kindness which so many Southerners have extended us."

They said: "The pattern of segregation differs from place to place, but wherever it exists, in any form, it appears to us to be absurd, irrational and wrong. It degrades the colored man but its effects are far more baneful for his oppressor.

"We call upon the Federal Government, and specifically the ICC, to end all segregation in interstate commerce as the law requires. We believe the ICC could end segregation quite easily by dispatching several Freedom Riders of its own.

"Few facilities would remain closed to non-whites if it were known that the person refused service might be a federal officer."

* * *

IN FURTHER stating their position and how they felt about what is needed to be done, they said.

"We call upon the communities we have visited and all colored persons everywhere to fight harder for their rights as citizens of this land. In those areas where segregation still exists, we must, exert an ever increasing pressure."

The five riders were Henry Thomas, field representative of CORE; Rabbi Sidney Shanker, Cranford, N.J., Rabbi Herman Stern, River Ridge, N.J.; John C. Harvard, Elizabeth, N.J.; and Woolcott K. Smith, Vineyard Haven, Mass.

They left the city for Memphis, but not before they had consulted lawyers concerning the feasibility of suing the Howard Johnson National chain restaurant.

While here they stopped in the homes of prominent colored Chattanoogans.

3Pa 1961

GENERAL

FREEDOM RIDERS
NEGRO PROTEST MOVEMENT

# Negro Leaders Seek Halt In Freedom Ride Testing

## Conference This Week

By CLAUDE SITTON

Special to The New York Times.

NASHVILLE, Tenn., June 24—Powerful forces within the Negro protest movement against segregation have thrown their support behind a proposal to de-emphasize the Freedom Rides.

Plans were being made today for a conference on the question early next week in Atlanta or Jackson, Miss. It is expected to decide to suspend sponsorship of the demonstrations.

Sources among the movement's top leaders said this action would probably have the backing of a majority of the groups that have been organizing and financing the rides, which began a month and a half ago.

Supporters of the proposed shift in strategy cited a number of reasons for ending, at least temporarily, the test of discriminatory practices in Southern transportation terminals.

Chief among them was the Justice Department's efforts to obtain a blanket order from the Interstate Commerce Commission against bus station segregation.

It was also learned that the sponsors had encountered increasing difficulty in obtaining funds. Furthermore, a large number of Southern Negroes have declined to volunteer for the demonstrations.

These disclosures came from persons attending the eighteenth annual Race Relations Institute at Fisk University. They were confirmed by others in the South who have played prominent roles in the movement.

### Some Still Militant

Despite this development, considerable sentiment still exists among a handful of the more militant student leaders for continuing the Freedom Rides. Some might ignore any decision to suspend the activity and carry on independently.

This point was underscored yesterday at a strategy meeting here of the Freedom Ride Coordinating Committee. The panel was set up recently in Atlanta by groups involved in the demonstrations.

Present were Diane Nash, who convened the committee and who is a representative of the Nashville Student Nonviolent Movement, and Gordon R. Carey of New York, field secretary of the Congress of Racial Equality.

Bernard Lee of Atlanta represented the Southern Christian Leadership Conference, which is headed by the Rev. Dr. Martin Luther King Jr. Charles Sherrod, also of Atlanta, attended as spokesman for the Student Nonviolent Coordinating Committee, a regional organization.

After the meeting, Miss Nash said the committee had decided to continue the Freedom Rides. It was learned later that there had been marked disagreement over the decision. Moreover, some of those supporting this course voiced their personal views rather than those of their organizations.

The disclosure of this point led to the move to call a second conference on the matter.

One highly placed source emphasized that, although the demonstrations might be halted temporarily, they would be resumed if the Federal Government failed in its efforts to end bus terminal segregation.

He said that the forces behind the rides would use the time to regroup and to conduct an intensive training course for prospective participants.

### Deadline Uncertain

No deadline was set for the achievement of desegregation. But resumption of the protests would probably come early next fall, he said.

Earlier this week, the Interstate Commerce Commission called for written statements on the request of Attorney General Robert F. Kennedy for a blanket desegregation order. The commission scheduled oral arguments for Aug. 15.

Officials of that agency said the matter would be considered under special rules designed to speed the process.

If the order is granted in line with Mr. Kennedy's request, it would permit the Justice Department, in effect, to take action directly against any bus line operating through a segregated terminal.

The Attorney General has asked the demonstrators on at least three occasions to give the Government time to act. He made this point most forcefully in a recent Washington conference with a group of their representatives.

The group reportedly was impressed by the Attorney General's reasoning. Among them were Miss Nash and the Rev. James M. Lawson Jr. of Nashville, one of Dr. King's chief disciples in the "nonviolent direct action" drive against segregation.

Furthermore, a growing number of the demonstrators have come from outside the South. One leader said that, as a result, the protest had failed to create much sympathy for desegregation among Southern whites.

There also was an increasing sense of futility over the outcome of the attack on racial barriers in Jackson. Almost 150 riders have been arrested and convicted there on charges of breach of the peace and many are still in jail.

### Agency Powerless

Burke Marshall, chief of the Justice Department Civil Rights Division, told the Fisk Race Relations Institute this week that his agency was powerless to prevent the arrests. He noted that local authorities had jurisdiction and called this one of the frustrations of the Federal system.

Leaders of the movement were said to feel that the demonstrations had suffered from a lack of coordination and planning.

Another institute speaker, Thurgood Marshall, chief counsel of the legal defense and educational fund of the National Association for the Advancement of Colored People, agreed with them. He pointed out that at least five organizations had been involved at Jackson.

"I don't know what's going on there and I doubt if any one person knows," he said.

# 2 Catholic Priests Hail Freedom Ride Movement

Two Catholic priests -- one Negro the other white -- have made public addresses hailing the Freedom Rides during recent weeks, according to a release from the NCWC News Service.

In New York last week, a southern Jesuit sociologist hailed the Freedom Ride movement for uncovering some of the truth about attitudes on race in the South. He is the Rev. Albert S. Foley, S. J., professor of sociology at Spring Hill College, Mobile, Ala.

In Pittsburgh, Pa., last week, a Negro priest from Mississippi said that the Freedom Rides in the South are a "skirmish" in a "cold civil war" being waged over the race question. He is the Rev. John LeBauve, S.V.D., pastor of Holy Rosary Church, Hattiesburg, Miss.

Addressing some 100 persons at the meeting of the newly-formed Bronx Chapter of the Catholic Interracial Council, Father Foley said the Freedom Riders had put an end to several southern illusions and false traditions.

He said the Freedom Riders had laid bare for all to see "the bitter and die-hard resistance" of Alabama officials to the orderly processes of law enforcement and to court decisions.

At the same time, he said, the Freedom Rides disclosed how willing Southern officials were "to encourage and promote the lawless and subversive activities of terrorist mobs, in order to nullify the efforts of American Negro citizens to secure equality before law and in the enjoyment of the privileges of American citizenship..."

Father LaBauve, addressing the Summer School for Catholic Action, said that "if the rides result in something positive being done by Americans for race relations, then the riders will have done a good thing."

The Divine Word priest declared that racial injustice is a sickness in American society and unless Christians work to cure it, it will get worse.

"In America when we discriminate against our own people, we are failing to make friends with a group of people who should be our first allies," he said.

"We are trying to get friends all over the world, in Africa, in Asia, in Latin America, and paying a pretty penny for it. But we are making it almost impossible for our own fellow Americans to be our allies."

He said there are three major issues involved in the race question: as a human being, the Negro "wants the free use of all human rights:" as a citizen, "he wants whatever other citizens want; as a Catholic, "he wants everything that the Church provides for everyone else."

Desegregation and integration are two different things, Father LaBauve explained.

"Desegregation will insure that the Negro gets his just rights," he said. "As to integration, that's up to you. If you want to love me, that's up to you. But we have no right to take what belongs to another."

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GENERAL

FREEDOM RIDERS
DR. KING TO DR. JACKSON

# Dr. King To Jackson

SPECIAL TO AFRO

JACKSON, Miss.—A local chapter of the anti-segregation Student Non - Violent Coordinating Committee has been organized here and Dr. Martin Luther King Jr. is slated to make his first appearance in this capital city, Thursday.

Reacting sharply to origin of the non - violent unit, J. R. Gilfoy, Hinds County sheriff, has accused the sponsors of "Coming here to stir up violence."

The sheriff told Richard Haley, field representative of the Congress of Racial Equality, "If there is trouble, I will come looking for you."

He reminded Haley that the penalty in Mississippi for "inciting to riot" is "very heavy."

* * *

**HALEY HAS** been in Jackson since the Freedom Riders started coming to the city, May 24.

Dr. King, who is expected to appeal to colored residents of Mississippi to actively oppose racial segregation, will be the main speaker at a giant mass rally to be held at the Masonic Temple here.

Medgar Evers, field secretary of the Mississippi State NAACP, also is scheduled as one of the speakers. Other representatives of CORE, the Southern Christian Leadership Conference, the Student Non - Violent Coordinating Committee and the NAACP also are slated as speakers.

* * *

**IN ADDITION** to Haley, sponsors of the local non - violent unit are James Bevel, Itta Bena, Miss.; Charles Sherrod, Atlanta, Ga., and Marion Barry, Nashville, Tenn.

Initial members include many students from nearby Tougaloo Southern Christian College, Jackson State College, Campbell College and local high school students.

The group met, last Thursday night, and voted to continue the Freedom Rides.

"Look for the Rides to continue into and out of Jackson throughout the summer," a spokesman told the AFRO.

This was a reaffirmation of the position voted earlier during the week by a meeting of Freedom Ride representatives here.

* * *

**AN APPEAL** is expected to be filed in the case of the Miss Elizabeth Wyckoff, a Freedom Rider, whose plea for a writ of habeas corpus was denied, last week, by Federal District Judge Sidney Mize.

Miss Wyckoff, a free lance writer of New York City, contends that Mississippi courts are enforcing racial segregation in violation of the Federal Constitution, and the case should be removed from their jurisdiction.

Judge Mize refused to rule on the constitutionality of the arrests on grounds the plaintiff did not first take the case to the state courts.

Another legal test of the validity of the arrests will be made July 10 before a three - judge Federal Court in Atlanta.

* * *

**THE COURT** will be composed of Judges Elbert Tuttle, Mize and Claude F. Clayton.

The hearing will be on a suit filed here June 9 by Bailey, Joseph Broadwater and Brunett L. Jacobs.

The suit asks that the City of Jackson, the State of Mississippi and others concerned be prohibited from arresting Freedom Riders on grounds such arrests are in violation of the U. S. Constitution and rulings by the U. S. Supreme Court and the Interstate Commerce Commission.

# 'Freedom Rides Directed By Known Communists'

JACKSON, Miss. (AP) — Brig. Gen. T. B. Birdsong, head of the Mississippi Highway Patrol, charged Thursday "Freedom Rides" were "directed, inspired and planned by known Communists."

The charge brought an almost immediate denial from a New York official of the Congress of Racial Equality.

Birdsong told a press conference at least two riders arrested during efforts to desegregate Jackson transportation facilities attended a Soviet-directed seminar in Cuba last February.

He said 202 American students made the trip to Havana and heard addresses by nine officials of the Soviet Union "to teach the students how to make sit-ins, walk-ins, kneel-ins and Freedom Rides."

The press conference was conducted at the highway patrol headquarters here by Birdsong after a brief statement on one rider's background was handed to newsmen. Birdsong and Art Richardson, patrol public information officer, both answered questions in Birdsong's name.

Birdsong told newsmen the Congress of Racial Equality was responsible for the Freedom Rides and was a Communist - front group.

Earlier this week, Gordon Carey, of New York, field director of CORE, told newsmen here he planned the rides in February.

Birdsong said other Freedom Riders had records of auto theft, burglary, grand larceny and undesirable discharges from military service. He did not identify those riders.

Some, he said, were "Communist-backed, pawns in the hands of Communist powers that be."

Birdsong, a retired Mississippi National Guard officer and founder of the highway patrol 30 years ago, said the two riders who had attended the Havana meeting were:

Katherine Pleune, 21, a white memeograph operator from Chicago, arrested on breach of peace charges when she arrived as a Freedom Rider June 19, and James Robert Wahlstrom, 24, University of Wisconsin student from Madison, Wis., arrested with a group of riders June 6.

Both were convicted and Miss Pleune is serving a four-month sentence at the state penitentiary. Wahlstrom received a four-month sentence, with two sus-pended, and is free on a $500 appeal bond. Each also was fined $200.

Birdsong said Miss Pleune told investigators she was among the students, but that she "refused to answer when asked what the group of students discussed in Cuba or why they were there. She also refused to identify anyone else in the group."

In commenting Thursday in New York on the charges, Carey said CORE knew that Miss Pleune was in Cuba.

"We also know that no training session in nonviolence and in the techniques of sitting in or freedom riding was held," he said.

The patrol chief did not disclose the source of his information, but said his investigators had worked with police agencies in 14 other states.

Miss Pleune refused to say whether she was a member of the Communist party "unless her attorney was present," Birdsong said, and she declined to say whether she had talked to a known Communist on grounds that 'the FBI might intimidate him.'"

The Communist, Birdsong said, was under surveillance by the FBI and his name was being withheld because his arrest was expected.

He said Miss Pleune told officers "she does not now believe in God" and "she was not taught to believe in God and did not receive a Christian upbringing."

She told investigators, he said, she had been "arrested several times in Chicago for picketing (possibly as many as 100-150 times). She also was arrested in New York City and San Francisco for picketing. She has picketed the CIA (Central Intelligence Agency) and for racial integration."

**SPECIAL SECTION**

Birdsong said the highway patrol had set up a special section to deal with Communist influences after digging into the backgrounds of the riders.

He said many of them had declined to say whether they belonged to the Communist party.

Carey said the charge "is so ridiculous as to merit no reply. However, because the reputation of scores of imprisoned Freedom Riders is at stake, the Congress of Racial Equality feels compelled to answer briefly.

"The Freedom Rides have no connection whatsoever with the Communist party in this nation or any other. They are taking place because the aspirations of the American Negro have been so long denied and stifled by un-American states such as Mississippi wich has systematically denied American citizens of color their constitutional rights."

Carey called Birdsong's statements a smear campaign.

Two riders who held press conferences earlier were critical of others in the movement.

Leon Daniel Horne, 24, a Corinth, Miss., Negro, told newsmen "they are demoralized characters." The Rev. Richard Gleason of Chicago told Jackson newsmen his conversations with riders involved atheism, communism and deceit.

Gleason told newsmen in Jackson, "I will not knowingly associate with any questionable organization," but after paying his fine to gain his release he retracted some of his comments in Chicago.

# Mixers Get Slapped Around In Training, Official Reveals

CORE - sponsored "Freedom Riders" get slapped around whether they ever meet bus station rioters or not.

This disclosure came from Thomas Gaither, local CORE field secretary, as he gave a deposition in Circuit Court here Thursday in connection with a coming federal court hearing.

In training sessions, said Gaither, prospective "Freedom Riders" get their ears boxed, not to mention a flow of abusive language.

The object, he said, is to find out whether "they can take it."

Gaither asked questions posed by attorney Calvin Whitesell, who has the job of showing in a July 17 hearing that a previous temporary restraining order against CORE and other integrationist groups should be broadened into an injunction.

**MUST BE 'CREATIVE'**

The restraining order, which barred sponsorship of "Freedom Rides" into Alabama, has expired. But it could be reinstated, or an injunction could be imposed by U.S. District Judge Frank M. Johnson Jr.

Gaither explained in the deposition that a "Freedom Rider" must be "creative" in his nonviolent resistance. For example, he said, the rider should not remain limp while he is being booted by a crowd of rioters. But, he emphasized, the rider "must not retalitate."

He acknowledged that British television cameramen had filmed a "training session" at a Negro church on Holt street, where a group was put through a simulated bus trip on which they met with various kinds of abuse.

Gaither said also that CORE shunned undesirables — "Communists, or people with shady political affiliations or emotional instability."

**PECK A PACIFIST**

But he said that he did not view one "Freedom Rider" — James Peck—as a Communist. Peck, he said, was a pacifist. He also said that CORE did not espouse Peck's pacifist views.

Gaither acknowledged that "Freedom Ride" publicity has brought an increase in funds contributed to CORE, but said that expenses have also shot upward.

He said CORE has spent $60,000 in Jackson, Miss., alone, making bond for riders leaving jail, paying lawyers' fees, etc.

Gaither said he arrived here after a bus station riot on May 20, but since then has worked in arranging "Freedom Rides" planned to pass through the city. He said he often worked with the Rev. Ralph Abernathy in obtaining lodging for riders who stopped here.

**MORE RIDERS EXPECTED**

More riders are expected here within the next few days, he said. But he said he did not know how long it is planned to continue "Freedom Riding."

Gaither said he had received a degree in biology from a South Carolina college, but did not intend to pursue a career in science.

On bus trips to Montgomery, he said, he took a seat in the bus that "was in the Southern tradition—of being in my place."

He said the CORE trips had only one aim, to win a "first class" position on busses and bus facilities for Negroes.

38a 1961

GENERAL

FREEDOM RIDERS
NATIONAL COUNCIL OF CHURCHES

# Council Of Churches Refuses To Directly Endorse Mixers

CHICAGO (AP) — The general board of the National Council of Churches Friday declined to directly endorse the "Freedom Riders."

After a heated debate the board adopted a compromise resolution which supported the principal of non-violent action but from which all mention of the "Freedom Riders" had been deleted.

The hours-long debate between southern members, who felt a board endorsement of the "Freedom Riders" would only increase tensions, and some northern members, who wanted a clear-cut stand taken on the "Freedom Ride" movement, centered around this crucial phrase in the proposed resolution:

". . .The General Board of the National Council of Churches affirms its belief in the justice and sincerity of the purpose of the "Freedom Ride" movement."

In a key vote, the board approved, 55-44, an amendment submitted by a Methodist minister the Rev. Dow Kirkpatrick of Atlanta, Ga., to substitute the words "non - violent movement" for "Freedom Ride" movement.

he revised resolution, largely a reaffirmtion of the board's stand against segregation, was adopted almost unanimously

**EMOTIONAL APPEAL**

The attack on the resolution, titled "An Appeal to Christian Conscience," was led by John Bryan, a lay member of the United Presbyterian Church in the United States and executive vice president of the Birmingham, Ala., Chamber of Commerce.

In a voice which at times broke with emotion, Bryan, a gaunt, white-haired man, said:

"I plead with you not to pass any resolution that will deter the efforts of southern churches to deal with this problem. . . you will injure us in our efforts to serve.

"We don't need a church body arousing more tensions among the people of this country. We have more important things to deal with in the matter of human rights than riding together on buses."

# Church Council Gives Rides Qualified Nod

CHICAGO (UPI)—The National Council of Churches endorsed the "non-violent movement" to end racial segregation in the South Friday but deleted a specific reference to the "Freedom Riders."

The council's general board adopted a watered-down resolution praising non-violent opponents of segregation in interstate travel and condemning "mob violence in every form."

The board policy-making arm of the big Protestant and orthodox federation substituted the phrase "non - violent movement" for "Freedom Ride movement" at the request of members from the South. The resulting resolution appeared to support the "Freedom Riders" without mentioning them by name.

John E. Bryan, a Presbyterian layman from Birmingham, Ala., and Richard Thigpen, a Methodist layman and attorney from Charlotte, N. C., asked the board not to support the "Freedom Riders"

"Give the local communities an opportunity to solve this problem," Bryan, executive vice president of the Birmingham Chamber of Commerce, said. He said NCC support for "Freedom Riders" would "injure us and our opportunity to do service" in the South.

"I'm against 'freedom rides'," because I do not know who sponsored those 'freedom rides'," Thigpen said.

Bishop C. Julian Smith of the Christian Methodist Episcopal Church pleaded with members to keep the words "freedom ride" in the resolution. Bishop Smith, a Chicago Negro, said two squads of police once hauled him away after he used white-only facilities in a terminal at Montgomery, Ala.

# Council Of Churches Refuses To Directly Endorse Mixers

CHICAGO (AP) — The general board of the National Council of Churches Friday declined to directly endorse the "Freedom Riders."

After a heated debate the board adopted a compromise resolution which supported the principal of non-violent action but from which all mention of the "Freedom Riders" had been deleted.

The hours-long debate between southern members, who felt a board endorsement of the "Freedom Riders" would only increase tensions, and some northern members, who wanted a clear-cut stand taken on the "Freedom Ride" movement, centered around this crucial phrase in the proposed resolution:

". . .The General Board of the National Council of Churches affirms its belief in the justice and sincerity of the purpose of the "Freedom Ride" movement."

In a key vote, the board approved, 55-44, an amendment submitted by a Methodist minister, the Rev. Dow Kirkpatrick of Atlanta, Ga., to substitute the words "non - violent movement" for "Freedom Ride" movement.

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# 'Riders' Lose Ground in Vote

## Church Council Unit Declines Direct Backing

CHICAGO (AP) — The general board of the National Council of Churches Friday has declined to directly endorse the self-styled "freedom riders."

After a heated debate, the board Friday adopted a compromise resolution which supported the principle of "non-violent" action but from which all direct mention of "freedom riders" had been deleted.

The hours-long debate between Southern members, who felt a board endorsement would only increase tensions, and some Northern members, who wanted a strong stand in favor of the "freedom ride" agitation centered around this crucial phrase in the proposed resolution:

". . . the general board of the National Council of Churches affirms its belief in the justice and sincerity of the purpose of the Freedom Ride movement."

In a key vote, the board approved, 55-44, an amendment submitted by a Methodist minister, the Rev. Dow Kirkpatrick of Atlanta, Ga., to substitute the words "non - violent movement" for "Freedom Ride movement."

The revised resolution, largely a reaffirmation of the board's stand against segregation, was adopted alost munanimously.

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"We don't need a church body arousing more tensions among the people of this country. We have more important things to deal with in the matter of human rights than riding together on busses."

# Robert Kennedy's Aim in South—To Uphold Law but Take No Sides

The Washington Post
Washington, D.C.

By James E. Clayton
Staff Reporter

*Robert Kennedy tells world a Negro can be President of United States in 40 years. Page A4.*

*Little Rock desegregates last high school and four junior highs. Page A4.*

The racial trouble in Alabama is not seen in official Washington the same way it is seen in Alabam or, perhaps, even in New York.

It is not seen, as leaders of the "Freedom Riders" movement have publicly proclaimed, as a successful all-out assault on segregation through direct action taken by those seeking to exercise their constitutional rights. P—1

Nor is it seen, as Southern white leaders have loudly announced, as a question of outside agitators going into the South to stir up racial strife.

Rather, to Attorney General Robert F. Kennedy and others high in the Administration, the issue and the problem is how to maintain American prestige around the world while advancing the cause of civil rights at home.

Kennedy is convinced that incidents like the riots in Birmingham and Montgomery and the mass sit-in in the Jackson jail are not the way either to advance civil rights or to maintain American prestige. Sat. 27-5-61

Nor does he think that a mass invasion of the South by hundreds or thousands of "Freedom Riders" is the most effective way of breaking segregation barriers.

Given this way of looking at the problem, the actions taken by the Department of Justice as an aftermath of the Alabama incidents fall into a clear pattern.

The overriding interest of the Attorney General has been to end violence in that state and to ensure that law and order is maintained. His statements reflected his deep feeling that America's international prestige was put on the line in such a manner in Alabama that, regardless of what happened, the Nation could not win.

Thus, Kennedy has worked both sides of the street throughout the past 10 days.

He put heavy pressure on Southern leaders to bring their police forces into line and to crush any incipient violence. The withdrawal of the marshals on Thursday indicates that the Attorney General thinks he has been successful on that side.

At the same time, Kennedy was putting pressure on the leaders of the Freedom Riders movement. His call for a cooling-off period was aimed among other things, at discouraging other groups of riders from galloping Southward.

In fact, up to the moment that the marshals went South last Saturday, no Freedom Riders other than the original group had appeared. Then, with police protection assured, there was an outburst of them.

This did not sit well with the Department of Justice. "It took a lot of guts for that first group to go," one man said, "but not much for the others." Those making the trip from Montgomery to Jackson on Thursday were the safest people in America, the Department thought.

At the same time that leaders of the Riders movement were calling publicly for more trips through the South, they were showing considerably more restraint in private. In fact, until the marshals showed on Sunday night that they were capable of handling Southern mobs, the leaders too, were ready to call the whole thing off. P-A4

Throughout the week, Kennedy has tried to make two points clear to Negro leaders. One is that he agrees with their basic goal—full realization of their constitutional rights. The other is that the Federal Government will not help a movement which results in violence.

Once violence begins to appear, Kennedy has taken the position that he has only one job—to maintain law and order. He does not feel that thet Department of Justice can, at those times, side with one group or the other in disputes over constitutional rights.

### Intervenes in Court Cases

Sat. 5-27-61

The Department's role in promoting civil rights can come only through legal and peaceful means. Thus, it has intervened in court cases.

That was the reason Kennedy urged the Freedom Riders to put up bond in Jackson, Miss., after they were arrested. They had a court case; they could strike down segregation there through legal means; their presence in jail did not help their legal fight but, instead, made good propaganda for America's enemies.

That was also the reason Kennedy tried to discourage other Riders from going South. They were not going to start law suits—the peaceful means of winning rights—but were going to get publicity or stir up trouble, the Department thought. The prospects of their action, Kennedy feared, was that persons with no connection with the movement would be hurt or killed by mistake.

This posiiton has meant that Kennedy has been under cross pressures all week. At 2 a. m. last Monday, he was bitterly criticized by Gov. John Patterson in a long telephone conversation. Five minutes after Patterson hung up, Kennedy met harsh criticism again, this time from the Rev. Martin Luther King. Kennedy's aides say the Attorney General treated each exactly the same way—calmly and coolly.

### Would Send More Riders

At one point during the week, Negro leaders asked Kennedy if it would help for them to send hundreds or thousands of more Riders into the South. At another time, someone suggested that the Riders would accept Kennedy's proposed cooling-off period if Kennedy would get all the Southern Governors to give up segregation.

It was then that Kennedy made it plain to Negro leaders that he was not trying to run their movement and they ought not to try to run his Department. He would help them peacefully if he could but he would keep a firmly neutral position if violence threatened.

He also suggested that the Negro leaders look to see what effect their actions are having on America's international prestige. If they wanted to send people South, he suggested, they ought to go there to participate in voting registration drives. Elect a couple of Negro Congressmen, he said, and things will change abruptly.

Throughout the week, Kennedy's appeals to both both sides were to have a reasonable attitude. Force on either side, he felt, produces little but counterforce.

# Intervention Laid To Robert Kennedy

The Atlanta Constitution
Atlanta, Ga.

A bus company official testified Wednesday that Atty. Gen. Robert F. Kennedy urged him vigorously to get a Negro to drive a "Freedom Riders" bus when white drivers refused to move it.

When he replied that no Negro drivers were available, the witness said Kennedy told him "Well, hell, you can look for one can't you." Thurs. 6-1-61

The statement came in U.S. District Court where Birmingham police were cleared of blame for the May 20 race rioting there, but a similar Justice Department complaint against Montgomery police was left pending. P—1

Greyhound Supt. George E. Cruitt testified he telephoned him after regular drivers refused to take the bus from Birmingham to Montgomery. Several scheduled trips were canceled before a Greyhound driver finally made the run May 20.

A white mob attacked the "Freedom Riders" when the bus got here, and the Justice department contends police "deliberately failed" to provide protection.

### POSSIBLE ACTION

With dismissal of the complaint against Birmingham police and factions, who had been put under tion after the rioting here, U.S. District. Judge Frank M. Johnson Jr. still is considering possible action against Montgomery police and two other Klan organizations.

Atlanta, Ga.

The government seeks to compel police to protect "Freedom Riders" in the future, and to continue the injunction against the Klans.

### GET SOMEONE ELSE

Cruitt told the court that when he told Kennedy the regular drivers refused to take the bus out of Birmingham for fear of violence after rioting there, the attorney general asked him to get someone else, or drive it himself.

Among the first witnesses called by defense attorney Calvin Whitesell in behalf of Montgomery police was a high-ranking Justice Department official, John Seigenthaler, who was among those beaten by the mob near the Geryhound bus station in Montgomery May 20. Thurs. 6-1-61

Seigenthaler had come here as a representative of President Kennedy to talk with Gov. John Patterson about protection for the "Freedom Riders."

### CLUBBED AND BEATEN

In court, he told of seeing bus riders and bystanders clubbed and beaten. He was slugged and hospitalized when he tried to rescue two white girls who were in the "Freedom Riders" bus group.

P-14

Whitesell asked Seigenthaler about names of bus riders in a notebook in his pocket, and when the judge asked the purpose of that line of questioning, the lawyer replied: "I just wanted to know if the Justice Department is working with CORE (Congress of Racial Equality) which sponsored some of the rides) and these riders."

### NAMES IN ADVANCE

Seigenthaler said he got the names in advance in a long-distance telephone conversation with one of the sponsors, not officially connected with CORE, in Nashville, Tenn.

The Justice Department official also was asked whether he called police when the riot broke out. He said he did not.

Although Johnson found no evidence to justify an injunction against Birmingham police, he warned that the Justice department can renew its demand for court action "if things like this occur again."

Johnson's order dismissed the petition fo ra continued injunction against the federated Ku Klux Klan, Inc., and a Montgomery

resident, Lester Hawkins, whom the Justice department listed as an officer of that KKK faction.

**FACE COURT ACTION**

But still facing further court action, besides Montgomery Police Commissioner, L. B. Sullivan, Chief G. J. Ruppenthal and their officers, were these Klan organizations and individual defendants:

The U.S. Klan, Knights of the Ku Klux Klan, and its top man in Alabama, the Rev. Alvin Horn of Talladega, Ala.

The Alabama Knights, Knights of the Ku Klux Klan, and its head man, Robert M. (Bobby) Shelton of Tuscaloosa.

# Kennedy Says Negro Moving Fast

WASHINGTON (AP) — Atty Gen. Robert F. Kennedy told the world Friday the United States—despite Alabama violence—is moving so fast in race relations a Negro could be president in 40 years.

Using Voice of America transmitters, Kennedy told the people of more than 60 countries that the mob of white people who beat Negro and white "Freedom Riders" in Montgomery last weekend represented only a tiny minority of Americans.

"They do not represent the people in the South," Kennedy said. "They certainly do not represent the attitude of the U.S. government or the American people."

Kennedy recalled that his grandfather came to Boston as an Irish immigrant. At that time, Kennedy said, "The Irish were not wanted there."

# Kennedy Says Marshals Will Be Withdrawn When State Proves Protection

By SUSAN WAGNER

WASHINGTON (UPI)—Atty. Gen. Robert F. Kennedy said Tuesday U.S. marshals would be withdrawn from Alabama as soon as Gov. John Patterson and local officials proved by action rather than words, that they could stop race riots.

"I assure you that we have no intention of permitting the marshals to remain in Alabama a minute longer than necessary," he told the state's congressional delegation in a telegram.

"With your assistance and cooperation I would hope that they could be withdrawn at an early date."

Alabama's senators and House members demanded Monday that Kennedy withdraw the marshals, sent to Montgomery Saturday to quell riots touched off by the integrated "freedom ride" through the South.

**AGENTS WERE NEEDED**

The attorney general replied that the 600 federal agents were sent to the deep South state because mobs continued to attack the riders despite assurances by Patterson that local officials could handle the trouble.

"What is needed now is action on the part of Gov. Patterson and local law enforcement officers, not merely words of intention," Kennedy said.

Justice Department Press Officer Edwin O. Hutman earlier described the atmosphere in Alabama as "an uneasy calm." He said the situation was touch - and- go. He said the marshals would remain on the sidelines as long as state and local officials maintained order.

**WON'T REST EASY**

Assistant Attorney General Nicholas Katzenbach said in a morning TV interview Today — NBC that law and order had been restored "only in a - very limited sense."

Officials here will not rest easy until the "freedom riders" leave Alabama. About 20 of the youths are in hiding in Montgomery. The Rev. Martin Luther King announced they would move on to Mississippi to test bus segregation there. But he did not say when.

Before replying to the Alabama congressional delegation, Kennedy dropped into the Justice Department press room briefly. He said then that he had received no request to give protection to the riders.

# 2 Rider Groups Leave Washington for Florida

United Press International

Two biracial groups rolled southward by bus along the East Coast last night with the announced purpose of blazing a new "Freedom Riders" trail from the Carolinas to central Florida.

Both groups set out from Washington yesterday morning. One group was made up of 14 "union and professional workers." The other was an "interfaith group."

[The larger group—16 protestant and Jewish clergymen—rode out of the Greyhound terminal on the second section of the 11:15 a. m. Miami express.

[Leaders questioned a Greyhound official about being put on a separate bus. The official said he felt that they wanted to ride together and pointed out there weren't enough seats for all 16—7 Negro and 9 white clergymen—on the first section. They Greyhound official assured the Freedom Rider leaders that the bus would pick up additional passengers on the way.]

The interfaith group was scheduled to spend the night in private homes at Raleigh, N.C., and the union and professional workers planned to stop over at Wilmington, N.C.

County solicitor John M. Walker issued a plea in Wilmington for "all of our citizens and lawful visitors to keep our personal and public conduct above reproach during these unwarranted invasions . . ."

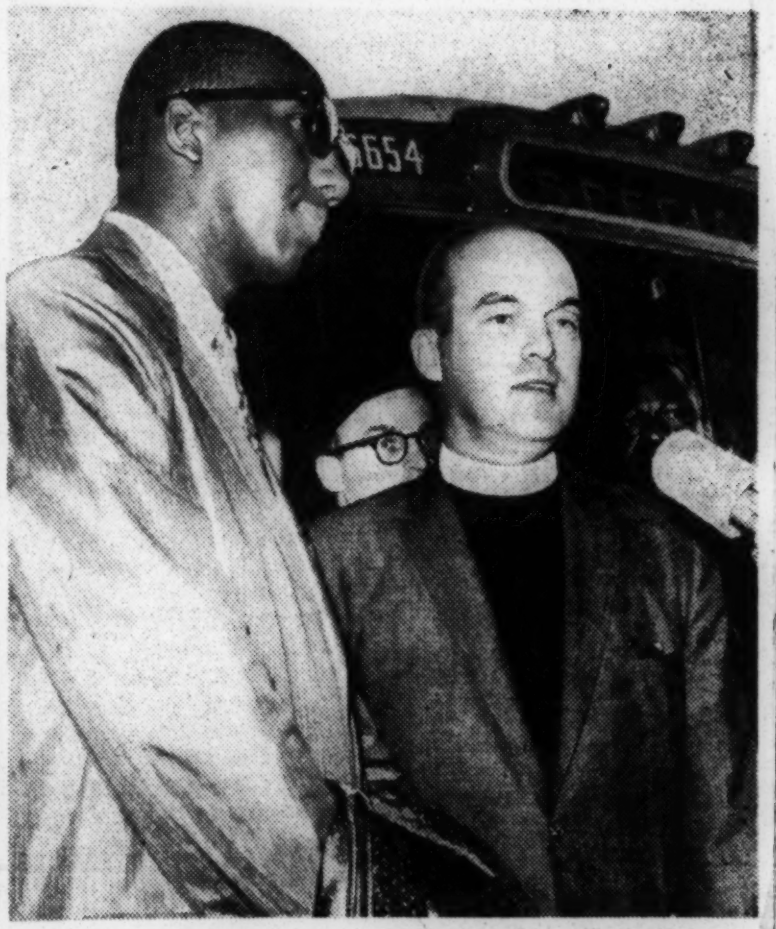
Walker referred to the riders as "trouble-makers" who planned by "assault of historic laws and customs. . . to provoke incidents which will embarrass decent people everywhere."

The Wilmington-bound group passed through Raleigh yesterday afternoon. They stopped at the bus depot for a short while, but there were no incidents.

The cities in which the two grouvs plan their major tests of segregatel travel facilities are Charleston and Sumter, S.C., and the Florida cities of Jacksonville. Tallahassee, Tampa and St. Petersburg.

Both groups are sponsored by the Congress Of Racial Equality (CORE).

Florida authorities made clear that while they won't be glad to see the Freedom Riders, they would take steps to assure them a calm reception.



United Press International

**The Rev. Perry A. Smith III of the First Baptist Church North Brentwood, Md., at left, and the Rev. Robert Stone, a Presbyterian minister from New York, face the microphone here before boarding a bus for the South in a three-day test of bus-terminal desegregation.**

# Two 'Freedom' Groups Here

New "Freedom Riders," heading South to test racial segregation in bus travel, Tuesday passed uneventfully through Raleigh.

Television and newspaper photographers and reporters drew attention to the first group as they arrived by bus from Washington. Some of the bystanders and passengers in transit in the waiting room stared at the racially-mixed group, but there was nothing approaching an incident.

Within minutes, the first party of Riders had departed for Wilmington, the next stop on a trip to Jacksonville, Fla., at least two remained behind, presumably to pick up a second contingent of riders.

A crowd of some 350 persons, held back by a few policemen, met the group in Wilmington, but there were no incident. The 14 piled into four taxis and went off to a Negro hotel.

Megan said the "sole aim of this trip is to use facilities which the law says we are entitled to use."

Dr. Grady Davis, a Raleigh Negro minister, headed a welcoming party for both groups in Raleigh.

He said there had been no expectation of difficulty at the Raleigh bus station. All facilities there have been integrated for some time, he added.

The Rev. Gordon D. Megen, pastor of the Manhattan Christian Reformed Church, said the first group's trip had gone "very fine" up to the arrival in Raleigh. "We have been treated with the utmost courtesy. We hope it will be that way all the way," he said.

There were 14 persons, eight whites and six Negroes, in the first party.

**18 In Group.**

There were 18 in the second contingent, including four rabbis, eight white Protestant ministers and six Negro Protestant ministers.

The Rev. Robert J. Stone, white minister of Adams - Parkhurst Presbyterian Church in New York City, was spokesman. He said the trip from Washington was without incident, the group planned to spend the night on the Shaw University campus here, then depart about 9 a.m. Wednesday for Tallahassee, Fla. A brief stop-over for dinner at Jacksonville was planned, he said, otherwise the party planned to stay aboard the scheduled bus to their destination.

Among those with Stone was the Rev. Austin McR. Warner, executive secretary of the Protestant Council of the City of New York (Manhattan Division).

Stone said he was a native of Tulsa, Oklahoma, and Warner said he was born in Mississippi.

**Shaw Professor.**

Dr. Davis is president of the Raleigh Citizens Association, a group which seeks improvements in race relations. He also is head of the Department of Religion at Shaw University.

He said the group of riders spending the night in Raleigh expected to continue their trip Wednesday morning.

## NAACP Sets Picket Plan Of Stations

TAMPA, Fla. (UPI) — The NAACP said it would send investigators into Greyhound and Trailways bus terminals in north Florida and south as far as Fort Myers to check on alleged racial discrimination.

Robert W. Saunders, state NAACP field secretary, said the team, headed by the Rev. E. C. Tillman of Daytona Beach, would attempt to eat at terminal restaurants and use other facilities. He said there might be a number of white persons on the team.

Saunders said following a report that signs designating color were removed from the Tallahassee Greyhound terminal, several persons attempted to be served at its restaurant but "met with resistance."

Tallahassee police said Negroes tried to integrate the restaurant but boarded a bus for Jacksonville after failing to get service. Officers said there was no disturbance.

# FREEDOM RIDERS REACH CAROLINA

## Raleigh Calm as 2 Groups Arrive on Way to Florida

RALEIGH, N. C., June 15 (AP)—New groups of thirty-two white and Negro Freedom Riders traveling south from Washington by regularly scheduled bus to test racial segregation arrived today in Raleigh and Wilmington, N. C. without incident.

It was the first organized interracial bus journey from Washington since a similar expedition last month ended in rioting and the burning of a bus in Alabama.

The first group of fourteen—five white men, five Negro men, two white women and two Negro women—stayed only a few minutes before proceeding to Wilmington, where they all spent the night in a Negro hotel.

At Wilmington there were about 150 persons on the streets and near the bus station awaiting their arrival, mostly young white persons. The policemen were inside and outside the bus station. There was no disturbance.

This group plans to divide into two, tomorrow. Both groups plan to spend tomorrow night in Jacksonville, Fla., and arrive in St. Petersburg, Fla., on Friday.

Another group, composed of eighteen white and Negro ministers, came into Raleigh several hours later. This group included four Rabbis, and fourteen Protestant clergymen, eight white and six Negro.

The first group of fourteen was the Rev. Robert J. Stone, a white minister, who is pastor of the Adams-Parkhurst Presbyterian Church in New York. He said there had been no incidents and the trip had been uneventful.

**Invitation Accepted**

The group, joined by two members of the party from the earlier bus, accepted an invitation to spend the night on the campus of Shaw University, a Negro institution in the city.

The riders planned to meet with summer students at Shaw

and tell them of their trip and their reason for making it.

They planned to leave Raleigh in the morning and ride to Jacksonville, where a dinner stop is planned tomorrow night, after which they will re-enter the bus and go on to Tallahassee, Fla.

Dr. Grady Davis, a Raleigh Negro minister, headed the welcoming party that met both groups of riders.

He said there had been no expectation of difficulty at the Raleigh bus station. All facilities there have been integrated for some time, he added.

The Rev. Gordon D. Negen, pastor of New York's Manhattan Christian Reformed Church, with the first group, said the trip had gone "very fine" up to the arrival in Raleigh.

**Treated With Courtesy**

"We have been treated with the utmost courtesy," he said. "We hope it will be that way all the way," he said.

There were eight whites and six Negroes in the first party.

Dr. Davis is president of the Raleigh Citizens Association, a group which seeks improvements in race relations. He also is head of the Department of Religion at Shaw University.

The stop at Wilmington already had drawn the attention of City Solicitor John M. Walker. In a letter Sunday, he advised "all of our citizens and lawful visitors to keep our personal and public conduct above research during these unwarranted invasions of our area so that the real troublemakers and their mistaken or subversive leaders and advisors may be detected and ultimately exposed for what they are."

Both parties of riders were trained by the Congress of Racial Equality before leaving on the trip.

The ministers and rabbis on the "Interfaith Freedom Ride" are due in Tallahassee Thursday. Then they will fly back to New York for a news conference Friday.

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**2 to Sue Mississippians**

Mark Lane, Democratic Assemblyman of Manhattan, and Percy E. Sutton, president of the Manhattan branch of the National Association for the Advancement of Colored People, announced yesterday that they would sue Mississippi officials for violating their rights.

Mr. Lane, who is white, and Mr. Sutton were arrested and jailed in Jackson for eleven hours last Thursday when they attempted to use segregated facilities at the air terminal. Municipal Court Judge James J. Spencer fined them $200 each and sentenced them to four-month jail terms.

# 32 Freedom Riders to Go South Today

Some 32 Freedom Riders, including 22 Protestant and Jewish clergymen, are scheduled to leave Washington this morning for a three-day test of bus terminal desegregation between here and Florida.

The participants will travel in two groups, one bound for Tallahassee and the other for St. Petersburg. Both groups St. Petersburg. Both groups, composed primarily of individuals from New York and New Jersey, will regularly scheduled Greyhound Lines passenger buses.

The Congress of Racial Equality (CORE), sponsor of the rides, announced yesterday that the group bound for Tallahassee will consist of 18 clergymen, seven Negro and 11 white.

This group is scheduled to leave the Greyhound terminal at 11:15 a. m. Members plan to stop and test bus terminal facilities at Raleigh, N. C.; Sumter, S. C.; Savannah, Ga.; Jacksonville, Fla., and Tallahassee. Upon reaching Tallahassee, they plan to return to New York by plane.

CORE spokesmen said the econd group will consist of our clergymen, four union officials, and six representatives f various professions. Nine re white and five Negroes.

Members of this group said esterday they would leave Vashington at 7:45 a. m. today nd make stops at Wilmington, . C.; Charleston, S. C.; Jackonville, Fla.; Tampa, Fla., and St. Petersburg. Then, they plan to fly from St. Petersburg to New York.

Marvin Rich, CORE national community relations director, said the FBI had been notified of the routes and stops the two groups would follow.

# More 'Riders' Move On Dixie

## Two Groups Head Down Seaboard To Test Bus Facilities

By United Press International

Two new groups of protest riders left Washington by bus yesterday and headed down the Eastern Seaboard—planning to "test segregated travel facilities from the Carolinas to Florida.

One of the groups was made up of 14 "union and professional workers." The second was an "interfaith group" comprised of 14 Protestant ministers and four rabbis.

The targets of the groups apparently were Sumter and Charleston, S. C., and Jacksonville, Tallahassee, Tampa and St. Petersburg, Fla.

The rabbis and ministers were to stop overnight at Raleigh, N. C., where they will be housed in private homes.

**Pressure Off Mississippi**

Wilmington, N. C., will be the overnight stopover point for the "union and professional" group.

The new rides temporarily took the spotlight off Mississippi and Alabama, where the self-styled "Freedom Riders" have concentrated most of their efforts to date.

Officials in North and South Carolina pointed out that "Freedom Riders" had passed through their states before without incident. They said they anticipated no trouble from the new rides.

Police in Jacksonville, Fla., where racial violence flared last summer, said they intended to "paly the situation by ear." Uniformed officers and plainclothesmen were expected to be on hand when the riders arrive.

**Bryant Has Plan**

Florida Gov. Farris Bryant, who was elected to office on a platform to maintain segregation by all lawful means, has said he had a "plan" for dealing with the so-called "Freedom Riders," but has refused to disclose it.

In the past month "white" and "colored" waiting room signs have been removed from the Tallahassee bus terminal, but most travelers continue to segregate themselves voluntarily.

GEN. SECRETARY U THANT VIEWS FREEDOM RIDERS

# U Thant Views 'Freedom Rides' As Transition In Equality Fight

The Afro-American Date 11-11-61 P.9. Baltimore, Md.

By CHARLES P. HOWARD Sr.

UNITED NATIONS, N.Y. — The almost complete stifling of the United Nations caused by the death of Secretary-General Dag Hammarskjold in a plane crash near Ndola, Northern Rhodesia, while on a mission to negotiate a cease fire between United Nations forces and the forces representing the breakaway Katanga Province of the Congo, has been removed.

Actually, all the areas of disagreement between the United States and the Soviet Union, the main protagonists, have found points of accommodation though not necessarily agreement.

The deadlock which has persisted since Mr. Hammarskjold's death Sept. 18 at times seemed insoluble. The very life of the United Nations at times seemed imperiled, so adamant were each of these two major contending powers.

The man most responsible for breaking the deadlock was U Thant of Burma, whom both the United States and the Soviet Union had agreed upon several weeks ago, as acceptable to both of them. He has held conferences with the four great powers, the United States, the Soviet Union, United Kingdom and France.

* * *

**A SPECIAL SESSION** of the Security Council was held Friday and then the 103 member general assembly was called to confirm the nomination by the Security Council and elect Mr. Thant as acting secretary-general.

Considerable face saving has gone into letting Mr. Thant write his own ticket. He will be the sole Secretary - General with no obligation to accept the advice of assistants. The number of assistants will be determined by U. Thant. The "troika" idea is out and the principles of the Charter remain pretty well intact.

So at last it appears that the United Nations will have as its Chief Executive U Thant (U means Mr.; Burmese have no first names.) He is a former high school teacher who smokes chain-wise, a small cigar, much in the Hammarskjold manner. He is 52 years old and keeps his excellent form by walking and swimming and observes the Buddhist's virtues of concentration and detachment.

Unlike Hammarskjold, who was a bachelor, Thant is married, has a married daughter, Aye Aye, 22 years old, who, like her husband is Burmese - attended college in the New York area. He also has a son, Timmy, 19, who attended college here.

Thant, though he does not consider himself so, is a leading Buddhist scholar. However, he quotes freely from Buddhist literature and often takes Buddhist attitudes toward life.

Asked if he thought he could be tough enough to stand up to the buffets of the Secretary General's office, he replied; "I agree that it is necessary to be tough and I wish I knew if I could be tough enough. Only experience will tell."

**A KEY TO THANT'S** philosophy can be deduced from an address delivered at the 19th Conference sponsored by the Department of Elementary School Principals, NEA, National Association of Secondary School Principals, NEA, and the University of Wisconsin, 6 July 1961. In this address he said, quoting his Prime Minister, "U Nu spoke for millions of other peoples when he said this. Among other things the United States of America symbolizes human freedom and human equality, but this image has been greatly tarnished by reports of violent racial conflicts in the deep South.

"Understandingly, these happenings have tremendous repercussions abroad, especially in non - white countries of Asia and Africa, and they create tensions which are in many ways more explosive than political and cold war tensions.

"One may well argue that over the years race relations in the United States of America has been peaceful and harmonious, but this peace and harmony has been only the absence of overt tensions rather than the presence of justice which your great country stands for.

"The Freedom Riders journeying to the South are looked upon in Asia and Africa as the Champions for the colored American's holy war for freedom. It is obvious that their struggle is not purely a racial one; it has profound political implications. The traditional battleground of fighters for civil rights in this country for many years has been the courts of law. But court victories are only limited victories, since Congress has consistantly refused to endorse them by passing law-enforcement legislation.

"Therefore, to fight in the courts is considered ineffectual, and more important, it is also to limit the colored man's goal to the integration of specific institutions rather than to the political revolution that would transform the institutions.

* * *

**"THE FIGHTERS** for racial equality have in the last three years, changed their strategy. In 1958, 30,000 young men and women marched on Washington; last year lunch-counter sit - in demonstrations were organized and now we are witnessing freedom rides. These developments are transitions from the old law court strategy to the new strategy of mass direct action. From available reports, the next strategy will be mass sit-downs not at lunch counters or in bus waiting room but at the polling stations.

"I have a feeling that in no distant future the battle for enfranchisement will supersede the battle for integration. Most western democracies have traveled the road to universal sufferage, often with considerable class warfare, in the nineteenth century, and the Southern States will walk the same road, I hope, without serious blemishes on the image of the United States."

* * *

**THANT WENT ON** to quote Edward R. Murrow, head of the United States Information Agency, who said, "I think it would be a mistake to base our action against discrimination mainly on the ground that our image abroad is being hurt. We should attack this problem because it is right that we do so. We cannot make good news out of bad practices."

Thant further said, "I would appeal to the Great American people, especially the educators and leaders of thought, to help in the acceleration of the common objectives of justice and equality."

JUNE,1961
FREEDOM RIDERS- EN ROUTE
GEORGIA --FLORIDA

# Riders Go Through Georgia

## Restaurant Man Hits Cameraman

Three groups of "freedom riders" passed through coastal Georgia Thursday seeking to test possible segregation policies in bus stations. They found none, and there were no incidents.

However, in Savannah, the manager of the Union Bus Station's restaurant took a poke at a television cameraman who was trying to snap a racially mixed group while it dined.

Police guarded many of the bus stations along the route the "freedom riders" took through South Carolina, Georgia and Florida. But even the curious were absent in some cities.

The only refusal of service was at Lake City, Fla. Nine members of a party of Jewish rabbis and Negro and white Protestant ministers sat about 10 or 15 minutes at a bus station snack bar while no one waited on them.

**GET SERVICE**

Interracial groups were served without hesitation at terminals in Savannah, and Jacksonville and Tallahassee, Fla.

At Savannah, three groups of Negroes and white persons ate together at the lunch counter in Union Bus Terminal. They were served by white waitresses.

Police cars surrounded the terminal and plainclothesmen were stationed inside when the second group arrived. Four Negroes and three whites were served. There were no spectators other than the police and newsmen.

When the third group arrived around 1:45 p.m., the bus station was crowded. White patrons paid little or no attention but a hallway outside was crowded with spectators.

The only incident occurred when R. W. Johnson, manager of the cafeteria, ordered Ralph Penza, news director of WSAV-TV, out of the place and tried to knock his camera out of his hands. Other photographers continued shooting.

**POLICE ALERT**

Johnson said he wouldn't have minded the picture-taking if permission had been asked.

Along U.S. 17 in Georgia, local and state police became concerned when a car bearing a lone white man followed a bus for miles. They checked and found he was a reporter assigned to cover the riders.

The largest crowd was at Tallahassee, where about 200 whites and Negroes crowded into the terminal and many watched as the "riders" ate.

Two members of the party of clergymen reported they were pushed out of the white restroom by two white men. The ministers, one white and the other Negro, spoke to a policeman who told them to go back in. They did and did not report a further incident.

The 18 white and Negro clergymen then went to the new Tallahassee Airport to fly back to New York where they will have a press conference Friday. But before they boarded their plane, they were refused service at the white restaurant. The manager told them it was closed temporarily and would be reopened shortly. Ten stayed behind to make sure he kept his word, and the other eight flew home.

### 2 Bus Trips Planned

Special to The New York Times.

WASHINGTON, June 12—Two more busloads of Freedom Riders, one composed of rabbis and Protestant ministers, the other of professional people and union men, will leave here tomorrow to test bus segregation on the route to Florida.

Spokesmen for the Congress of Racial Equality, which is sponsoring the two rides, said that they had notified the Federal Bureau of Investigation. They said that local police along the way had been notified by the Washington Police but that state highway patrol authorities had not been informed.

The announcement of the trip was madeat a news conference here today. Most of those who will make the trip attended, wearing large blue and white buttons saying "Freedom Rider."

Fourteen ministers — seven white and seven Negro—and four rabbis will ride one bus. They plan to go from Washington tomorrow to Raleigh, N. C., stay overnight there and then go on to Sumter, S. C., Jacksonville, Fla., and finally to Tallahassee, Fla., where they expect to end the trip Thursday.

The other group of fifteen people will include a doctor, students, teachers and labor representatives. They plan to go to Wilmington, N. C., and spend the night. There they plan to split up into two busloads and continue on to Charleston, S. C., and Jacksonville, Fla. One group expects to complete the tour in St. Petersburg Thursday. One detachment plans to branch off to test facilities at Tampa, Fla.

Miss Genevieve Hughes, a field secretary for C. O. R. E. and an original Freedom Rider, said that she expected that the integrated groups to be given service at all stops but Tallahassee and Tampa.

## Varied Reactions: Driver Pulls Gun, White Draws Blade

The Courier
Pittsburgh Pa.

# Massive Bus Blitz Hits Savannah

BY PREZZANT W. ANDERSON
(Courier Roving Reporter)...

SAVANNAH, Ga. — Although seven Negroes were jailed last week for playing basketball at a white basketball court in Municipal Park, the big news here in recent weeks was the city-wide bus blitzkreig staged by the Savannah NAACP on the eve of its 4th weekly mass meeting, Jan. 22.

Results of the "ride-in" were varied.

The "ride-ins" were staged under the chairmanship of the Rev. L. S. Stell Jr., to ascertain the truth of a statement reportedly made by Savannah Transit Company president Hadley Cammack that the bus company no longer required its passengers to seat themselves on a segregated basis.

The committee also desired that both white and Negro citizens would know that Negroes possess the constitutional right to sit wherever they desired, and that continued separation of the races by custom and tradition denies Negroes their Constitutional rights and robs them of their human dignity.

**HERE ARE SOME** of the results of the "ride-ins":

Four young ladies, Misses Carrie Orr and Katie Mustipher and Mrs. Dolly Russell and Magnolia Moxley, boarded the Daffin Park No. 8 bus and seated themselves on a non-segregated basis. Miss Orr sat by a white lady, who stood up and commented: "There it is, you can have it!" This group transferred to the Henry St. bus, and Miss Orr and the bus driver had an extended conversation about the payment of the extra cost for a transfer.

■

As the group boarded the bus, a white female passenger proceeded to leave by the front door and bumped into one of the young Negro ladies. The young lady remarked that: "undoubtedly she is going to knock me down. Probably she can't read the sign which indicates that all passengers should leave by the rear door. At this point the bus driver said: "She leaves by the way I tell her to go. He then pulled out a pistol, apparently as a means of intimidation or to frihgten the young ladies. They didn't frighten.

**GROUP II** under direction of Mrs. Ethel Luten, president of the Women's Auxiliary of the Savannah NAACP branch, including Mrs. Marie Haywood and others, rode on the Barnard St. bus. The driver was very courteous and cordial and made no objection when the ladies occupied the front seat. This group transfered to the Abercorn St. bus.

Several interesting incidents occurred on the Abercorn St. bus. Two white persons refused to board the bus after seeing Negroes sitting on the front seats. Two minutes later a young white girl boarded the bus and sat beside one of the Negro ladies without any hesitation.

A middle-aged white woman joined the passenger and sat in the back of the bus. She motioned a white man who was standing after refusing to sit by a Negro and he took the seat next to her. It appeared that they were discussing the integrated bus.

■

**GROUP III** was made up of Misses Carolyn Quilloin and Dorothy Martin. They boarded the Isle of Hope bus in Isle of Hope and proceeded to return to the city.

Two young white girls sat next to Miss Quilloin and did not seem to object. A white man seemed disturbed over seeing the young ladies seated in the front of the bus. He talked with the driver and looked scornfully at the young Negro ladies during the entire trip to town.

■

As the bus approached Abercorn and Broughton Sts., the man pulled out a knife and thrust it toward Miss Quilloin. She shielded herself with her purse. When Miss Quilloin and Martin left the bus, they followed the man to Bull and Broughton Sts. (in downtown Savannah) where he crossed the street and went into Morris' Cafeteria.

Six young people, Miss Flowers, Henry, Ben and Freddie West, Miss Inez West and and Samuel Truell, made up another group and rode the East Savannah bus. They occupied front seats and were asked by the driver to move to the rear. They refused to move.

During the afternoon, a group composed of James Brown and Misses Carolyn Quilloin and Sheila Bethel took the Daffin Park No. 8 bus at Broughton and Abercorn Sts.

These young people rode to Daffin Park unmolested by either the driver or passengers. They transferred to the Henry St. bus at Victory Dr. and Water Ave. and rode on front seats back to town without any incidents.

■

Savannah NAACP branch president Wesley W. Law and Miss Virgiia Mack, rode the Abercorn bus. Both occupied front seats to the end of the line without any incident. Mr. Law and Miss Mack returned on the Henry St. bus, occupying front seats unmolested in any manner.

The blitzkrieg had a profound impact upon the consciousness of Savannah citizens and the NAACP regarded the "ride-in" as successful. The next day—Sunday—the mass meeting was addressed by Rev. Otis Moss Jr., vice president of the Atlanta branch NAACP.

LAGRANGE, GA. (?)
CORE FREEDOM RIDERS
MAY 1961

# 'Freedom Rider' Notices Lead To Arrest of 2 in LaGrange

The Atlanta Constitution

Atlanta Ga.

LAGRANGE (AP)—Two men were arrested Wednesday after distributing pamphlets advertising that "Freedom Riders" would be coming through town.

Journ. 5-25-61

Charged with inciting to riot and violating the city anti-pamphlet ordinance were two men identified by police as W. C. Hancock, 38, Hapeville, and C. R. Hammond, 28, Newnan.

p. 14

Police said that they arrested the two men after they had driven around town handing out leaflets containing the following:

"There will be a trouble-making group in our town today at 7:40 p.m. at the Greyhound bus station. This is a trip being made to integrate our town. These Negroes and trouble-making white people are being protected by people that are being paid with our tax money."

The leaflets were effective but inaccurate.

More than 100 persons gathered at the bus station at 7:40, but the bus carrying the Freedom Riders had gone through town without incident nearly five hours earlier at 3 p.m.

Fifteen policemen were on hand at the bus station Wednesday night, but no incidents occurred.

Police said that there was every indication others were involved because telephone calls advertising the bus were made to residents after Hancock and Hammond were arrested.

The two men were taken to jail in lieu of $1,000 bond each, officers said. They face a hearing Friday morning in Recorders Court.

# LaGrange Quiet, Holds 5 As 'Freedom Riders' Pass

The Atlanta Constitution

Atlanta Ga.

LaGRANGE (AP)—All was reported quiet at this city near the Alabama-Georgia line Thursday after police jailed and put under bond five outsiders in connection with the passing of a "freedom rider" bus.

Journ. 5-26-61

Police Chief Troy E. McClung said all of the men carried membership application blanks, identification cards or other papers indicating they are either members or would-be members of the Ku Klux Klan.

p. 19

In the car of one, C. L. Handley, 29, of Hapeville, he reported, were found three loaded pistols, a blackjack, billiard cue stick and a hammer. Another, W. C. Hancock, 38, also of Hapeville, was armed, the chief added, but had an official pistol permit.

**ALL POST BOND**

All of the five posted $1,000 bond each for appearance in Recorders Court at 9 a.m. Friday. Hancock and C. R. Hammonds, 28, of Rte. 5, Newnan, were charged with inciting to riot and violating an anti-pamphlet ordinance. The former is a state charge, on which the city court can only bind over to a higher tribunal.

These two were arrested late Wednesday after, McClung reported, they had hired a bevy of small boys to blanket the city with pamphlets proclaiming that a "trouble-making" group of white and Negro "freedom riders" would be at the bus station at 7:40 p.m. "to integrate our town."

**MISSED BUS**

Picked up about 9 p.m. and charged with idling and loitering were Handley and two Newnan men listed as Tommy Jones, 44, Rte. 1, and L. W. Chase, 32, Rte. 5.

Actually, a Greyhound bus bearing seven "freedom riders," four white college professors and three Negro students went through the city without incident just before 3 p.m. en route to Montgomery, Ala., Mississippi and Louisiana.

There were no "freedom riders" on the 7:40 bus. The police chief said about 100 persons were gathered at the station at its arrival, made up largely of the idly curious.

McClung said his men closed in on the five outsiders after the pamphlets were passed out and they began to button-hole "some of our more susceptible" residents in groups of four or five, trying to stir up trouble.

"They seemed to be doing a fair to middling job of it," he observed.

# 3 Fined, 2 Held In LaGrange Plot

The Atlanta Constitution

Atlanta Ga. p-17

LA GRANGE (AP)—Recorder's court imposed heavy fines against three men Monday and bound two others over to a higher court on charges of trying to stir up trouble in connection with the passage through the city of a "freedom riders" bus.

The court said the action resulted from efforts of the five persons, some of whom were armed, to incite disorders last Wednesday night through the circulation of handbills proclaiming that "Freedom Riders" would be at the bus depot at 7:40 p.m.

Journ. 5-30-61

Actually, the riders—four white members of Eastern college faculties and four Negro youths—had passed through the city virtually unnoticed four hours earlier. The riders were arrested and jailed when they reached Montgomery in their expedition which started at Atlanta.

**CHARGED WITH IDLING**

The fines of $135 each were levied against C. L. Handley, 29, of Hapeville; Thommy Jones, 44, and L. W. Chase, 32, both of Newnan. All were charged with idling and loitering.

Bound over to Superior Court on inciting to riot charges were W. C. Hancock, 38, of Hapeville, and C. R. Hammond, 28, of Newnan.

Police Chief Troy E. McClung said he found pistols, a hammer and a billiard cue in the car used by the five in their trip to LaGrange. A batch of Ku Klux Klan literature also was confiscated. Hancock was armed but McClung said he had an official permit to carry a pistol.

**HANDBILLS DISTRIBUTED**

The chief charged they moved into town and hired a band of boys to distribute the inflammatory handbills advising that "Freedom Riders" were on the way to "integrate our town."

All had been at liberty on $1,000 bonds since their arrest.

After Monday's court action Hancock and Hammond were freed under bonds of $2,000 each pending grand jury action. The grand jury meets next in August.

# Tells 'Riders' To Clean Up Chicago's Race Bias

WASHINGTON — (UPI) — Sen Olin D. Johnston, D-S.C. said the "Freedom Riders" should go to Chicago and "clean up their own backyards."

Johnston said the removal of 80 Negro refugees from a Chicago church by a shouting, jeering crowd of white persons, as reported by the Red Cross, was "one of the most shameful happenings that I have read about in a long time."

"In South Carolina we practice segregation," Johnston said in a Senate speech, "but never in history has anything like this happened in my state.

"Should any Negro residents ever be burned out of their homes," he added, "I can safely say that neighboring South Carolina white people would be more than happy to shelter them in their church and would not revert to mob violence and throw them out on the streets."

**RALLIED TOGETHER**

He said a sizable number of the Freedom Riders came from Chicago and suggested they return to teach their people "something about humanitarianism."

"The people of the South," Johnston said, "while practicing segregation have never turned on one another in times of distress and acted in such a repugnant and unChristianlike way.

"To the contrary," he added "in times of crisis the whites and Negroes of the South have always rallied together to overcome whatever difficulty is besetting them."

**ORDERS PROBE**

In the meantime in Chicago police superintendent Orlando W. Wilson has ordered an investigation of the disturbance that forced removal of the group from a church shelter in a predominantly white neighborhood.

Wilson said he ordered deputy superintendent James B. Conlisk to gather a full report "on what took place and what action was taken by police."

The incident occurred when 100 residents of the old Douglas Hotel were made homeless by a fire. Red Cross volunteers took them to the Holy Cross Lutheran Church at 3118 S. Racine.

Mrs. Albert H. Constien, wife of the church pastor, said a crowd of white persons assembled shortly after the fire victims arrived at the church.

**THREATEN PLACE**

"I was in the basement and I wouldn't want to say I recognized any of them," she said. "They were looking in the windows and shouting. They threatened to destroy the church if we didn't get the Negroes out of the building."

John M. Angle, Chicago public information director for the Red Cross, said "the Red Cross people at the scene said there seemed to be some chance of ugliness developing and the Red Cross decided that the people should be taken elsewhere. It was our decision but it was taken at the suggestion of the minister."

Mrs. Constien said "we were very surprised when this happened. There has been no racial trouble in this area."

Mayor Richard J. Daley blamed teen-agers for the incident.

However, the refugees and nurses sent there to help them, said that 40 per cent of the mob of about 1,000 were adults.

* * *

## SUPT. WILSON ISSUES ORDER

Police superintendent Orlando W. Wilson as a result of the mob action at Holy Cross Luthern church Monday night has issued a new order to the police in regards to move to be made when mobs form.

The order defines a racial, religious or nationalistic incident and outlines the policy of the department in coping with it. Under the order:

The commander of the district in which the incident occurs is to notfity the deputy superintendent for field services immediately; this office then will evaluate the situation and consult, when necessary, the Human Relations section.

The deputy superintendent for field services will then take whatever action is necessary beyond that taken by the watch commander to coordinate the resources of the department.

The top officer in the offending district is to submit, in the next police mail a written report in quadruplicate to the deputy superintendent for field services, covering all aspects of the incident.

38a 1961

KENTUCKY

FREEDOM RIDERS

# No 'Freedom' Bus Rides Planned Here For Now

There will be no "freedom" bus rides starting in Louisville in the immediate future.

That was the announcement yesterday by Charles McDew, Orangeburg, S. C., chairman of the Student Nonviolent Co-ordinating Committee which met for three days here.

McDew, a student at South Carolina State College, said some 22 persons from six states attended the conference, which ended yesterday.

A committee statement pledged increasing support to sit-in efforts and "freedom rides" to test integration policies of interstate bus terminals and facilities.

The statement also said the annual fall conference of the committee would be in Nashville. No date was set.

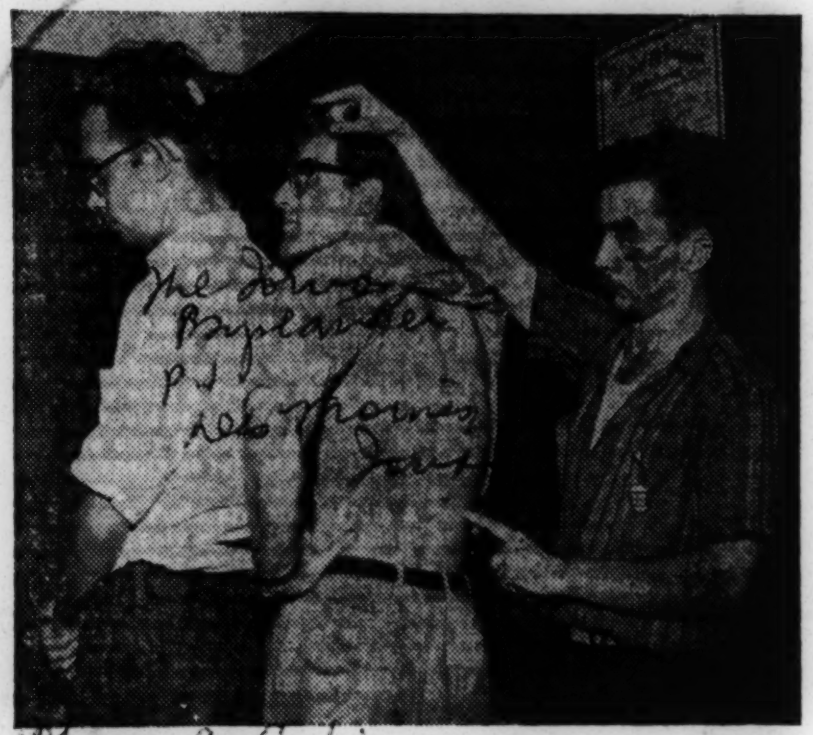
SEPT.

38a) 1961

LOUISIANA

NEW ORLEANS- FREEDOM RIDERS
C O R E

# Freedom Riders Beaten in Police Custody



New Orleans, La.—CORE Freedom Rider John Dolan points to scalp wound on George Blevins and bruise on Frank Nelson caused by beatings while in police custody. The white Freedom Riders were arrested while in a private home in New Orleans and charged with vagrancy. The vagrancy charges were later dismissed but charges of assallt were filed after the riders were beaten by the police. Fifteen members of New Orleans CORE were later arrested in a protest sign-in at police headquarters.

38a 1961

LOUISIANA

# Federal Court Turns Down Rider's 'Hurry Up' Appeal

NEW ORLEANS (AP) — The U.S. 5th Circuit Court of Appeals Saturday turned down a woman "Freedom Rider's" request for an expedited hearing of her habeas corpus appeal.

Elizabeth Porter Wyckoff, a 46-year-old New York free lance writer and former Greek professor, is appealing a lower federal court rejected for a writ of habeas copus.

She contends she is illegally jailed in Mississippi because her legal rights were violated when she was arrested on a breach of peace charge.

She asked for a quick hearing because she is a short-term prisoner and may serve her full sentence before her appeal can be heard by going through regular channels.

But the appeals court, in denying an order for a speed-up appeal hearing, said she can make bond and thus gain her freedom pending her appeal.

**EXHAUST REMEDIES**

The appeals court also noted the record does not indicate Miss Wyckoff attempted to exhaust remedies available to her in the state courts.

U.S. Judge Sidney Mize of Biloxi, in denying her writ, had pointed out she had not first gone into state courts.

In addition to expediting her appeals hearing, Miss Wyckoff had asked to appeal from the original court papers rather than have a printed version made up—to save time. The court also denied this.

The decision came from Chief Appeals Judge Elbert Tuttle of Atlanta, and Judges Warren Jones of Jacksonville, Fla., and John Minor Wisdom of New Orleans. It was unanimous.

**Short-Term Prisoner**

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But the appeals court, in denying an order for a speed-up appeal hearing, said she can make bond and thus gain her freedom pending her appeal.

The appeals court also noted the record does not indicate Miss Wyckoff attempted to exhaust remedies available to her in the state courts.

**State Court Missed**

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*HELD IN MISSISSIPPI*

# Justice Black Turns Down Mixer's Bid For Release

WASHINGTON (AP) — Justice Hugo L. Black of the Supreme Court Wednesday turned down a bid to win release of a "Freedom Rider" from a Mississippi prison.

The habeas corpus action was brought on behalf of Elizabeth Porter Wyckoff, 45, of New York City, who contended her conviction was unconstitutional and invalid.

In a brief opinion, Black said there was not enough evidence to show that all state legal processes had been exhausted.

Justice Tom C. Clark, only other member of the Supreme Court available at this time, concurred in Black's action. The court is in summer recess.

Miss Wyckoff, now confined in the Mississippi State Penitentiary at Parchman, was arrested last month in Jackson, Miss., when she joined other Freedom Riders in an attempt to enter areas of a bus terminal designated for white persons.

Convicted of a breach of the peace, she was sentenced to two months in jail or a fine of $200. She is scheduled for release Aug. 11.

The habeas corpus action was filed in her behalf Tuesday by William M. Kunstler, New York attorney for the American Civil Liberties Union. He said appeals to state courts were useless on such a charge, and contended a pending appeal to the U.S. Circuit Court of Appeals could not be decided before the sentence is due to expire.

The petition contended that under the U.S. Constitution and laws and rulings of the Interstate Commerce Commission, Miss Wyckoff had a right to enter any area of the bus terminal. Therefore it added, her conviction was unconstitutional and should be set aside.

Black's opinion said the petition was denied without prejudice to the right of its presentation to any other member of the court.

It said:

"This petition for habeas corpus is denied because the factual allegations fall far short of showing that there are not Mississippi State processes available by appeal or otherwise for petitioner to challenge her state conviction, which processes would effectively protect her constitutional rights, particularly since any denial of such rights by the highest court of a state can be remedied by appropriate appellate proceedings in the Supreme Court of the United States."

# Court Denies Writ To 'Rider'

## Federal Judges Refuse Quick Hearing Request By Writer

By The Associated Press

NEW ORLEANS, July 22.—The United States Fifth Circuit Court of Appeals Saturday turned down a woman protest rider's request for an expedited hearing of her habeas corpus appeal.

Elizabeth Porter Wyckoff, a 46-year-old New York free lance writer and former Greek professor, is appealing a lower Federal Court rejected for a writ of habeas corpus.

She contends she is illegally jailed in Mississippi because her legal rights were violated when she was arrested on a breach of peace charge.

# U. S. Judge To Hear Appeal Of Freedom Rider

Judge John Minor Wisdom of the United States Fifth Circuit Court of Appeals here allowed a "convicted" Freedom Rider the right to take an appeal to a lower court decision rejecting her petition for a writ of habeas corpus last week.

The case is that of Elizabeth Wyckoff, a 46-year-old white New York free lance writer. Judge Wisdom signed a certificate of probable cause allowing her to appeal a June 5 conviction in the Jackson, Miss., city court.

Miss Wyckoff was arrested June 2 in the Trailways Bus terminal in Jackson for a "breach of the peace." She was convicted and sentenced by Judge James Spencer to a $200 fine and 60 days suspended jail term.

She refused to pay the fine and elected to go to the state prison to work out her fine at the rate of $3.00 per day.

Federal Judge Shirley L. Mize for the Southern District of Mississippi rejected her petition for a writ of habeas corpus and also refused to sign a certificate of probable cause which would allow her to appeal her decision.

Judge Mize held that Miss Wyckoff had not exhausted her state remedies but her attorney, William Kuntsler, claimed that because of the short term of the sentence the exhausting of her state remedies would deprive her of the right to habeas corpus.

FREEDOM RIDER- NEW ORLEANS

MISS ELIZABETH PORTER WYCKOFF

FREEDOM RIDERS RELEASED -- At liberty after signing $500 appeal bonds in Mississippi, two Freedom Riders, Shirley Thompson, left, George Washington Carver High School senior, and Carol Silver, a Chicago University law student, arrived at Miss Thompson's home in New Orleans this week. Miss Thompson was arrested in Jackson, Miss., on June 6; Miss Silver, on June 7. Both were convicted of "breach of the peace" because they tested segregated travel facilities in that city. Both were placed in the Jackson city jail, then transferred to the state penitentiary at Parchman, Miss., early in June. (PHOTO BY PORTER)

38a 1961

LOUISIANA

SEPT.
NEW ORLEANS- FREEDOM RIDERS

# 'Hymn-Singing' Freedom Riders Under Arrest

NEW ORLEANS (UPI) — Four of 15 Congress of Racial Equality (CORE) members arrested Wednesday after their midnight hymn sing in police headquarters were freed on $500 bond each yesterday after all pleaded innocent.

The 15 Negroes said they staged the sitdown demonstration in the police offices in protest of what they said was police brutality against three out-of-state white Freedom Riders here Aug. 15.

In all, 19 CORE members staged the sitdown, but four left after police chief Joseph Giarrusso said their spiritual singing was interferring with police radio broadcasting and asked the group to leave.

The remaining 15 were jailed on charges of refusing to move on, remaining in a place after being forbidden to remain, holding an unlawful assembly, and vagrancy by loitering in a public place.

Attorneys Robert Collins and Lolis Elie entered pleas of innocent to all charges for the nine women and six men, mostly college students.

H. G. Maynor, New Orleans chief of the Federal Bureau of Investigation, said he had sent a report through channels of the Aug. 15 incident in which two Californians and one New York man suffered cuts and bruises.

One of the three men, George Blevins, 21, Los Angeles, said police arrested them on a phoney vagrancy charge to prevent them from appealing Freedom Ride convictions in Jackson, Miss. He said in the paddywagon, police kicked them and beat them with blackjacks.

The police said the three were arrested because of a complaint of a loud party, and said another prisoner in the paddywagon got involved in a scuffle with the three, and that one officer was assaulted when he tried to break up the fight in the wagon.

38a 1961

LOUISIANA

DEC.

FREEDOM RIDERS
SUPREME COURT FREES

# Sit-In Case Convictions Overturned

Montgomery Advertiser
5 Tues, 12 12 61
Montgomery, Ala.

WASHINGTON (AP) — The Supreme Court overturned Monday the conviction of 16 Negro sit-in demonstrators in Louisiana but left unanswered broad constitutional questions raised by the sit-in controversy.

The Congress of Racial Equality quickly hailed the decision as the dawning of a "new day" for Negroes, but officials of Southern states said it would have little effect on hundreds of similar pending cases.

The attorney general of Louisiana said the high court did not pass on the constitutionality of the state's so-called sit-in law.

**UNANIMOUS DECISION**

Chief Justice Earl Warren, delivering the court's opinion, pointedly confined the unanimous decision to the Constitution's due process clause as applied to the convictions.

He said it was not necessary to consider other constitutional questions raised in the Louisiana cases —freedom of expression and equal protection.

Nor, Warren said, was it necessary to decide in Monday's decision whether a private business owner has the right to serve only whom he chooses, a question Louisiana had raised. He said that in the three 1960 Baton Rouge cases involved, at no time did representatives of the store owners ask the Negroes to leave the "white only" lunch counters.

**OTHER QUESTIONS**

These other questions could be touched on if the court agrees to hear Virginia and North Carolina sit-in cases presented to it.

The 16 Negroes, all students of Southern University in Baton Rouge, were convicted under a Louisiana law making it a breach of the peace to "act in such a manner as to unreasonably disturb or alarm the public."

Each was sentenced to four months in prison, with three months to be suspended on payment of $100 fines.

Warren said there was no evidence that the Negroes "disturbed the peace, either by outwardly boisterous conduct or by passive conduct likely to cause a public disturbance."

**OWN OPINION**

"The undisputed evidence," he said, "shows that the police who arrested the petitioners were left with nothing to support their actions except their own opinions that it was a breach of peace for the petitioners to sit peacefully in a place where custom decreed they should not sit."

Louisiana had contended that the police were justified in making the arrests because they feared violence might erupt.

In Louisiana, State Atty. Gen. Jack Gremillion said it appeared to him that the Supreme Court overturned the 16 convictions merely on grounds of lack of evidence.

"The constitutionality of Louisiana's so called sit-in laws has not been passed on and so far as the state is concerned, they are valid legislation," Gremillion said.

Gremillion would not say flatly whether arrests will continue under the law. And officials a Baton Rouge would not say—pending a reading of the opinion—whether the 16 Negroes will b retried.

**NO EFFECT**

In Little Rock, Arkansas Atty Gen. Frank Holt said the decisio will have no effect on simila cases pending in that state. "It would seem that each sit-in cas still stands on its own merits.

The Congress of Racial Equality said 300 "Freedom Riders were arrested in Jackson, Miss under a law word for word lik Louisiana's, and that under th decision such arrests should b ended.

Justice William O. Dougla while agreeing with the majorit went further in a concurring opi ion, declaring:

"I do not believe that a sta that licenses a business can cense it to serve only white only black or only yellows only browns."

**PUBLIC USE**

He said the authority to licen a business "for public use is d rived from the public" and th "Negroes are as much a part o the public as are whites."

In other decisions Monday, the court:

—Unanimously declared a Florida loyalty oath required for all the state's employees is so vague it violates constitutional due process.

—Ruled 6-3 that the Federal Trade Commission has the right to see copies of confidential reports prepared by manufacturers for the Census Bureau.

—Refused to interfere with an order permitting pupils in the predominantly Negro Lincoln elementary school in New Rochelle, N.Y., to transfer without restriction to other schools in the city.

—Set aside 5-4 the conviction of John J. Killian, former Milwaukee labor leader, on charges that he falsely denied he ever was a Communist.

# Youths Freed In Louisiana Sit-In Cases

SLDA
Ala Montgomery Advertiser
Robinson

LOUISVILLE, Ky. (AP) — Breach of peace charges against 40 juveniles, arrested in an integration demonstration, were dismsied Tuesday in criminal court.

12-13-61

The U. S. Supreme Court decision of Monday, which threw out convictions in sit-in cases in Louisiana, was a factor in the juveniles' case, Commonwealth's attorney Laurence Higgins said. He said there was no evidence of breach of peace in the Louisiana case, and there was no evidenec of boisterousness or violence among the juveniles.

Montgomery Ala Advertiser

The youths were arrested on June 15 and June 19 after they formed lines in front of gates at a privately owned segregated Louisville amusement park, seeking admission, Higgins said. Whites also gathered and arrests of both whites and Negroes followed.

Cases of the juveniles were taken to criminal court after they were found guilty in juvenile court and placed on probation.

Three adults, also arrested in racial demonstrations, were fined. They were arrested at restaurants.

38a 1961 LOUISIANA

FREEDOM RIDERS
AMERICAN NAZI PARTY
MR. GEORGE LINCOLN ROCKWELL

# 'Hate' Bus In Troubled City

The Commercial Appeal Wed 5-24-61

A squad of Lincoln Rockwell's American Nazi Party storm troopers arrived in racially troubled Montgomery, Ala., yesterday but were not allowed to demonstrate or speak. The American Nazis — who are opposed to racial mixing — were escorted through town in their German-made bus after stopping for gas. They were en route from Washington to New Orleans to meet their leader.

—UPI Telephoto

# Police Reception Laid For Nazis

Jackson Daily News Jackson, Miss.

NEW ORLEANS (AP) — City police hung out a "not welcome" sign today for a group of Nazis who say they're headed for New Orleans for the avowed purpose of creating trouble if and when "freedom riders" arrive. p-3

The group of six "National" Nazis, headed by Doug Olelfkee, 27, of Memphis, Tenn., were last reported somewhere between New Orleans and Pensacola, Fla.

Olelfkee said earlier at Pensacola, his group was shipping tear gas and swastika arm bands into New Orleans. He admitted participating in racial riots at Montgomery, Ala., over the weekend and said one of his Nazis hurled tear gas bomb into a Negro church. Sat. 5-26-61

Meanwhile, another group of Nazis—who claim no association with Olelfkee's group — remained in the parish jail here after Dist. Atty. Richard Dowling accepted charges of disturbing the peace lodged against them.

The jailed Nazis, headed by American Nazi Party Fuehrer George Lincoln Rockwell, called their arrests Wednesday night a "farce" and refused to post bail.

Rockwell, 43, said his group would adopt the pacifist "jail, no bail" tactics of the integrationists he opposes.

"It's time the white man did the same as the 'niggers' and stayed in jail to protest for our rights," said Rockwell. Police permitted newsmen to interview him at the prison.

He said he and his nine "storm troopers" would remain in jail as long as necessary as a protest action.

The Nazis came to New Orleans aboard a "hate bus" which paralleled the route of the freedom riders through the Deep South. Their announced purpose in New Orleans was to picket the movie "Exodus" and National Association for the Advancement of Colored People activities.

The Nazis were charged under a state anti-integration statute making it illegal to disturb the peace in a manner which might alarm the public.

Dowling announced he would file similar charges against any other agitators, including freedom riders, who come to New Orleans.

Meanwhile, the city council adopted a resolution calling on the police department to escort freedom riders and other agitators non-stop through the city.

# New Orleans Tour Began By Rockwell

The Washington Post Washington D.C. Wed 5-24-61

NEW ORLEANS, May 23 (UPI)—George Lincoln Rockwell, self-proclaimed fuehrer of the American Nazi Party, flew into New Orleans today to lead a "hate campaign" against Negroes and Jews.

He said he and 10 of his "Storm Troopers" would demonstrate here against the NAACP, the Congress On Racial Equality (CORE), and "Exodus," a film opening Wednesday night which depicts the Jewish struggle to create Israel.

His khaki-shirted "Storm Troopers" were scheduled to arrive here later traveling in a car and a Volkswagen bus.

Rockwell claimed here during a brief press conference at the airport that his troops have been "greeted as liberators" on their Southern tour.

But at strife-torn Montgomery, Ala., sheriff's deputies and National Guardsmen swiftly escorted the "Hate Caravan" through and out of the city.

Louisiana Gov. Jimmie H. Davis said he did not welcome the Nazi party into the state any more than he did the "Freedom Riders." Last night he issued a statement urging both groups to stay out of Louisiana.

State troopers would not reveal whether they have any plans concerning Rockwell's presence here. City police would say only that they "will do everything necessary to keep peace."

Rockwell, a former commercial artist and publisher from Arlington, Va., said his troops would be uniformed and wearing swastika armbands.

He said he expected no trouble during the planned picketing here.

# Mob Victim Hints At Nazi Link In Alabama Violence

By JOHN E. ROUSSEAU

"While the trooper was talking to the driver, the bomb came through the rear window. It was incredible. The bus was filled with black, terrible smoke and outside these hoodlums were shouting 'Heil Hitler' and 'Sieg Heil'."

This was not testimony in the internationally-sensational Adolph Eichmann trial as one might well deduce. It is a statement from an eye-witness to the Alabama mob violence of May 14, 1961 when some 14 members of the Freedom Ride were brutally beaten with clubs, bottles and fists, and the bus in which they were riding was bombed and burned. This happened in Anniston, Ala, U. S. A.!

One wonders, of course, why would a mob of semi-illiterate rural whites be yelling these foreign words, "Heil Hitler" and "Sieg Heil."

The entire story of the Freedom Ride from Washington-to-Birmingham then by airplane to New Orleans which was sponsored by the Congress of Racial Equality is well-publicized. So, it is indeed appropriate that attention be given now to the full implications of the Nazi yells of the Anniston mob.

HITLER, THEIR IDOL

These mob techniques, the yells, and other facts which are known, when assembled form a pattern which indicated the widespread influence of the American Nazi Party - a group which idolizes and pays tribute to the memory of Adolph Hitler, The Fuehrer.

Only a week preceding the attack on Freedom Ride, the American NAZI Party (ANP) distributed circulars over the entire South. Some were passed around in New Orleans. They bore the infamous Swastika and ended with the words, "Sieg Heil!"

A few excerpts follow:

"We are back! We believe that Adolf Hitler was a gift of Providence, sent forth to save the world from the Jew-Communist menace, and to keep the White Race pure. We believe the last world war was precipitated by these Jew-Communists to eliminate the threat of the Holy Purpose of Nazism.

"We believe that we are acting in accordance with the Will of God: by defending ourselves against these Jew-Communist swine and these black animals, we are fighting for the work of th

Heil!"

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81, Arlington,

ANOTHER HITLER

A recent issue of a national publication declared, "A Hitler is on the Loose in the U. S. A."

In a feature article on the American Nazi Party, it described one George Lincoln Rockwell as its leader and quoted him as saying much of the party's strength is still undercover. It gave the address of the headquarters as 928 North Randolph St., Arlington, Va.

"We're not going to overthrow the government," Rockwell is quoted as saying. "We won't have to. We're going to become progressively stronger all through the 1960's. And then we're going to sweep the country in the presidential election of 1972."

RECENT INCIDENTS

Thus, the Nazi-like actions of the white mob in Anniston, Ala., appear to be more than mere coincidence. It is recalled that several months ago, Beth Israel Synagogue in Gadsden, Ala., was hit with a "Molotov cocktail" - a soda pop bottle filled with gasoline - similar to the one thrown into the Freedom Riders bus at Anniston.

The bomber of the synagogue, a 16-year-old youth, shot and wounded two members of the congregation when they ran out after him. When police caught him, the youth proudly displayed a Nazi armband!

Just two weeks ago, vandals in Indianapolis, Ind., painted Nazi swastikas on homes of new Negro residents in a swank Northside neighborhood.

Here in New Orleans, the new Blessed Sacrament Church Hall in the uptown section was defaced with swastikas several months ago. This incident was not publicized and was attributed to young pranksters. But, why the swastikas?

Considering these happenings and their conformity to the Negro-hating, Jew-hating doctrine of the Hitlerites, there is no doubt that the American Nazi Party has plans for the South and for Louisiana.

Associated Press Wirephoto

**TO QUELL DISTURBANCES: New Orleans policemen exhibiting motorcycle cars acquired to move police dogs quickly to scenes where crowds threaten to become unruly. Recently, in Jackson, Miss., police used dogs against anti-segregation demonstrators.**

# *10 Nazis Stage Hunger Strike Against Arrest in New Orleans*

## *Rockwell and 9 'Storm Troopers' Await Trial After an Attempt to Picket Film—No Hearing Date Set*

NEW ORLEANS, May 26 (UPI)—George Lincoln Rockwell and his "storm troopers" went on a hunger strike today in the Parish (county) jail here to protest their arrest.

Rockwell, self-styled leader of the American Nazi party, and nine of the uniformed men were jailed on charges of disturbing the peace as they attempted to picket the movie "Exodus" Wednesday night. They came here on their "Hate Bus" earlier in the week for the announced purpose of conducting demonstrations against Negroes and Jews.

An Orleans Parish jail spokesman said Rockwell, 43 years old, and his men had refused food since 4 P. M. yesterday. The jailer said the group was "polite and courteous," but that the Nazis, all from Arlington, Va., maintained they were not hungry.

The last time the men ate was yesterday morning at the city jail. They were formally charged yesterday afternoon and transferred to the Parish prison.

**Trial to Be Set**

The district attorney's office said no trial date has been set, but predicted it would be early next week. The charge is a misdemeanor.

Rockwell said from his city jail cell yesterday that he would not accept bond if he was charged. Each is under $500 bond.

The Nazis said they had come here at the invitation of some "very high and important people," but none of them have come forth to offer the bail.

There also has been no sign of a Nazi support party, which was supposed to have arrived today from Pensacola, Fla., to aid Rockwell and his men.

Doug Olelfkee, 27, announced yesterday that he and five men were coming herew ith "supplies of tear gas, roofing nails and other things." The New Orleans police said bluntly that "plenty of jail cells are available for them, too, if they cause any trouble."

**Charges Conspiracy**

Rockwell maintains that America should have fought on the side of the Nazis during World War II. He has said there was a conspiracy of "the inferior people to overcome the biologically superior people by sheer numbers."

The former naval officer charged that the "inferior people" were mostly Negroes and Jews.

The Nazi "hate" tour here has been one of almost complete frustration. In addition to being arrested, they were ejected from their motel. The police refused to let them enter a state park to paint their hate signs. And the Nazis wrecked their Hate Bus while trying to elude a state police car that was following them.

One of them, who was driving the bus when it smashed into a bus railing, was arrested on a charge of reckless driving before his comrades were hauled in for picketing. He was placed in a Jefferson Parish jail.

# POLICE ACCUSED BY RACE GROUP

## False Arrests Claimed in 'Loud Party' Incident

Congress of Racial Equality officials claimed Sunday that New Orleans police falsely arrested and mauled three white "freedom riders" Saturday night.

The riders were arrested for having no visible means of support after a "loud party" investigation at 2336 Gen. Taylor, police said.

After the arrest, police said the "riders" attacked another prisoner in the police wagon, assaulted police officers at headquarters, and tried to escape.

Arrested were Frank A. Nelson, 23, New York city; John Dolan, 20, Berkeley, Calif.; and George Levins, 21, Los Angeles.

**BOOKEN ON 4 CHARGES**

They were booked for no visible means of support, aggravated battery on the officers, simple battery on the other prisoner, and attempted simple escape.

The accusations against New Orleans police were made by Edwin Blankenship, CORE field secretary from Tuscon, Ariz., and Jerome Smith, CORE's New Orleans chairman, as they left for Jackson, Miss., where 180 riders begin appeals Monday on peace-breaking charges.

Blankenship said the arrested men were waiting in a private home to go to Jackson when police came.

He said the three were taken to a district station and put on $25 bond Later, he said, they were moved, bookings were changed, and bond couldn't be posted.

"When I saw them late last night, they had been beaten very badly," he continued.

**FIGHTING REPORT**

Lt. Leo Forvendal said police went to the residence, reportedly occupied by Negroes, to check out a complaint that Negroes and whites were fighting there.

He said that he found no fighting but that a loud party was in progress. The riders said, according to Lt. Forvendal, they had no jobs, no money, and no local addresses.

They were put in the wagon with Joseph Jiminez, 25, who had been picked up for an unrelated offense. On the way to headquarters, police said a fight broke out in the wagon.

At headquarters police said they opened the door and the fight continued. Ptn. Harry Acosta and Auxiliary Sgt. H. Rosenette tried to break it up and the "freedom riders" jumped them, police reported.

According to police, the three said they had served time in Mississippi State prison on breach of peace charges stemming from a "freedom ride."

The three riders, Jiminez, and the two officers were treated at Charity hospital for bruises and lacerations.

FREEDOM RIDERS PASS THROUGH ATLANTA — This group of "Freedom Riders," though victims of verbal insults, were nevertheless happy and confident as they paused for a photo while stopping off over-night in Atlanta. The front row includes: Joseph Perkins, New York City; W. G. Bergman, Detroit, Mich.; Herman Harris, Englewood, N.J.; Jim Peck, New York City; James Farmer (group spokesman), New York City; Albert Bigelow of Cos Cob, Conn. On the back row are: Charles Person, Atlanta; Jimmy McDonald, Washington, D.C.; Henry Thomas, Washington; Ocharwe Hugke, New York City; Isaac Reynolds, Detroit, Mich.; Mae Frances Moultrie, South Carolina; Frances Burgman, Detroit, Mich.; and Ivan G. Moore, Morris, S.C. (Photo by Perry)

# Attack Protests Mount As FBI Intervenes 'Freedom Riders'

NEW ORLEANS — Agents of the Federal Bureau of Investigation, at the request of the Justice Department Tuesday interviewed members of the Dixie touring "Freedom Riders," to determine if their trouble plagued travels in Alabama involved any federal violations.

Meanwhile, the American Civil Liberties Union called for "swift action by the federal government to deal with the physical attack on the interracial group.

"Personal security, particularly where it is directly connected with the First Amendment right of peaceful expression as in the case of the traveling CORE group, must be vigorously defended," the union's executive director, Patrick Murphy Malin, said in a telegram to Attorney General Robert F. Kennedy.

While recognizing that the responsibility for law enforcement rests in the hands of local authorities, the spokesman urged Kennedy strongly to denounce the action and to make it publicly clear that the "Federal government expects local officials to prevent such attacks."

Kennedy also received a wire from the American Jewish Congress who said that federal law may have been violated in the attack. The congress asked Kennedy to probe the ambush of the buses.

The wire, signed by Shad Polier, chairman of the Commission on Law and Social Action of the Congress asked for a full investigation that the attacks may have violated volume eighteen, section thirty-three of the United States Code.

The law, enacted July 14, 1956, says in part:

"Whoever wilfully, with intent to endanger the safety of any person on board .. or with a reckless disregard for the safety of human life, damages, disables or destroys .. any motor vehicle which is used, operated or employed in interstate of foreign commerce .... shall be fined not more than ten thousand dollars or imprisoned not more than 20 years, or both."

**ANOTHER THREAT**

Meanwhile, the anti-integration South Louisiana Citizens Council warned of possible violence Tuesday if New Orleans officials do not "rid the community" of bi-racial "freedom riders."

An official of the council said the group feels the arrival here of the integrationists "warrants immediate action to rid the community of the agitators before violence erupts."

Gordon R. Carey, of New York, field director for the Congress on Racial Equality (CORE), sponsor of the "freedom riders" tour of Dixie, said of the Citizens' Council threat:

"We're not going anywhere until Thursday, the date we planned to leave New Orleans. This happens oftentimes."

Carey said officials and police have been "very cooperative."

Fourteen members of the pro-integration group flew into New Orleans Monday night and expressed bitterness at their treatment in Alabama, where white men burned out their bus and attacked them.

The group had to cancel their planned bus trip through Mississippi and into Louisiana when bus drivers refused to chauffeur them any farther.

The "freedom riders," bitter and weary, arrived here about midnight Monday night aboard an Eastern Airlines flight. The plane trip was delayed several hours in Birmingham, Ala., by a telephoned bomb scare.

The group left Washington earlier this month for a bus tour of the South, a deliberate effort to test Dixie's segregation laws in bus stations.

# Freedom Tour Halted, Riders Go Into Hiding

*United Press International.*

NEW ORLEANS, May 16.—A group of biracial "freedom riders" forced to abandon an anti-segregation bus ride through the South flew to New Orleans last night and immediately went into hiding.

The group was forced to cancel their violence-marred bus caravan when bus drivers refused to chauffeur them any farther. The drivers' refusal apparently stemmed from violence surrounding two bus trips by the riders earlier this week and the refusal of Gov. John Patterson to guarantee the integrationists safe passage through Alabama.

The 16 members of the mixed racial group then arranged to fly from Birmingham, Ala., to New Orleans. But their departure was delayed when authorities received telephone call that a bomb had been placed aboard the airliner.

The integrationists were removed from the plane and a search instituted. The flight was canceled and the group eventually departed on a different flight.

The group, met at the airport here by newsmen, refused to disclose where they would stay.

"We don't know who to trust anymore," said Herman K. Harris of Englewood, N. J.

"I've never seen anything like the trouble we had in Alabama. It was inhuman and uncivilized."

He described the Anniston, Ala., incident in which their bus was burned and several of the group injured as "one of the dirtiest things I've ever seen; there wasn't a respectable face in the crowd; they had guns and were drinking."

# Louisiana solons condemn 'rides'

BATON ROUGE, La., June 7 —(AP)—The Louisiana Legislature ended its 30-day fiscal session yesterday after declaring the South has a God-given right to defend itself against "hate-the-South" campaigns.

Rep. Parey Branton, Webster Parish, a House sponsor of the "hate-the-South" resolution, said in the heated House debate "all the 'freedom riders' belong at home and should leave us alone."

SEN. HAROLD MONTGOMERY, Doyline, accused the national administration of trying to "niggerize" the entire nation.

The Senate voted 25-1 approval of the resolution. The House voted for it 72-9.

**Branton called the resolution a good, clean segregation resolution. It's a Southern gentlemen's resolution. If you're for segregation and opposed to the freedom riders—vote for it."**

Rep. Hiram Allen, Tangipahoa, said, "In view of the fact the federal government sent armed forces to Alabama, while Fidel Castro has been taking American property and murdering people on our doorstep, aren't you sometimes a little ashamed of being an American?"

## Orleans reports 2 riders may take bus to Jackson

NEW ORLEANS, May 26—(AP)—About a dozen New Orleans policemen—some in plain clothes—turned out at the city's two downtown bus terminals early today amid reports a racially mixed group would test segregation laws.

One officer said there were reports that a group of "freedom riders" might travel from New Orleans to Jackson, Miss., today.

There was no evidence of such a group at either station. Buses were scheduled to leave the city for Jackson a half-hour apart. One left apparently without any "freedom riders" aboard.

## Rockwell Brings 'Hate Campaign' To New Orleans

NEW ORLEANS, May 23. —(UPI)— George Lincoln Rockwell, self-proclaimed fuehrer of the American Nazi party, flew into New Orleans Tuesday to lead a Negro-Jew "hate campaign."

The lanky, cigar-chewing Rockwell, loudly maintaining that the United States should have been on Germany's side in World War II, said he and 10 of his "storm troopers" would demonstrate here against the NAACP, the Congress on Racial Equality (CORE), and "Exodus," a film opening Wednesday night which depicts the Jewish struggle to create Israel.

He would not tell newsmen how long he planned to remain in the city, or where he was going when he left the airport. But Rockwell said Monday in Washington he planned to meet with some "very high, responsible people" in New Orleans who supported his party.

His khaki-shirted storm troopers are enroute in a small caravan which originated early Monday in Washington. They are traveling in a car and a Volkswagen bus covered with signs reading, "Lincoln Rockwell's hate bus," "We do hate race mixing," and "we hate Jew-communism."

Rockwell claimed here during a brief press conference at the airport that his troops have been "greeted as liberators" on their Southern tour.

But at strife-torn Montgomery, Ala., sheriff's deputies and National Guardsmen swiftly escorted the "hate caravan" through and out of the city.

Louisiana Gov. Jimmie H. Davis said he did not welcome the Nazi party into the state any more than he did the "Freedom Riders."

"I'm sick and tired of seeing the country run by a bunch of communists and Jews," he said, adding that his purpose here was "to prove that this nation's racial strife is communist in-

spired."

Rockwell said he has received invitations to go to other cities, but mentioned only Tulsa, Okla.

He said he expected no trouble during the planned picketing here.

# Catholic Leader Halted Priests In Freedom Rides

The Courier 8-4
Sat 9-2-61
Pittsburgh Pa

NEW ORLEANS—A head of a Catholic society of priests admitted last week that he had stopped two New Orleans priests from taking part in the "Freedom Riders'" movement.

The Very Rev. George F. O'Dea, superior general of St. Joseph's Society of the Sacred Heart, Baltimore, Md., said he told the two priests "not to participate" and declined comment on the reason for his order.

The priests were identified as the Rev. Father Richard Wagner, 29, chaplain at Xavier University and an instructor at St. Augustine Boys High School, and the Rev. Father Philip Berrigan, 37, also a member of the faculty at St. Augustine.

**THE TWO PRIESTS** had left New York en route to New Orleans via Atlanta and Jackson, Miss. They intended to test racial segregation at the airport and bus terminal in Jackson.

The Most Reverend O'Dea stated that he reached the priests by telephone in Atlanta and informed them not to participate. They would have been the first Roman Catholic clergy to join in the Freedom Riders' movement.

Catholic circles here were awaiting more reprecussions on Father O'Dea's move last week.

—More for Your Money in The Courier—

# Freedom Riders Charge N.O. Cops With Brutal Beatings

The Louisiana Weekly

The Congress of Racial Equality charged Sunday that three young white Freedom Riders were falsely arrested and brutally beaten by New Orleans police.

Oct. 8-14-61

The three, who were arrested from the residence of Negro CORE members, 2336 General Taylor Street, about 8 p. m., Saturday are Frank Nelson, 23, New York civil engineer; George Blevins, 21, an artist, Los Angeles, Calif., and John Dolan, 20, Berkeley, Calif., a sociology student in the University of California.

Originally charged with vagrancy by having no visible means of support, they said police beat them while transferring them from the Second District police station to headquarters. They have been additionally charged with aggravated battery on officers, simple battery on another prisoner, and attempted simple escape.

New Orleans, La.

CASE DISMISSED

Appearing in the Municipal Court before Judge Edward Babylon Monday on the vagrancy charges, Nelson, Blevens and Dolan were represented by two Negro attorneys, Robert F. Collins and Lolis Elie, who contended the arrests on that charge were illegal.

Judge Babylon, in a fashion peculiarly characteristic to him, proceeded to "admonish" the trio. He told them that Negroes like it here; said Negroes are happier here than some millionaires, and told them that CORE was making trouble here.

After questioning them as to who was "paying" them to come to New Orleans, and being told by the three that they were sincerely interested in civil rights and had spent 40 days in the Mississippi jails for that belief, Judge Babylon dismissed the charge.

INVITED TO DINE

Interviewed shortly after the trial, Nelson, Blevins and Dolan told The Louisiana Weekly they had been jailed as Freedom Riders in Jackson, Miss., June 25, were sentenced the next day, had spent eight days in the city jail, then were transferred to the state penitentiary at Parchman.

Louisiana Weekly

"We were released on $500 bonds each Aug. 4 and came to New Orleans the same day," they said. "On Saturday we were invited to dinner in the home of two CORE members, Patricia and Carlene Smith."

"WAITING FOR DINNER"

Carlene Smith, a 22-year-old secretary, and her sister, Patricia, 19, a student, were interviewed by The Louisiana Weekly.

"The three white CORE members were stopping at the home of an Episcopal minister on General Taylor Street and we invited them over to dinner," the girls declared.

"They had been at our home about 10 minutes and we were waiting for our older sister to serve dinner," they said, "when a policeman knocked on the door asking if we had called police. We said 'no,' and he asked if we knew of any disturbance in the neighborhood.

Oct. 8-14-61

POLICE RETURN

"The officer left. At that time we were sitting down listening to records. About one minute later, about six policemen came. One pulled on the door saying 'What's the matter; got something in there you don't want us to see?'

"We told them 'No,' and they walked in and began asking questions such as who we were, if we lived there, what were white people doing there. One policeman said, 'The colored people around here don't like the idea of you' all having white company.

"We asked him was that the charge. He said, 'No, they said Negroes and whites were fighting in here.' The officers then began questioning Blevins, Nelson and Dolan, and on learning they were from out of town, the officers arrested them.

"One of the policemen said, 'Come on, let's go.' Blevins then asked them if they had the right to come into a house and arrest someone. The officer replied, 'Look, when an officer says come, you have no civil rights.' "

Police reports say the officers went to the residence after receiving a complaint of "fighting" among Negroes and whites. They said they found no fighting but only a "loud party."

"HOLD FOR FBI"

Blevins, speaking for the trio, told The Louisiana Weekly that they were taken to the Second District police station, charged with having no visible means of support, and held for the Federal Bureau of Investigation to check their draft cards. They were then to be taken to police headquarters to be photographed and finger printed, he said.

Police accuse Blevins, Dolan and Nelson with attacking another prisoner, Joseph Jiminez, white, while in the patrol wagon being transported to headquarters.

Officers who made additional charges against the trio, said in attempting to break up the "fight" in the patrol wagon, the three Freedom Riders, Jiminez and two policemen were injured.

"WE WERE BEATEN"

Continuing his statement, Blevins said they were placed in the patrol wagon which was occupied by a white prisoner. He quoted the prisoner as saying he had been arrested for assaulting a Negro.

"We told him we were Freedom Riders. This caused him to become enraged. He said we were down here causing trouble, then he said he didn't want to sit by us.

"After we had ridden a while, he began threatening and wanted to fight. We told him we were pledged to non-violence. We told him if he would strike us we would not hit him back. He then began swinging and yelling 'help.' We just covered up to avoid his blows. The police van had stopped. The back door was opened and police jumped in swinging clubs and blackjacks.

"HE'S TRYING TO ESCAPE"

"One officer struck me. I fell to the floor and several of them kicked me out of the van. An officer outside pulled me up from where I had fallen, yelling, 'He's trying to escape.' He kept beating me, so I sat down on the ground.

"I saw John Dolan thrown out of the police van. He landed on his head. An officer in the van jumped out feet first but landed only partly on John then fell to the ground. I heard him yell, 'Look out, I've dropped my gun.'

"The three of us were stood with upraised hands braced against a wall. Policemen kept hitting us, there were quite a few officers standing around. We were taken to a cell and told to wash off the blood from our faces. Nelson and I were taken upstairs and photographed, but not Dolan. His face was bruised and bloody.

"GET OUT OF TOWN"

"One officer told me that if we got out of jail, we'd better get out of town in 24 hours or he'd shoot our heads off. He said he had fought in the war and had learned some good tricks from the Germans, and that an Adolf Eichmann was needed over here.

"Another officer asked to see the cut in Dolan's head. It had stopped bleeding, but the officer widened it with his finger. I can identify him if I ever see him again.

"We were asked more questions such as who paid us to come to New Orleans. We were called homosexuals, and periodically one officer kicked Dolan in the stomach and in the groin.

"We were taken to the First District station, then to the hospital where we were patched up and given anti-tetanus shots.

"From there we were brought back to the First District station. Sunday night we were taken out and questioned. Monday we were taken to headquarters and put in the line-up.

"News came that day that we were to be released on bonds. At first we were told our bail would be $4,500 each. However, it was finally placed at $1,000 each.

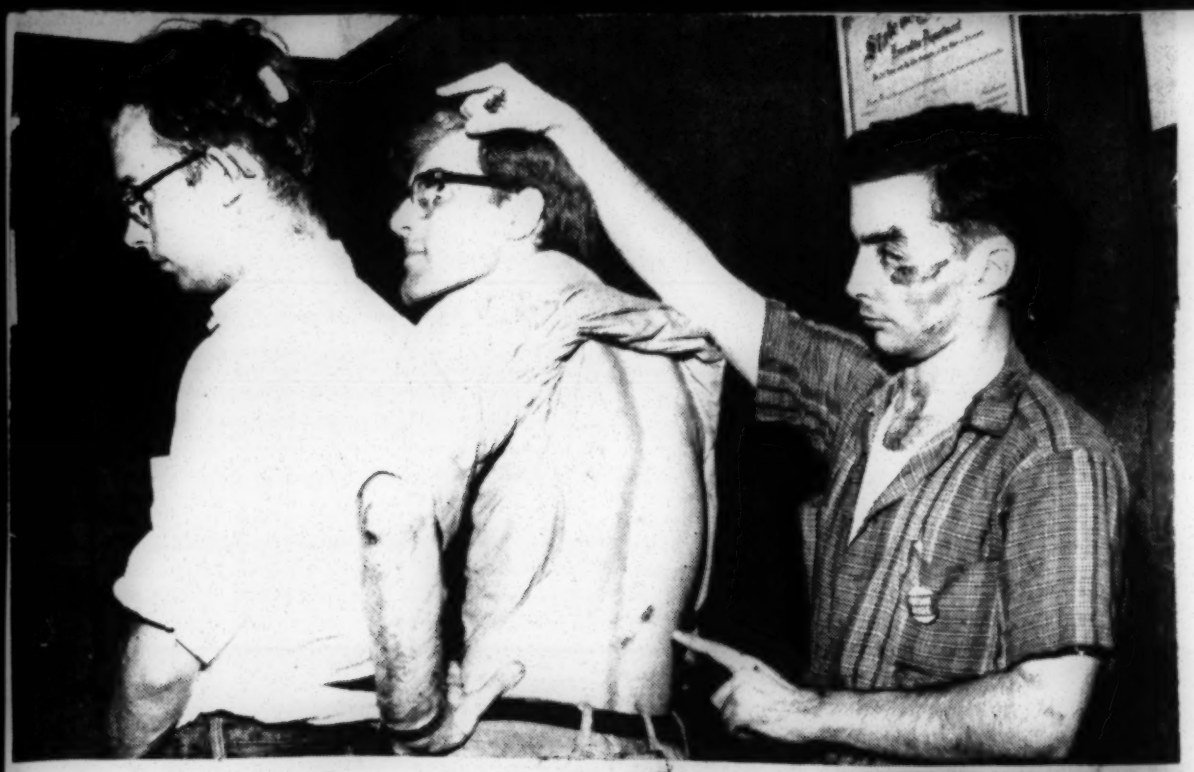
"We were then notified that we were going to trial in the Municipal Court on Monday afternoon. Our attorneys were contacted and they had to rush over to be there when our trials began. The trials lasted about an hour."

LEAVE FOR JACKSON

The three Freedom Riders were to have appeared in the appeals court in Jackson, Miss., on Monday as required by the state law, or forfeit their $500 appeals bond. However, their counsel, Attys. Collins and Elie, succeeded in having an arrangement made with the judge in Jackson whereby they could report Tuesday.

CORE's first statement accusing local police of "mauling" the three Freedom Riders was made by Edwin Blankenheim, field secretary, Tuscon, Ariz., and by Jerome Smith, New Orleans CORE executive.

The trio left for Jackson on Monday night. They still must return to New Orleans to face the three criminal charges, aggravated battery, simple battery, and attempted escape.



CORE MEMBERS BLAME COPS - Members of the Congress of Racial Equality are shown Monday after charging that three white CORE Freedom Riders were arrested for visiting the home of two Negro girls. The top scene shows the Freedom Riders, from left, Frank Blevins, 21, Los Angeles artist; Frank Nelson, 23, New York civil engineer; and John Dolan, student of the University of California at Berkeley, exhibiting wounds they say were inflicted by police. The lower scene shows the girls, Patricia and Carlene Smith, making a statement to Attorneys Roberts F. Collins, seated, and Lolis Elie, center. Attys. Collins and Elie represented Blevins, Nelson and Dolan in Municipal Court and won their acquittal o' vagrancy charges. (Photos by Porter.)

# Freedom Riders to swarm over Rte. 40

BALTIMORE

November 11 is D - Day in Maryland.

On this day 750 members of the Congress on Racial Equality (CORE) from Connecticut, New York, Pennsylvania, Maryland, Virginia, and the District of Columbia, will conduct "Freedom Rides" along route 40.

The ride's purpose is to dramatize the need for the passage of anti - discrimination legislation in Maryland, Julius Hobson, a national officer of CORE said.

It is assumed that the riders will visit the segregated restaurants and motels along the 49 - mile stretch of highway.

* * *

**THE ATTENTION** being focused on the Maryland part of Route 40 stems from the fact that it is a link between Washington and New York.

Many of the African nations, unable to afford representatives at both the United Nations in New York City and in Washington, have their delegates serving in both places.

**Such an arrangement involves constant travel between the two cities, with the result that a number of Africans have been insulted when they stopped on Route 40 to eat and were refused service because of their race.**

For several weeks, the State Department, worried over the adverse publicity such discrimination creates, has been conducting a campaign of persuasion among the Route 40 restaurant owners.

Personal visits have been made to the owners and several meetings have been held at which the State Department explained that such discrimination harms this nation overseas.

Their efforts, so far, have not met with any overt success.

**MEANWHILE,** sentiment is building up in Maryland for the passage of a law which would end discrimination in places of public accommodations.

Such a bill would not only cover Route 40, but the entire state.

**The most recent support for such a measure came last week when the Maryland Restaurant Association called on the state's Governor Tawes to authorize a special session of the General Assembly to consider such a bill.**

Other groups have also asked Governor Tawes for such a session but he has consistently resisted the idea.

It was only recetly that the Governor went so far as to even say that legislation was the answer to the problem.

* * *

**WHILE THE INTEREST** in the Route 40 situation has been sharpened by the treatment of Africans, the question of the treatment of colored Americans has also entered the picture.

**This was dramatically underscored several weeks ago when three colored Philadelphians and a white friend were jailed when they stopped at a restaurant for food.**

The white friend paid her fine and was released. The other three went on a hunger strike that lasted for 17 days and ended only when the court, in a face saving device, fined them and then promptly suspended the fines and freed them.

* * *

**THE ANNOUNCEMENT** of the proposed action by Freedom Riders has been criticized by William C. Rodgers, chairman of the Maryland Commission on Interracial Problems and Relations, and one of the few public figures who has praised Governor Tawes for his actions in the Route 40 matter.

Mr. Rodgers said the rides "would only create bitterness."

**He added that he could see nothing to be gained by the action.**

His statement was similiar in tone to one Governor Tawes issued a day earlier in which he suggested that the Freedom Riders stay out of Maryland.

* * *

**AS NOW PLANNED** the Freedom Riders will be divided into two groups.

One group will leave Baltimore and the other will begin at the Delaware Memorial Bridge. They will meet half - way.

About 750 riders, in 150 cars, are expected to participate.

In Baltimore, CORE official Solomon Baylor felt it "is sort of peculiar situation. (The rides).

**"It makes me wonder if we are picketing the right people. Maybe we should be picketing the governor.**

"Maybe some of this moral persuasion he is using on the restaurants, he could use on the legislature to get a law passed.

"Moral persuasion is not going to do anything. What we need is a law," Mr. Baylor declared.

* * *

**IN OTHER** quarters, State police regarded the plan with calmness. Major George E. Davidson, field force commander, said police in the affected areas would be alerted, but he foresaw no large scale personnel shifts.

**At the State Department in Washington, Pedro San Juan, assistant protocol officer, who has worked with local officials to prevent racial incidents involving African diplomats, had this to say:**

"We have no right to interfere in the affairs of CORE, a private organization. Our only interest in the matter is to present a good image of the United States abroad."

If any violence erupted over the demonstrations, he said, it would hurt American prestige.

He evinced optimism over the progress of Maryland anti - discrimination legislation, but would not state whether he thought the planned demonstrations would help or harm its passage.

38a 1961

MARYLAND

OCTOBER
FREEDOM RIDE- NOV. 11,1961
ROUTE 40

# Negroes told to call off ride plan Nov. 11

BALTIMORE, Md., Oct. 28—(AP)—Gov. J. Millard Tawes sternly advised leaders of a scheduled "freedom ride" demonstration today that he will not yield to their ultimatum and "the people of this state are going to resent" it.

The governor spoke out in response to a statement earlier this week that the Nov. 11 demonstration along Route 40 would be canceled only if the Maryland Legislature was called into special session beforehand to consider a statewide law against restaurant discrimination.

"In effect, they have offered me and members of the General Assembly an alternative," the governor stated.

**"Call a special session in November or face the consequences. Under no circumstances can the governor of Maryland or the General Assembly yield to such an ultimatum."**

FRUITS OF SEGREGATION

# 'Never coming back to Balto.'

BALTIMORE

"I am never coming back to Baltimore."

With determination in her voice, Miss Gloria Wilson, Chicago attorney, made this statement Thursday after she and a companion, Mrs. Jenie Armstead had been arrested while seeking service in a downtown restaurant.

**Charged with trespassing, the two Chicago visitors were dismissed in Central Police Court by Judge Joseph G. Finnerty.**

The arrests took place early Thursday morning at the Maryland Square Restaurant, 305 W. Franklin St., which does not serve colored patrons on the premises.

After leaving a downtown movie, the visitors, who are attending the 35th annual Congress of the Metropolitan Spiritual Church of Christ, Inc., stopped at the restaurant, with Mrs. Armstead's young daughter.

* * *

**THEY SAT** down and after a wait of several minutes, said they were approached by an employee who told them they could not be served.

**Miss Wilson said she then went across the street to call the police and returned to the restaurant to wait for them. She said she tried to call the NAACP but was not successful.**

When the police arrived, Miss Wilson said a sergeant told her:

"They don't have to serve you. They can refuse to serve anybody they want."

The women were placed under arrest and taken to Central where they posted $106 collateral each and were released for trial that morning.

* * *

**IN DISMISSING** the charge Judge Finnerty said he did not want to blemish the record of a fellow lawyer.

**Miss Wilson said she refused to leave the restaurant because she thought there was a state law here similar to Illinois which makes it a criminal offense against the owner to refuse service to anyone in a public place.**

Sgt. Joseph Bierman, one of the arresting officers, claimed that Miss Wilson was "laughing and creating a disturbance" when he reached the restaurant.

Miss Wilson denied this charge.

The police officer also said that the trespassing ordinance had been read to the visitors and the arrest made when they did not leave.

* * *

**LATER,** at her suite at the Sheraton Belvedere, Miss Wilson noted that she, and Mrs. Armstead, both of whom were well dressed, had been put in a patrol wagon with a group of "derelicts."

"Now can you live under such conditions? We have prejudice in Chicago, but we have laws on the books to fight it," she stated.

Miss Wilson said she was not interested in making this a test case, she was merely interested in getting some food.

She also declined the suggestion of Judge Finnerty that maybe the case should be taken to a higher court.

Miss Wilson told of four other Chicago visitors who were refused service in Baltimore. One was the legal counsel for the group, Rufus Sampson, who was told to leave in no uncertain terms.

The others were body guards of the Rev. Clarence H. Cobbs, national president of the organization.

The restaurant management has declined comment.

JOEL E. GREENBERG
**Rides For Freedom**

# Balto. Freedom Rider

BALTIMORE

What makes a Freedom Rider?

Is it courage, bravado, a fatalistic acceptance that this is what destiny has dictated, or is it the desire to become part of a movement that has attracted the attention and the admiration of a watching world?

**Each man, with his own conscience, has his own answer, but for Joel E. Greenberg, 21, the first Freedom Rider from the Baltimore area, the answer lies in none of these things.**

Rather, it was, as he puts it, the recognition of his "responsibility to mankind," that has sent him on a ride through the heart of the worse part of the Southland.

**HE LEFT** Baltimore on Tuesday afternoon aboard a Greyhound Bus for Nashville.

In Nashville, Mr. Greenberg will meet with members of the Christian Leadership Conference, and after a week of training in the technique of being a Freedom Rider, will head for the unfriendly reaches of the Deep South.

**The decision to become a Freedom Rider was not created overnight in the mind of Mr. Greenberg, who has walked the picket lines in several anti - discrimination demonstrations, and has always been interested in the civil rights movement.**

"I had thought some time about participating and then a friend gave me an application blank from CORE (the Committee on Racial Equality, sponsor of the rides, and I took it."

From there on out, things moved rather swiftly with the application being sent to New York and Mr. Greenberg being given an interview.

* * * *

**JUST BEFORE** he left, Tuesday, he was asked whether he thought the Freedom Rides were effective, whether they were doing anything worthwhile to help the battle for full equality?

Without hesitation he answered:

"I consider the sit-ins and the Freedom Riders the most effective public action that has taken place in this country in the past 30 years."

He also noted that it has already cost the sovereign state of Mississippi $250,000 to imprison the Freedom Riders, and a scheduled tax cut in Jackson had to be postponed because of this.

Mr. Greenberg carried his lesson in economics a step further with the notation that if he is arrested, he will remain in jail as a guest of the state, thereby increasing the expenditures of Mississippi that much more.

"They feel it in their pocketbooks," he commented.

Asked if he were frightened, he answered:

"I'm sorta scared, but I'm not frightened."

He paused for a moment and then asked:

"Does that make sense?"

The answer — Brave men may be scared but they are not frightened.

# 8 Sit-in Demonstrators Prefer Jail to Freedom

P. C 20 Dec. 11-21-61

Washington

ANNAPOLIS, Nov. 20 (AP) Eight singing student integrationists returned cheerfully to the Anne Arundel County jail today to resume their hunger strike after a magistrate's court appearance where they requested jury trials.

They were among seven Negroes and six whites arrested in a segregated restaurant here Saturday night on charges of trespassing. Twelve of them also were charged with disorderly conduct after police removed them bodily from Antoinette's Restaurant on West st.

Washington

Five of the group went free on bond today. The others chose to remain in jail until their circuit court trials, which are not expected to come up before late in December.

Twelve of the 13 had not eaten since their arrests.

William W. Hansen Jr., 22, of Cincinnati, one of five white youths who remained in jail, indicated that the hunger strike probably would not be prolonged.

Hansen, a former Xavier University student, spent 40 days in the Mississippi penitentiary after a freedom ride in that state last summer.

Others refusing bond included: Susan L. Rothberg, 18, Jersey City, a student at New York University; Sheila A. Roberts, 18, Baltimore, student at Morgan State College; Janet Rose, 19, Washington, D. C., student at Catholic University; Daniel J. Barker, 19, Brookline, Mass., student at Johns Hopkins University; Richard D. Castilow, 19, of Baltimore; Bonnie Kilstein, 21, of New York City, student at N. Y. U.; and Ronyl Stewart, 19, teacher, of Washington, D. C.

Released under bond were Walter R. Dean Jr., 26, Baltimore, a student at Morgan State; James M. Mejuto, 24, West Orange, N. J., student at Seton Hall and Charles E. Cobb Jr., 18, Springfield, Mass., student at Howard University, Channing P. Cunningham, 20, of Washington, D. C., a student at Howard.

# Jail Visits To Jackson 'Riders' Placed Under Curbs

JACKSON, Miss. (AP) — Hinds County Sheriff J. R. Gilfoy clamped down Wednesday on visitors to jailed "Freedom Riders," saying he would screen them carefully.

"Unless I'm ordered otherwise by the judge," he told the Associated Press, from now on I'm going to interview whoever wants to go up to the jail before giving permission."

Gilfoy's decision followed accusations by the Jackson Nonviolent Movement that jailers forbade parental visits to "Freedom Riders" during visiting hours Sunday.

"I never have seen a state prison where visitors and mail were not regulated and limited," Casey said. "In federal prisons, visitors must receive special permission from the warden (in this case, that's me, Gilfoy interjected) and then they must wait while the warden conducts an investigation of their character."

Of the nonviolent movement accusations, that he forbade rider prisoners to receive medicine from outsiders, Gilfoy said: "Sure I forbade it. What if some one sends something up there and poisons one of them?"

If a prisoner needs simple remedies, such as aspirn, he said, these are available from the jailers.

If he needs medical attention, Gilfoy said, the county provides a physician. "No medicines go into the jail except on prescription of the doctor," he added

# Male 'trustys' frisked stripped female Riders

WASHINGTON — Some women Freedom Riders "were forced to strip to the waist for 'frisking' by male jailers," the Rev. Wyatt Tee Walker wrote in a report filed here, last week with the Justice Department.

The Rev. Walker, executive director of the Southern Christian Leadership Conference, and his wife spent a week as prisoners in the Hinds County jail at Jackson.

Explaining the treatment the women Freedom Riders received at the hands of the male jailers, the Rev. Walker stated: "This was a humiliation ... (and) seemed wholly unnecessary."

**THE SERVICING** of the women's sections of the jails, city and county, was done by male "trustys," the report stated.

Regarding the conditions for both men and women in the county jail, the report stated that they "resemble something out of the Middle Ages."

The 13 by 15 foot cell where the Rev. Walker was confined contained eight other men. There were no beds, only a blanket, mattress cover and "an ancient mattress."

* * *

**TO THEIR** requests that such toilet items as tooth brushes, wash cloths and soap taken from them upon their arrival be returned, one jail official remarked: "I didn't send for you and don't give a g--d--- if you never get your things."

"The stench was almost unbearable; we bathed as best we could, using our pocket handkerchiefs as wash cloths," the Rev. Walker stated.

The report also contained criticism of the treatment the Freedom Riders received from the bus drivers and white employees in the terminals.

## Freedom Rider's wedding ring troubles Miss.

JACKSON, Miss. — Police authorities here may have to cut into an iron door of the Hinds County jail to recover the wedding ring of a minister's wife confined a week as a Freedom Rider.

The Rev. and Mrs. Wyatt Tee Walker reported to County Sheriff J. R. Gilfoy that while they were imprisoned here last month, they lost $75 in cash and a wedding ring valued at $275.

**THE REV. WALKER** was told the cash had been recovered in possession of one of the jail "trustys" who confessed he put the ring into a hole of a cell door.

The sheriff was quoted as saying it would be necessary to cut into the door with a blow torch. If the ring is damaged, the state will replace it, the sheriff promised.

## Trusties charged

JACKSON, Miss. — **ROBERT SIMPSON** and **B. Catchings**, trusties in the Jackson, Miss., jail, have been held to the grand jury, charged with the theft of a $220 ring belonging to **Mrs. Wyatt Tee Walker** and $75 in cash from the **Rev. Wyatt Tee Walker**, director of the Southern Christian Leadership Conference. The valuables were taken by the trusties while the Walkers were in jail after their arrest as Freedom Riders on June 21.

# Agitators Arrested For Inciting Youth

Jackson Daily News P. 1

By W. C. SHOEMAKER
Daily News Staf Writer

Jackson police today held two paid racial agitators and sought three others for enticing youngsters to break state laws in an integration campaign.

James Luther Bevel, 24, a native of Itta Bena who came here from Nashville, and Bernard Lafayette, Jr., 20, a resident of Tampa, Fla., were arrested yesterday on charges of contributing to the delinquency of minors. Both are Negroes and gave their Jackson addresses as 1142 Biloxi St.

Bevel said he is a field secretary for the Congress of Racial Equality and Lafayette said he is a field director of the newly organized Jackson Non---Violent Movement.

7-15-61

Both Negroes were arrested as "freedom riders" here May 24 and drew $200 fine and 60-day suspended jail terms. They are free on bond. They face sentences of up to six months in jail and $500 fines on each count of the new charge.

Chief of Detectives M. B. Pierce said Bevel is charged in four counts and Lafayette faces three counts of contributing to delinquency of minors.

The three others sought on similar charges are also employees of the Jackson Non-Violent Movement. All live outside Mississippi and were reported out of the state today. Pierce said they will be arrested if they return.

The five are charged for enticing two boys and two girls, age 14 to 16, to join the segregation protest movement.

Three of the youngsters were arrested at bus stations here and the other was jailed as the result of a Walgreens Drug Sore sit-in. All were charged with breach of the peace.

Jackson Daily News

Pierce said the Non - Violent Movement paid the youngsters $2 each to participate in the integration attempts.

Several of the mix attempts in which the youngsters participated occurred late at night.

Pierce said arrests were made following complaints of parents of some of the youngsters to their employers.

Police said leaders of the movement normally recruited participants through church groups. They gave addresses and showed films in the churches concerning their methods and secured the aid of the youngsters in a call for "volunteers."

While Bevel and Lafayette were being arrested yesterday Municipal Judge James Spencer sentenced four ten-agers to four months in prison and fined them $200 on beach of the peace charges as the result of a sit-in at Walgreens two days ago.

Police Capt. J. L. Ray testified he told the four to "move on" when they took seats at the Capitol St., drug store lunch counter Thursday afternoon and arrested them when they refused.

# 'Riders' Complain About Jail Conditions

Jackson News and Courier P-8A

JACKSON, Miss. (AP) — "I'm not apologizing for our jail," Hinds County Sheriff J. R. Gilfoy said Thursday after a released "rider" accused jailers of mistreatment.

7-14-61

"Jail is jail," Gilfoy said, "and ours is state-regulated and federally approved."

The sheriff made the statement after the Rev. Grant Muse Jr., 35, white Episcopal minister from Berkeley, Calif., said he and other jailed riders were abused and ridiculed by jailers.

Charleston

Muse made the accusation after he posted a $500 appeal bond and returned home after 23 days in jail.

He complained of the food, the size of his cell and its accoutrements, of being fed a laxative, and of being treated like cattle.

He said he did not consider Southerners as "model Americans".

He admitted refusing to tell questioning policemen if he was a Communist.

In Berkeley, he said: "My religion was self-evident, but my politics were not. I am not a Communist; I will never be one. I detest communism."

Meanwhile, Price Chatham, 29, a white free-lance motion picture story analyst from Long Island, N. Y., returned home after 39 days in jail, 24 of which he said he fasted.

# Expert Praises Hinds County Jail System

Jackson Daily News

"Freedom riders" jailed in Jackson receive as good treatment as they could expect anywhere in the country.

So said a retired federal jail inspector in an address this week in St. Paul, Minn. 7-14-61

Roy Casey, a 67-year-old Texan who has probably been in more jails than any other American, said jail regulations throughout the nation are fairly standard.

Executive secretary of the National Jail Association, Casey was in St. Paul to address a three-day regional jail forum. P. 1

"Jail regulations throughout the country are fairly standard," he said. "The chief complaint from the 'freedom riders' is that they aren't given enough space and that their parents can visit them only infrequently.

"The same conditions exist in almost every jail, North or South."

Jackson Mississippian

Casey pointed out that the Hinds County jail is fairly new and modern.

"The jailer is only an agent of the court," Casey said. "He can't make the conditions of a prison sentence. He can only carry them out. If the conditions of a sentence require that a prisoner remain in his or her cell the jailer is powerless to order otherwise.

In regard to visiting privileges, Casey said Mississippi jails are probbaly more lax than most.

"In federal penitentiaries," he said, "each visitor must receive special permission from the warden and then must wait while the warden conducts an investigation of the character of the visitor. I have never seen a state prison where visitors and mail weren't regulated and limited."

Casey said he spoke only of the Hinds County and Jackson city jails. He has visited those but has not visited the state penitentiary where some "freedom riders" are being held.

# No Letup In Freedom Riders' Prosecution, Say Jackson Officials

The Call p. 3 Fri. 10-6-61
Kansas City, Mo.

JACKSON, Miss. — (ANP) — In lieu of accepting an overture seeking a letup in further prosecution of Freedom Rider cases in exchange for a call-off of the program by CORE, Jackson officials have apparently chosen to drain CORE's treasure chest.

A Washington source reportedly advised Jackson authorities that CORE offered to halt their Freedom Rider program in Jackson if officials would return some 250 cases to the file, let pending appeal cases go on to Circuit and the State Supreme Court and further prosecution be stopped.

**Mayor Says, "No Letup'**

Mayor Allen Thompson told a television reporter last week in a taped interview that neither he "nor Jackson intended to yield one inch in prosecuting those who violate our local laws."

"There will be no letup in a single case nor will we permit any other type of disorder of disturbance here which violates our laws, the Mayor said. "We feel that we have completely broken the Freedom Rider movement here and will continue to handle the violations of our law whenever they occur," he added.

**To Break CORE**

A spokesman for the Congress of Racial Equality contends that Jackson and Hinds county officials obvious strategy is to bankrupt CORE.

"With convictions almost a certainty in the county court the cases would have to be appealed to the Circuit court and up to the State Supreme court, with additional bail money being required for each appeal, the spokesman said.

He explained that at $500 each, $150,000 was required to get the cases to county court. Due to bail being increased to $1,500 each an additional $300,000 would be required to get the cases to county court. By the time all the cases got out of Mississippi court (en route to the U. S. Supreme court) the total cost would be over a million dollars, he said.

**Chicago Needs $20,000**

A CORE official stated last week that the Chicago Freedom Riders committee is desperately in need of $20,000 for bail bonds. The source said that, although the ICC has ruled against Jim Crow, the appeal trials in Jackson are continuing as scheduled and each convicted Freedom Rider will need $1,000 more for an appeal bond."

Ten cases were scheduled for trial last week, two a day. According to the present schedule, the trials will continue until May, 1962

**Rider in Poor Condition**

One of the original Freedom Riders, 62-year-old Dr. Walter G. Bergman, was reported in poor condition in Detroit's Grace hospital last week with injuries he may have suffered when beaten by a Southern mob.

Police were called by hospital authorities when tests showed a 're-existent condition of brain damage." Detective Inspector George Bloomfield said the results of the police investigation would be turned over to the FBI and the U. S. Department of Justice, which are still investigating the Alabama attacks.

Mrs. Bergman said her husband, a retired director of education research for the Detroit Public Schools, had complained of dizziness since he was slugged on a Greyhound bus in Anniston, Ala., May 14.

**Not for Shame**

The Episcopal ministers, arrested in a segregated bus station cafe here, said last week that their mission was not intended to point a finger of shame at the South. Rather, they said, to attempt to focus attention on the problems of segregation throughout the country—especially among members of their own church. "We're the first to look in our own back yards," said the Rev. John Morris of Atlanta.

MISSISSIPPI

# 15 Clergymen Arrested in Jackson Bus Station

L.S.J. 9-6

JACKSON, Miss., Sept 13 (AP)—Twelve white and three Ngro Episcopal clergymen on a "prayer pilgrimage" to study segregation sought to use the white waiting room of the Trailways bus station today and police arrested them on breach-of-peace charges.

The group ignored police orders to move from the waiting room.

The Washington Post 9-14-61

The three Negro priests were James P. Breeden of Roxbury, Mass., John Evans of Toledo, Ohio, and Quinland Gordon of Washington, D.C., rector of the Church of the Atonement at 56th and E. Capitol sts.

One of the 28 priests on the pilgrimage bought tickets for all 15, and half an hour later the mixed group entered the waiting room.

Two policemen on duty ordered them to leave and the clergymen declined, saying they were interstate passengers. One officer called Capt. J. L. Ray, who handled the arrests of most of the 297 Freedom Riders seized during desegregation attempts.

The 13 said through a spokesman that they planned to continue their journey, which was to lead them to Detroit by Sunday for the 60th general convention of the Protestant Episcopal Church.

The original group of 28 arrived at Jackson from New Orleans Tuesday night.

# Riders May Drop Appeals In Jackson

Montgomery Advertiser
9-23-61

WASHINGTON (AP)—The Congress of Racial Equality gathered Friday for a four-day convention with indications it will decide to urge dropping of appeals in the "Freedom Rider" cases in Jackson, Miss.

As about 150 bi-racial delegates registered for a night opening session CORE National Director James Farmer, one of the first arrested for breach of the peace in Jackson, told a newsman that he and other "Freedom Riders" might withdraw their appeals.

But he said a final decision would be left to the convention which runs through Monday. Dropping of the appeals to the county court would mean that more than 180 "Freedom Riders" would serve out the sentences imposed on them in city court.

The riders were convicted of breach of the peace in refusing to obey police orders to move on while attempting to end segregation of bus terminal facilities in Jackson.

**MAXIMUM SENTENCE**

Farmer said the results of the appeals trials are "fairly predictable." He said the County Court juries have given the maximum sentence, compared with a lighter sentence in city court, in two of about 190 cases appealed.

"Our feeding is," Farmer said, "the authorities of Mississippi are merely harassing us by demanding that each person return to Mississippi for an individual trial.

**HARD SENTENCE**

"It seems clear that each will receive the maximum sentence in the appeal trial regardless of the sentence previously received.

"For example, the two already tried in County Court received two months' suspended sentence plus $200 fine originally. In the appeal trial they received the maximum of four months, nothing suspended, plus $200."

Two other riders have dropped their appeals and gone back to jail, Farmer said.

Farmer himself served 40 days in jail after receiving a sentence of two months suspended plus $200 fine. He refused to pay the fine and went to jail to serve it out at the rate of $3 a day. If he drops his appeal he will return to Jackson to serve the remaining 27 days.

# Freedom Riders Pay Fines Quits Appeal

Jackson Advocate
9-23-61
Jackson, Miss.

County Judge Russel Moore said two "freedom riders" withdrew their appeals Monday from city court convictions on breach of peace charges and paid their fines.

John H. Moody, 25 of Philadelphia, Pa., paid $149, the remainder of a $200 fine and 60-day suspended jail term not served at $3 per day.

He arrived with the second group May 24.

Matthew Walker, 19, of Nashville, Tenn., was fined $128 out of the $200 fine and 60-day suspended sentence. Walker, who arrived with the first group May 24, served 26 days at $3 a day.

Tom Gaither field secretary of the Congress of Racial equality in Jackson, said Moody and Walker paid their own fines.

"Paying fines are strictly against CORE's policy," Gaither said, "We feel it is an admission of guilt.

The next scheduled trials are Wednesday. Defendants will be Doris Castle, 19-year-old New Orleans Negro, and Jerome M. Smith, 22, New Orleans Negro. Moody and Walker were the third and fourth of 190 convicted freedom riders whose appeals are scheduled to run through January.

# Jackson jails son-in-law of Rockefeller

JACKSON, Miss., Sept. 14—(AP)—Mississippi authorities jailed the Rev. Robert L. Pierson—son-in-law of New York Gov. Nelson Rockefeller—and 14 other white and Negro Episcopal priests yesterday following their attempt to desegregate a Jackson bus terminal.

The 15 priests—12 whites and three Negroes—entered the bus terminal's white waiting room. Two patrolmen ordered them out. They refused to move.

**Police Capt. J. L. Ray, who has handled most of the more than 300 freedom rider arrests in this Mississippi capital city, was summoned. He ordered the arrest of the priests on breach of peace charges after they again refused to move on.**

CITY ATTY. Jack Travis said

**Turn to Page 24, Column 6**

**ROBERT L. PIERSON**
**. . . Goes to jail**

the trial was set for 3 p.m. today.

The 15 were participating in a "prayer pilgrimage" which left New Orleans Tuesday and proceeded without incident until they reached Jackson. Twenty-three white and five Negro Episcopal priests started the pilgrimage.

**It was the first arrest for Pierson, 35, of New York City and Evanston, Ill. His wife is the former Ann Rockefeller, one of the New York governor's five children.**

AFTER A MEAL in jail of cornbread, peas and meat, the minister said that police had been polite and that the treatment was satisfactory.

He said he had no plans to get out of jail but hoped that "churches around the nation will be concerned enough to come to our help."

"I admire all of them," Rockefeller said in Rochester, N. Y.

**"I admire the courage and dedication of these young people to the basic precepts on which this country was founded and their dedication to the cause of making a reality out of these precepts."**

THE NEW YORK governor, asked if he planned to intercede, replied, "I know he wouldn't expect any special treatment or want it."

Some of the other ministers telegraphed a protest over the arrests to Atty. Gen. Robert Kennedy.

**"In view of your request to American clergy to exercise leadership in these areas," the telegram said, "we urge you immediately resolve problems of interstate travel for Americans."**

THE MINISTERS, who had spent Monday night at a Negro YMCA in New Orleans, traveled by chartered bus to Jackson where they stayed overnight at nearby Tougaloo Southern Christian College, a Negro school.

From Jackson, they had planned to continue by scheduled commercial lines to the 60th general convention of the Protestant Episcopal Church opening in Detroit Sept. 17.

**Those arrested had tickets for Chattanooga, Tenn., where they had planned to visit the church's University of the South at nearby Sewanee.**

Seven of the ministers, including one Negro, flew to Atlanta, Ga., last night with plans to be in Sewanee today.

The others were expected to stay in Jackson until the arrested ministers were out of jail.

**RIDER.**—Miss Mary Lucille Hamilton, daughter of Mr. and Mrs. Clyde Buchanan, of 3085 Jackson St., in Denver, is a Freedom Rider. Mary Lucille, a young lady with her whole future in front of her, recently got out of the Mississippi prison where she and other Freedom Riders were placed, while attempting a Freedom Ride through Mississippi. Mary Lucille is a teacher in the public school system in Los Angeles. She left Denver for that position but felt that she was more needed in the struggle for freedom. She has risked position, health and even her life, for what she feels is her share to help fight this ugly thing called segregation. Mary Lucille was released from prison through CORE, which is now asking Denverites to help with their dollars so they may help other Mary Lucille's who are also in the great fight for freedom.

# FREEDOM RIDER MOVE BLOCKED

## Judge Stops Dropping of Appeal to County Court

JACKSON, Miss. (AP) — County judge Russel Moore blocked a move by a "freedom rider" to drop his appeal to county court, indicating the state may prevent a plan for riders to serve out thei rcity court sentences.

Judge Moores ruling came Wednesday before the trial of Alexander Anderson, 33-year-old Negro minister from Nashville, Tenn., who asked to withdraw his appeal on a breach of peace conviction.

The decision would forge about 180 defendants to stand trial in county court or plead guilty to the charge. All freedom riders out on bond have filed for appeal.

The breach of peace charge resulted from riders' failure to move out of transportation terminals after so ordered by an officer.

In earlier cases before Judge Moore, two riders returned to jail after withdrawing their appeals.

The Congress of Racial Equality, sponsoring group for freedom riders, has issued a plea to convicted riders to withdraw their appeals and serve their origina' jail terms.

Following Moore's ruling, ar all-white Hinds county jury con victed Anderson. He received th same sentence as five other rider tried in county court 4 months ir jail and a $200 fine.

A jury convicted Zev Aelony, 23-year-old white rider, earlier Wednesday. He is a University of Minnesota student from Palo Alto, Calif.

The third and fourth trials were held Tuesday and one defendant, a University of Wisconsin woman student, asked the court for mercy as it handed down the sentence.

Elizabeth S. Adler, Brooklyn, N. Y., sai dshe "didn't know what she was getting ino and this was her first offense."

Judge Moore told her she was "old enough and educated enough to know what she was doing."

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MISSISSIPPI

NCV.
JACKSON- FREEDOM RIDERS
3 JUDGE FEDERAL COURT REJECTED
AN NAACP REQUEST

# FEDERAL COURT DECLINES CASE

By W. C. SHOEMAKER
Daily News Staff Writer

A three-judge federal court yesterday rejected an NAACP request that Jackson authorities be enjoined from arresting "freedom riders" and that city buses be integrated.

District Judges Sidney C. Mize and Claude Clayton, writing the majority opinion, ruled that they will not consider such cases until they have run the course of state courts.

Fifth Circuit Court of Appeals Judge Richard T. Rives of Montgomery, Ala., the highest ranking member of the panel, wrote a dissenting opinion in which he charged Jackson police used breach of the peace laws to enforce segregation and accused Mize and Clayton of using "unreasonable delay" in the case.

Mize, of Gulfport, and Clayton, of Tupelo, wrote that they were abstaining from "passing on the issues in the case and remitting the case to Mississippi courts "for a prior adjudication of the issues and of the scope and meaning of its own statutes."

"This court should simply stay its hand until the adequate and proper remedies provided for by the statutes of the State of Mississippi should be exhausted," they wrote.

They continued: "We do not in this case undertake to pass upon any of the issues that have been tried, nor do we intimate whether the statutes are constitutional or unconstitutional."

The two judges pointed out that laws generally recognized as "peace statutes" exist in most of the states and "have been applied under a variety of circumstances in recent times. . .to prevent violence and more serious offenses where people have gathered or are threatening to gather, under pressure of emotional stress."

They said state courts should be given a "reasonable opportunity to act either in the cases already pending or in any new case which any of the parties may elect to commence."

**'SIMPLE EVASION'**

Rives wrote that he was unable to find "a bona fide breach of the peace issue" in the case. "The facts clearly show that the arrests are a simple evasion to enforce segregation. This evasion provides no ground for abstention he continued.

"The statutes and ordinances which on their face require segregation of the races in any transportation facility should be declared unconstitutional, null and void," he continued.

"It should be declared impermissable to use laws which purport to deal with the maintenance of law and order, or any other laws, to maintain segregation of the races in any transportation facility," he added.

**NAACP MAY APPEAL**

Judge Rives continued: "No passenger or intended passenger is subject to arrest for disorderly conduct or breach of the peace unless the passenger is himself disorderly or does something more than to occupy some facility. . .intended for use by persons of another race and refused to remove himself from such place." He said all "Rider" prosecutions since the suit was filed should be set aside and noted that the NAACP may appeal the majority opinion directly to the U. S. Supreme Court.

The NAACP filed the lawsuit June 9 in behalf of Jackson Negroes Samuel Bailey, Joseph Broadwater and Burnett L. Jacob.

Defendants were State Atty. Gen. Joe Patterson, the city of Jackson, Mayor Allen Thompson, Commissioners D. L. Luckey and Tom Marshall, Police Chief W. D. Rayfield, Trailways and Greyhound bus lines, the City Bus Lines, the Illinois Central Railroad, Jackson's Airport Authority and Cicero Carr, operator of a restaurant at the airport here.

The suit was filed in the midst of an avalanche of nearly 300 "freedom riders" who poured into every transportation terminal here for nearly two months and were arrested.

# Federal Jurists Erase 3 Segregation Statutes In Mississippi Ruling

## Decision Is Split

### Enforced Separation Held To Be Unconstitutional In Terminals

By KENNETH TOLER
From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., Nov. 21.—Three Mississippi segregation statutes were ruled unconstitutional Tuesday by a three-judge Federal Court in a split decision.

The statutes, all dealing with transportation, were enacted by the 1956 Legislature. The 2-to-1 decision marked the first time any of the state's numerous acts designed to preserve racial segregation had been stricken by a Federal court.

The acts declared invalid as "an undue and unconstitutional burden on interstate commerce" were:

Section 2351.5, which requires railroads, bus companies and other common carriers of passengers to maintain separate restroom facilities in their terminals for the two races. The law carries a penalty of a $1,000 fine and-or one year in jail.

**Signs Required**

Section 2351.7, which prohibits any persons "knowingly or wilfully entering or attempting to enter" a waiting room not marked for his particular race. The penalty is a fine of $1,000 and-or six months in jail. A second section with a $1,000 fine and-or one-year jail imprisonment applies to any person entering, using or visiting a waiting room marked for other than his race.

Section 7787.5, which requires all common carriers of passengers to maintain separate waiting rooms for the races and to display signs denoting those facilities as segregated according to races. Violation of that statute carries a $1,000 daily penalty against the bus terminal, railroad station or airport found guilty. The act also authorizes the attorney general, or any district or county attorney, to seek an injunction to force the common carriers' compliance with the statute.

The decision was given in the issuance of a temporary injunction restraining the City of McComb from maintaining and displaying on city streets adjacent to the Greyhound bus terminal of signs denoting separate facilities for the races "in intrastate travel."

The suit was filed by the United States Justice Department and was handled by Jerome Heilbron of its civil rights section and formerly of Fort Smith, Ark.

The court turned down the Government's request that Section 2409.7, which prohibits a person from entering a place of business or property after being forbidden to do so by "word or sign" to be held invalid. However, the court held that question in abeyance until trial on its merits.

**Trespass Statutes**

Charles Clark of Jackson, special attorney for the City of McComb, said it would affect statutes dealing with trespass on property for hunting of similar purposes. That act carries a $500 fine and—or six months in jail.

Holding the three acts unconstitutional were Chief Judge Elbert Tuttle of the Fifth Court of Appeals of Atlanta and Appeals Judge Richard Rives of Montgomery, Ala.

District Judge S. C. Mize of Gulfport dissented, taking the position that the Federal Court should abstain from acting until the state courts have had an opportunity to rule on the questions involved.

Judge Mize pointed out that there is pending a similar case before the United States Supreme Court which attacks not only the validity of the transportation segregation statutes but arrests of persons for breach of the peace under "color" of those laws.

# Judges' Decision Snarls U.S. Suit

### Jurisdiction Rejected 2 To 1 In Action Attacking Mississippi Law

By KENNETH TOLER
From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., Nov. 17.—A three-judge Federal court, in a two-to-one decision, Friday rejected jurisdiction in a suit attacking Mississippi segregation-in-travel statutes and use of breach of the peace laws in their enforcement until the issues have been adjudicated in state courts. The case stems from the arrests of 300 so-called "Freedom Riders" in Jackson earlier this year.

The majority opinion by District Judges Claude Clayton and S. C. Mize of Mississippi, said, "This court should simply stay its hand until the adequate and proper remedies provided for and by the statutes of the state should be exhausted."

"By this procedure, the comity existing between the Federal courts and the state courts would be maintained without any serious injury to anyone," the majority asserted.

Judges Clayton and Mize said "the facts and a United States Supreme Court decision require abstention until the state courts have decided the full meaning of their respective statutes and their application to the situations presented to us."

**Dissenter Gives View**

In dissenting, Judge Richard Rives of the United States Court of Appeals, said, "No authority may be found for the proposition that, where a state statute is clearly and unavoidably unconstitutional on its face, comity requires that state courts be allowed the privilege of so declaring."

"Such a rule would be, not abstention, but abdication of our judicial functions," he declared.

Pointing out that the suit, prosecuted by National Association for the Advancement of Colored People attorneys for three Jackson Negro businessmen, has been pending since June 9, Judge Rives said, "The continued refusal to rule on the motion for an injunction is in violation of this court's duty under the law and the refusal should therefore be construed as a de facto denial."

Asserting that the arrests were "a clear violation of the plantiffs rights," Judge Rives said, "The Freedom Riders were travelers in interstate commerce and their only crime is the assertion of undisputed statutory and constitutional rights."

"I am unable to find a bona fide breach of the peace issue," he said with reference to arrests on that charge when the riders in protest to state segregation laws in terminals refused an officer's order to "move on" and out of segregated waiting rooms.

**Potential Danger Cited**

Judges Clayton and Mize said the "issue should be met head-on" in state courts "for the evidence shows that on at least two occasions there was a danger of riots and disorders"

when the riders came to Jackson from all sections of the nation by bus, railroad and airplane.

"Although past disorder does not concern us as far as a prospective injunction is concerned, there is a strong possibility that a similar situation would arise after an injunction did go in effect," they said.

The majority said it had been held in a case of the NAACP against the Virginia attorney general that "the Federal courts should not adjudicate the constitutionality of state enactments fairly open to interpretation until the state courts have been afforded a reasonable opportunity to pass upon them."

# Attorneys File Order To Halt 'Freedom Rider' Prosecutions

JACKSON (AP) — Negro attorneys Thursday filed for a court order to halt prosecution of "Freedom Riders" until the U.S. Supreme Court rules on an appeal from a 3-judge federal court.

Attorneys for the National Association for the Advancement of Colored People filed the appeal Wednesday on a 2-1 decision which refused to order an end to Mississippi transportation segregation.

The motion for a preliminary injunction said "unless the prosecutions commenced after June 9 are enjoined, the class represented by plaintiffs will suffer irreparable damage."

**ONLY VIOLATION**

The petition said "Freedom Riders" were convicted for breach of the peace and the only violation was "a breach of the segregation customs and laws of the state of Mississippi."

Specifically, the motion asks the U.S. District Court for the southern district of Mississippi to:

1. Enjoin city officials from continuing to prosecute all persons arrested after June 9 on breach of peace statutes.

2. Enjoin city officials from arresting persons who peacefully use transportation facilities in Jackson.

3. Enjoin city officials from placing segregation signs at transportation terminals.

**RETAIN CASE**

In the original suit, filed June 9 and ruled on Nov. 17, U.S. Dist. Judges Sidney Mize of Gulfport and Claude Clayton of Tupelo ruled the court should retain the case on its docket until the state courts had a chance topass on the issues.

The appeal asks the Supreme Court to determine whether the 3-judge court erred in refusing to issue a preliminary injunction to stop enforcement of segregation statutes and city ordinances and to stop all future arrests and prosecutions.

The petition also asks the high court to determine whether the 3-judge court was wrong in ruling that the state courts should first be given a chance to rule on the case.

# Negroes Seeking To Halt Mississippi Prosecutions

By BEN McCARTY
Associated Press Staff

JACKSON, Miss., Nov. 24.—Negro attorneys filed for a court order Friday to halt prosecution of so-called "Freedom Riders" until the United States Supreme Court rules on an appeal from a three-judge Federal Court.

Attorneys for the National Association for the Advancement of Colored People filed the appeal Wednesday on a 2-1 decision which refused to order an end to Mississippi transportation segregation.

The motion for a preliminary injunction said "unless the prosecutions commenced after June 9 are enjoined, the class represented by plaintiffs will suffer irreparable damage."

The petition said self-styled "Freedom Riders" were convicted for breach of the peace and the only violation was "a breach of the segregation customs and laws of the State of Mississippi."

**Specific Requests**

Specifically, the motion asks the United States District Court, Southern District of Mississippi, to:

1. Enjoin city officials from continuing to prosecute all persons arrested after June 9 on breach of peace statutes.

2. Enjoin city officials from arresting persons who peacefully use transportation facilities in Jackson.

3. Enjoin city officials from placing segregation signs at transportation terminals.

In the original suit, filed June 9 and ruled on Nov. 17, District Judges Sidney Mize of Gulfport and Claude Clayton of Tupelo, ruled the court should retain the case on its docket until the state courts had a chance to pass on the issues.

**Court Should Stay Hand**

"This court should simply stay its hand until adequate and proper remedies provided for by the statutes of the State of Mississippi should be exhausted," the two judges said.

However, Appellate Judge Richard T. Rives of Montgomery, Ala., issued a sharply worded opinion dissenting from the majority view.

"The continued refusal to rule, although it has been pending since June 9, is in violation of this court's duty under the law," Judge Rives said.

"There are statutes and ordinances which on their face require segregation of the races in any transportation facilities and they should be declared unconstitutional, null and void."

**Reasons For Arrest**

Judge Rives said no passenger or intended passenger should be subject to arrest for breach of the peace unless he does something more than occupy some facility in transportation.

"To arrest a passenger under such circumstances is state enforcement of segregation, and therefore unconstitutional," Judge Rives said.

The appeal asks the Supreme Court to determine whether the three-judge court erred in refusing to issue a preliminary injunction to stop enforcement of segregation statutes and city ordinances and to stop all future arrests and prosecutions.

The petition also asks the high court to determine whether the three-judge court was wrong in ruling that the state courts should first be given a chance to rule on the case.

CORE FREEDOM RIDERS MAY 1961
JACKSON, MISS.
REV. C.T. VIVIAN, NEGRO
CHATTANOOGA, TENN.
WHIPPED BY A GUARD AT THE FARM

# 'Riders' Arriving Here On Train

## Eight Integrationists Depart New Orleans

Jackson Daily News
p. 1 June 5-30-61

By W. C. SHOEMAKER
Daily News Staff Writer

More "freedom riders" headed to Jackson today with announced plans of violating the law which sent their predecessors to jail.

Jackson, Miss

The latest group, five whites and three Negroes, left New Orleans by train early today en route Jackson after announcing they "expect arrest." They were due here at 10:10 a. m.

One group of 17 was convicted in municipal court yesterday of charges of committing a breach of the peace. They spent the night in Jackson's city jail but were expected to be transferred across the street to the Hinds County jail today.

Meanwhile 19 of the 22 others transferred to the Hinds County prison farm at Raymond from the county jail early yesterday were brought back to the jail last night.

Sheriff J. R. Gilfoy said other members of the county farm obtained to the group.

**'BEATING' PROTESTED**

The move came a few hours after Richard Haley, a representative of the Congress of Racial Equality, telegraphed Gov. Barnett and the Hinds County Board of Supervisors that Rev. C. T. Vivian, Negro, of Chattanooga, Tenn., had been beaten by a guard at the farm. Three of the 22 sent to the farm Tuesday morning were released on appeal bonds at noon and Haley said they told him of the beating.

The latest group headed this way left New Orleans at 7:10 a. m. aboard the Illinois Central Railroad's "City of New Orleans."

The group was the product of a hastily conducted "freedom rider school" conducted in New Orleans yesterday and were led by Dr. Walter G. Bergman of Detroit, a former University of Michigan professor and one of the original "freedom riders".

"We expect arrest, but we don't expect violence," Bergman said. "We expect Jackson police to take care of the situation." All earlier groups have moved against bus stations. This would be the first mixing attempt at a train depot.

Some members of the group were Negro girls.

**READY FOR JAIL**

A CORE official in New Orleans said the group expects to spend 60 days in jail here.

Haley claimed that Vivian was struck with a weapon because he refused to call a guard "sir" but prison superintendent Max Thomas said the Negro minister suffered a minor head wound in a scuffle with guards.

He said Vivian refused to cooperate while being processed for confinement at the farm and that a physician examined him as a matter of routine and covered the wound with a Band Aid.

Gilfoy said he notified the FBI of the incident and joined federal officers in an investigation of the matter.

An FBI spokesman here said federal agents joined the probe at the specific instruction of an assistant U. S. attorney general.

"Thomas runs a clean farm and treats everybody as well as he can," Gilfoy said. "I think he has done a good job out there."

Dan Ferguson, president of the Hinds County Board of Supervisors, which has control of the farm, called the board together yesterday and announced they had decided to "bend over backward to prevent trouble."

"The situation has been handled so well by the state and the city of Jackson that we don't want to fumble the ball just before we get to the goal," he said.

The 17 convicted yesterday told their attorney they expect to serve their sentence in jail.

Municipal Judge James Spencer fined them $200 and handed them 60-day suspended sentences, the same as 27 arrested last Wednesday had received.

If they stay in jail the fine will be worked off at the rate of $3 per day.

**SPEEDY TRIAL**

Yesterday's trial of the 17 lasted only 17 minutes, in contrast to the nearly two hour trial Friday. They were tried as a group.

Police Capt. J. L. Ray was the city's only witness. He testified he arrested the 17—nine at the Greyhound bus terminal Sunday morning and eight at Trailways Sunday afternoon — after they ignored his orders to "move on." All were arrested in the stations' white waiting rooms. The Trailways group included two whites.

Ray said he told them to move on "so we wouldn't have another incident" smiliar to a riot which erupted when "freedom riders" invaded a Montgomery bus depot.

Defense Attorney Jack Young offered no testimony in behalf of the 17 youthful riders.

Spencer said he based yesterday's verdict on the same basis as his decision of Friday.

"These cases are a continuation of the cases the court heard Friday," he said, adding his court will "do everything in its power to maintain law and order in the community."

In the Friday trial he said the group came here from Montgomery to stir up violence.

Of the 27 arrested Friday, five posted appeal bonds to county court Saturday night and left town. Three others posted bonds at noon yesterday, a few hours after they were sent to the prison farm.

JUNE 1961

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FREEDOM RIDERS- JACKSON
"FREEDOM RIDES INTO MISSISSIPPI AND THE SOUTH WERE PLANNED IN HAVANA, CUBA, LAST WINTER BY OFFICIALS OF THE SOVIET UNION."
JACKSON DAILY NEWS P.1. Thurs. 6-29-61

# Reds In Havana Planned Rides

## Russians Sparked Mixing 'Seminar'

By W. C. SHOEMAKER
Daily News Staff Writer

Mississippi authorities have learned that the apparently endless "freedom" rides into Mississippi and the south were planned in Havana, Cuba, last winter by officials of the Soviet Union.

At least one "student" who attended the Communist planning workshop has been convicted among the riders in Jackson and is in the state penitentiary serving a jail sentence.

The "student" was identified as Katherine Pleune, 21, white, of Chicago, a mimeograph machine operator and parttime photographer's helper in Chicago.

She was arrested on breach of the peace charges as a "freedom rider" here June 10 and is serving a $200 fine and four month jail sentence at the maximum security unit of the state penitentiary.

Miss Pleune has confirmed to Mississippi officers that she was among 202 so-called students who went to Cuba last winter for the announced purpose of hearing a lecture by Fidel Castro on Cuba's aims for cordial relations with the United States and other Western nations.

She has told officers the group was addressed by nine agents of the Soviet Union at a meeting in a Havana dining hall during the trip.

The group also heard an address by Castro she said, adding that she personally met the Cuban dictator during the trip. She has refused to say what the group discussed or to reveal identities of other participants.

**RIDE SEMINAR**

Authorities have learned, however, that the speeches by the nine Russians was actually a seminar at which this summer's "freedom rides" into the South were planned.

Miss Pleune has told officers she is a member of CORE and seven or eight other organizations, but refused to confirm or deny affiliation with the Communist Party unless her attorney was present.

Miss Pleune refused to tell officers if she has been in contact with a well known Communist worker in the United States. She said she refused to answer questions concerning the man on grounds that "the FBI might intimidate him."

She told officers she is a native of Newark, N. Y., and quit school after two years of high school.

Her parents, she told authorities, taught her against believing in God as a child. She said she has remained an atheist.

Her sister, Joan, was arrested as a "freedom rider" at the Illinois Central Railroad station here June 20 and is serving a four months jail term and $200 fine on a breach of the peace charge.

KATHERINE PLUENE
**Briefed In Cuba**

Katherine Pleune told officers she has been active in demonstrations throughout the country. She said she has been arrested in Chicago for picketing on numerous occasions as well as in New York City and San Francisco on similar complaints.

A plump brunette with a pony-tail hair style who was arrested at the Greyhound Bus Terminal, she told officers she also picketed the U. S. Central Intelligence Agency as well as numerous businesses in behalf of racial integration.

**MOVE 22 TO PARCHMAN**

A total of 164 persons have been arrested since "freedom rides" began in Mississippi May 24.

Hinds county officers yesterday moved 22 from jails here to the penitentiary at Parchman to sit out their sentences.

Among those transferred yesterday were nine women, including Elizabeth Porter Wyckoff, a white New York City freelance writer who earlier this week lost a federal court bid at a constitutional test of breach of the peace laws.

Three of the 58 already at Parchman were returned here last night to be released on bond.

# Little Skill, Lotsa' Sweat Go Into Cotton Chopping

By W. C. SHOEMAKER
Daily News Staff Writer

Mechanization has replaced many of the once familiar farming tools but Jackson's abundance of freedom riders may find them necessary when they get to Parchman.

A majority of the riders may get to learn how to chop cotton first hand before this week is out.

Thus the Daily News publishes this manual for operation and maintenance of one of the basic crop growing implements—the gooseneck hoe:

The implement is a one-piece, one-man, hand-operated device essential in ridding cotton fields of weed and grass.

It consists of a blade about six inches wide to which is attached at a right angle a wooden handle about six feet long.

The term "gooseneck" comes from the curved steel bar which connects cutting blade and handle.

**NOT LIKE GOLF**

In some ways it may be described as resembling a golf club. But the similarity ends there.

Successful operation of the hoe is best achieved by placing one hand firmly, without gripping, about midway of the handle with the other hand near the top of the handle.

The blade should be turned toward the earth and placed on the edge of the cotton row away from the operator.

Best result is achieved by allowing the implement to scrape lightly into the dirt as it is pulled across the row toward the operator.

Hard-to-get-at weeds and grass may be removed by turning the hoe on its side and pulling.

With the same half turned-hoe position the operation also may clear the side of the row opposite the cotton from him by giving the hoe a brisk push.

Skilled workmen bend slightly from the waist as they maneuver the implement and soon learn to hoe with a rhythmic motion, clearing grass with both backward and forward movements.

With a few days practice operators usually learn that a steady rocking back and forth of the body improves the operation.

Some crews find that singing helps maintain the body rhythm.

A skilled operator may cover a 100-foot row in 15 minutes.

# 'Riders' Will Walk Cotton Rows At Pen

By W. C. SHOEMAKER
Daily News Staff Writer

Hinds county officials made plans today to transfer a load of "freedom riders" to the cotton fields of Parchman to complete their jail sentences.

The county board of supervisors yesterday approved a resolution authorizing transfer of the ever growing group to the state penitentiary if jails here become overcrowded.

Already 84 of the 110 who have been convicted remain in jail and the Congress of Racial Equality said it will send more to Jackson to push transportation terminal integration attempts.

Many of those in jail must serve four months sentences in addition to $200 fines. Most are serving time for the fines at the penitentiary Tuesday to inspect its facilities preparatory to the possible transfer of some of the 85 self-styled "Freedom Riders" jailed here to the institution.

The board of supervisors Monday authorized the transfer due to "overcrowded" conditions at the Hinds County jail.

The board authorized Sheriff J. R. Gilfoy to transfer persons from the county jail here to the penitentiary "as he may deem necessary to relieve and keep relieved the crowded conditions in the county jail", provided each transfer is approved by the Circuit Court here.

The resolution also ordered that work be made available to riders transferred.

In Atlanta, a CORE official said more rides will be arranged to Jackson via Montgomery, Ala., within 24 hours. His statement came after a federal judge's order prohibiting their movement through Montgomery expired.

A group left Washington, D.C., this morning by bus to make integration attempts south into Florida.

And in New York, State Assemblyman Mark Lane, who was convicted on the breach of the peace charge here last week, called for public pressure on the Kennedy administration for stronger federal policy on integration.

He claimed that he learned during his brief tour of the South that most white southerners want the federal government to enforce integration laws.

Lane spent one day in Montgomery and was arrested within five minutes after he arrived at the Jackson airport with a Negro NAACP leader from New York.

He was convicted in municipal court and is free on appeal.

# Protest Riders Facing Prison, Cotton Chopping

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., June 9—Transfer of self-styled "Freedom Riders", from the Hinds County jail here to the state penal farm at Lambert in the Delta is planned by Mississippi authorities.

Necessary papers have been drafted and will be presented in Circuit Court here.

About 75 of the riders who have invaded Mississippi since May 24 have each been fined $200, which they refused to pay. Some of them also have been given two-month jail sentences.

The others have been released on $500 cash appeal bonds and two have paid their fines.

The Hinds County Board of Supervisors has called attention to the over-crowded condition of county jail caused by the invasion and the inadequate facilities for segregating prisoners as required by law. It also points out that the law requires prisoners to work out their fines at $3 a day.

Two unused camps at the 6,000-acre Lambert farm, which is about 25 miles north of the 17,000-acre main prison at Parchman, have been readied for the white and Negro riders.

Hundreds of prisoners can be "accommodated" at the Lambert farm. There is also plenty available work in the fields, as cotton chopping is under way in the Delta.

Prison authorities, as well as Gov. Ross Barnett, have authorized use of the Lambert camp for confinement of the riders.

# Riders May Be Moved To Work Farm

By W. C. SHOEMAKER
Daily News Staff Writer

More self-styled "freedom riders" headed here today to almost certain lengthy jail terms while officers made arrangements to move those already held to a work farm.

Eight riders left Nashville this morning and were due to have noon, but they missed their bus in Memphis.

The group was having breakfast when time came for the bus to depart for Jackson. The driver refused to wait and left on schedule without them. They are expected to take a later bus to Jackson.

Officers have considered moving the riders to other jails or to the 16,000-acre state penitentiary to serve their terms if the city and county jails here become crowded.

No final decision has been made on the move.

The Leake County Board of Supervisors this week formally offered use of the new jail at Carthage for housing of "freedom riders". Supervisors sent word to officials here that they could house 40 to 50 riders.

Municipal Judge James L. Spencer yesterday sentenced five "riders" to four months in jail and handed them $200 fines, pushing the number of convictions here during the past three weeks to 98.

Yesterday's group was the first to receive the maximum penalty allowed by law.

Spencer began three weeks ago ordering $200 fines and 60 day jail terms with the jail terms suspended. Later he made the sentences four months with two months suspended and announced that any new riders convicted would receive the full sentence allowed on the breach of the peace charge.

Of the 98 convicted, 73 remained in jail today. Those who received only fines are serving them at the rate of $3 per day.

**ARRESTED AT ZOO**

Meanwhile two Jackson young Negro men were arrested for committing a breach of the peace in the municipal zoo yesterday afternoon.

Police Capt. J. L. Ray arrested them when they ignored his order to "move on" from benches in the zoo.

The two were identified as Amos C. Brown, 20, of 1521 Moorehouse St., and James M. Hopkins Jr., 19, of 917 Franklin St.

Both are members of the NAACP here.

The CORE said it expects to send more "riders" to Jackson next week and "possibly 25 more" before July 1.

In New York, state Sen. Manfred Ohrenstein wired Gov. Nelson Rockefeller asking him to request a public apology from Mississippi Gov. Ross Barnett for the arrest here of New York assemblyman Mark Lane.

Lane, white, was arrested at the Jackson airport in the "freedom rider" roundup two days ago, and was convicted in city court.

He posted an appeal bond and went home.

The Evangelist, newspaper published by the Roman Catholic newspaper in Albany, N. Y., criticized the riders as "Northern do-gooders".

Gov. Rockefeller arranged to dine with the Rev. Martin Luther King Jr., June 16 when King goes to Albany, N. Y. to raise funds for an integration campaign in the South.

# 9 TRANSFERRED TO PENITENTIARY

## Five Riders Post Bonds at Prison Farm

JACKSON, Miss. (AP) — Nine more convicted "freedom riders" were transferred Monday from the Hinds county jail to the state penitentiary and five others posted bond to gain their freedom from the prison farm at Parchman.

Sheriff J. R. Gilfoy sent the nine from Jackson jails to the maximum security cellblock at the penal farm 140 miles northwest of Jackson and said he would return the five to Jackson to be freed. Attorneys for the five posted bonds at the courthouse during the morning.

The nine sento to Parchman were among the 116 who have been convicted on breach of peace charges after unsuccessful efforts to desegregate Jackson transportation terminal facilities.

The transfers and releases brought the Parchman rider population to 49 and left 28, mostly women, in the county jail here. Only men are sent to Parchman.

The five gaining freedom on appeal bonds brought to 39 the number of riders to gain their releases—all but four on bonds. The four paid fines.

Releases on bond were three Negroes and two whites.

In Atlanta, Ga., a Southern Christian Leadership conference staff member said a new "freedom rider" would get under way later this week from Atlanta to Birmingham and Montgomery.

Bernard Lee of the SCLC staff said the expedition was discussed Monday.

"The freedom ride definitely won't start today," Lee said. "It will be later in the week. Those aboard will include persons from Nashville and other places."

When asked if the group would proceed to Jackson, Miss., or New Orleans, Lee said "the itinerary has not been made definite yet."

## Patterson Will Attend Hearing

(Times-Picayune Capital Bureau)

JACKSON, Miss.—Atty. Gen. Joe T. Patterson said he will represent the state in a federal court hearing Wednesday at Biloxi on a move by a convicted "freedom rider" attacking constitutionality of her arrest.

The action was filed by Miss Elizabeth Wyckoff, New York free lance writer, seeking her release on a habeas corpus proceeding. She contends she was arrested and convicted on an unconstitutional charge.

All of the 116 "riders" who have been arrested on their arrival here were charged with violation of a 1960 breach of the peace statute.

A hearing on the habeas corpus motion have been set for 10 a. m. Wednesday before federal district Judge Sidney C. Mijze.

Patterson said he will be assisted by two of his assistant attorney generals, Robert Cates and Pete Stockett. Asst. Atty. Gen. Dugas Shands, who usually handles cases involving segregation matters was temporarily hospitalized Monday.

## Jackson Convicts 15 'Freedom Riders'

Jackson, Miss., June 20 (AP) Municipal Judge James Spencer Tuesday convicted 15 more "freedom riders" on breach-of-peace charges, bringing to 131 the number found guilty since the segregation-defying attempts began May 24.

The new group included 14 who reached Jackson by train earlier Tuesday and an Oklahoma white teacher who sought to use the Negro lunch counter at the Greyhound bus terminal here Monday.

# Nine More 'Mixers' Go Into Jail

JACKSON, Miss. (AP) — Nine new "Freedom Riders" sought without success Wednesday to desegregate the white waiting room at the Trailways Bus terminal here. Police arrested the racially-mixed group on breach of peace charges.

The new arrivals included the ev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference in Atlanta, and his wife, Theresa Ann Walker, and Dr. Milton Reid of Petersburg, Va., president of the Virginia Christian Leadership Conference.

**ARRIVE FROM MONTGOMERY**

More than 100 spectators gathered to watch as the group, which arrived shortly after 6 p.m. from Montgomery, walked from the bus into the white waiting room and approached the concession stand.

Police Capt. J. L. Ray ordered members to move out of the station.

Henry Schwarzchild of Chicago, only white man in the group, asked permission to get a cup of coffee in the lunrhroom and Ray told him to move on.

"I believe I have a right to get a cup of coffee," Schwarzchild replied, and Ray told him "You're under arrest."

The station was cleared of the "Riders" less than 10 miutes after they arrived.

Walker's wife told the Associated Press the group has arrived in Jackson expecting to be arrested.

The group left Montgomery shortly before noon after several members got lunch at a white lunch counter, but served by a Negro waiter instead of the usual white waitress.

**TOY BOMB**

As the bus started, a toy bomb went off with a loud whistle and explosion, but there was no damage.

Only 25 or 30 persons gathered to see the "Riders" off. The group had reached Montgomery from Atlanta.

The crowd in the Jackson station was several times larger than usual. Heretofore police have kept all but legitimate travelers from the station when "Riders" were expected.

The group merely stood and looked as the episode unfolded in a pattern that has become as familiar as the cowboy and Indian scrip in the Saturday movie.

The new "Riders" brought to 140 the number arrested since rides began May 24. All previous "Riders" have been convicted or breach of peace charges and drawn $200 fines and sentences ranging as high as four months. The earlier arrivals got suspended two-month sentences, but stayed in jail to work off fines. Those which followed got four-month sentences, with two of it suspended, while the last few groups have gotten the full four months.

**DUE TODAY**

# 9 More 'Riding' To Jail

By W. C. SHOEMAKER
Daily News Staff Writer

Nine more "freedom riders" were en route to Jackson jails today with a brief stop planned at a bus station here.

The nine, including four whites, planned to move from Montgomery, Ala., to Jackson in an attempt to integrate a bus terminal before the day is over.

They are sure to meet the same fate that 131 persons before them have seen—arrest and conviction on breach of the peace charges.

Fifteen tried yesterday on similar charges received $200 fines and four month jail terms.

Fourteen of the group were arrested earlier yesterday wher they attempted to integrate at Illinois Central depot waiting room and the 15th was jailed when he took a seat in the Negro waiting room at the Greyhound bus station a day earlier.

Trials of the 14 were held yesterday at their request to allow them to begin serving sentences sooner.

The group expected today gathered in Atlanta several days ago for training in "passive resistance" and began their move toward Jackson yesterday. They spent last night in Montgomery.

Fourteen of those convicted yesterday came here from Berkeley, Calif., with a stop in New Orleans for training by the Congress of Racial Equality.

The 15th was a professor at Oklahoma State University who drove to Jackson via automobile before trying to mix the bus station.

The 14 included Paul Duncan McConnell of Castro Valley, Calif., who said he once attended the University of Mississippi. Most members of the 14 were from California.

Police Capt. Ralph Hargrove, head of the department's identification bureau said seven of the 14 refused to say if they are members of the Communist party.

Male members of the group will probably be held in jail here for five day and will be transferred to the maximum security unit at the state penitentiary to sit out their prison terms. Women will stay in jail here.

If they choose to sit out the fine in addition to the jail terms they will be released two days after Christmas.

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MISSISSIPPI

FREEDOM RIDERS- JACKSON
COUNTY FARM

**LEAVE FOR COUNTY FARM**—A group of the "freedom riders" sit in a truck as they wait to leave for the Hinds County Farm in Jackson, Miss., Monday. Twenty-two of the 'riders' who were left in the county jail were transferred.

FREEDOM RIDERS- JACKSON
ON BOND- LUCRETIA COLLINS

# On Bond To Graduate

Lucretia Collins, 21-year-old "freedom rider", is shown after her release on bond from the Hinds county jail in Jackson, Miss. One of 27 "riders" arrested and convicted on "breach of peace" charges, Miss Collins accepted bond so that she could graduate with her class at Tennessee State A. and I. University, Nashville, Tenn. (UPI Photo)

FREEDOM RIDERS- JACKSON
ARRESTED - JAILED

# One Rider Posts Bond, 26 Others Still In Jail

## Student Group Leaves Nashville For Jackson

Jackson Daily News

**BULLETIN**

**Four other 'riders' were preparing to leave the jail Saturday night.** P-1

**By THE ASSOCIATED PRESS**

"Freedom Rider" Lucretia Collins posted a $500 cash bond Saturday and became the first of 27 integrationists to gain her freedom after an attempt to use white facilities at a Jackson bus station. Sun. 5-28-61

The 21-year-old senior at Tennessee A&I College said she was leaving Mississippi to graduate with her class Sunday night.

She was among those arrested Wednesday and convicted Friday of breach of peace. She told newsmen her home was in Fairbanks, Alaska, but was booked at the jail as from El Paso, Tex. Jackson, Miss.

**'ALL RIGHT'**

She said her father was an Army career man.

"Everything was all right (in the jail)," she told.

She said she joined the student nonviolence committee and the Freedom Riders because she felt it was "a moral and spiritual obligation. I must know for myself."

Lucretia left on a plane for Memphis and will change planes there for a flight on to Nashville, where the college is located.

Municipal Judge James Spencer convicted the 27—all but two of them Negroes' on breach of peace charges stemming from their attempt to use white facilities at a bus terminal. He handed down $200 fines and 60-day jail sentences suspended at the request of the prosecution.

**SOLE PURPOSE**

The riders were arrested Wednesday minutes after they arrived in Jackson and went into the white waiting room of the Trailways bus terminal.

The National Association for the Advancement of Colored People had offered to raise bail for the group.

Judge Spencer told his court during their trial Friday "the sole purpose that they came to Mississippi for was to breach the peace."

He told the riders their conduct had led to mob action already and here "you sought to inflame the people to fight it out among themselves instead of taking their case through the court."

NASHVILLE, Tenn. (UPI) — About 10 Negro college students, all recognized members of the non - violent movement here, boarded a regularly scheduled bus for Jackson, Miss., via Memphis, Tenn.

Members of the group not going said there would be more students going later by other meanns of transportation.

The students, although remaining in a cluster, boarded a Greyhound bus at 5:15 p.m. with the usual white and other Negro passengers en route to points west and south. The trip to Jackson takes about 13 hours.

Leo Lillard, a member of the central committee of the Nashville non-violent movement, did not say there would be any attempt to break segregation laws in Jackson.

He said the members of the group hoped to travel as normal passengers in an effort to see what will happen.

Lillard had said Friday and earlier Saturday a telegram would be sent to Atty. Gen. Robert Kennedy explaining why the Negroes would continue their trips to Jackson.

A spokesman for the group said at the bus station, however, the telegram had not been sent.

There were no white students with the non-violent group, that left Nashville Saturday afternoon. Lillard said some of the "interest among white students has fallen off' since the violene in Alabama.

The methods used Saturday at Nashville was a departure from normal tactics used by the non-violent movement here in that they waned to be considered as normal travellers without attracting attention as "Freedom Riders."

In previous demonstrations at stand-ins and sit-ins here the group retained an appearance of organization and conducted massive assaults on segregation statues. When members were jailed, all other members would submit themselves to arrest resulting in crowded jails, where they usually refused bond.

## 8 Train 'Riders' Are Jailed

The Times

### Group Leaves N. O., Is Fined in Jackson, Miss.

New Orleans, La.

**By W. F. MINOR**

(Times-Picayune Staff Correspondent)

JACKSON, Miss.—With assembly-line precision, eight "freedom riders," including five white college boys, went all the way from New Orleans to Mississippi convicts in one day Tuesday. W-A-S-5-31-61

First of "riders" who have descended on Jackson since last Wednesday to arrive by train, the eight were arrested at 10:20 a. m. Tuesday and were convicted in city court of breach of the peach at 3:1g p. m.

Their trials lasted little more than five minutes as defense attorney Jack Young, a Negro, and city prosecutor J. A. Travis Jr. skipped over a rerun of the two previous trials held here in the past four days.

This brought to 52 the number of "riders" probing Mississipp segregation barriers to arrive to be jailed and to be convicted since last Wednesday. P-14

**$200 FINES**

The newest group received from city Judge James L. Spencer the same $200 fine and 60-day suspended jail sentence given four other waves of "riders."

Again, no violence accompanied arrival and arrest of these riders, who walked into a white waiting room at the Illinois Central train station.

They arrived on the Illinois Central's "City of New Orleans," which they boarded at 7 p. m. in New Orleans. All of them attended a one-day training school Monday in New Orleans on how they would conduct themselves.

James K. Davis Jr., 21, a Negro college student from Florence, S. C., led the contingent into the white waiting room after they stepped off the train.

**QUESTION ASKED**

Capt. J. L. Ray, a 20-year veteran of the Jackson police department, snapped the same order of "You'll have to move on," to them that he gave other groups of "riders."

He followed that quickly with the order, "You're all under arrest."

Davis became the first "rider" to question police on why they were being arrested.

"For breach of the peace," Ray retorted.

"What have we done to breach the peace," Davis came back. Ray made no answer.

Davis told reporters he and the others were "just passing through Jackson, and we were intending to get something to eat." He asked where the dining room was located in the train terminal. He was told there was none.

Four of the white college students are from Cornell university, Ithaca, N. Y., and the other from Rockville Center, N. Y., is a student at Tulane.

Manwhile Tuesday, Hinds county Sheriff Bob Gilfoy moved 19 of the original 27 "riders" to arrive last week back from the county work farm to the county jail because of complaints from other prisoners at the farm that their presence may cause trouble.

The transfer of the prisoners back to the jail also followed a report Monday that one of the group, Rev. G. T. Vivian, Chattanooga, a Negro, was struck on the head by a guard at the farm because he failed to address the guard as "sir." The federal bureau of investigation was called in to investigate the report.

Chief of detectives M. B. Pierce, of the Jackson police department, said an arrangement was worked out with Sheriff Gilfoy that white prisoners among the "freedom riders" will be held in the city jail after conviction and Negroes in the county jail.

**BUSINESS-LIKE**

Eight of the first wave of 27 riders to be arrested had secured their releases under $500 appeal bond prior to Tuesday, but the rest had chosen to remain in jail so far rather than pay their fine or make an appeal bond to dramatize their objection to the state's segregation barriers.

Bond has been arranged for them by the Congress on Racial Equality and the National Association for Advancement of Colored People.

Richard Haley, Chicago, a national field representative for CORE, sat in on the trial of the eigth "riders" Tuesday as he had attended the trial of 17 others Monday.

He remarked afterwards Tuesday that the police adn the courts "have handled it in a business-like manner."

Those arrested Tuesday and later convicted included: Peter Sterling, 20, Rye, N. Y.; Paul S. Green, 22, Ithaca, N. Y.; Charles A. Haynie, 25, Ithaca, N. Y., and Joe Henry Griffith, Corpus Christi, Tex., all students at Cornell; Robert L. Heller, 19, Rockekaville, N. Y., who recently completed his second year at Tulane; all white, and Sandra Marie Nixon, 19, 3003 Desire Park, New Or-

leans, a student at Southern university; Glenda Jean Gaither, 18, Great Falls, S. C., student at Claflin university, Orangeburg, S. C., and James K. Davis Jr., 21, Florence, S. C., also a student at Claflin, all three Negroes.

# Train Freedom Riders Arrested at Jackson

The Washington Post

JACKSON, Miss., May 30 (AP)—More "Freedom Riders"—five whites and three Negroes—moved into Mississippi's capital city on a new trail by using the train today, but they followed their predecessors alogn the same path to city jail.

Wed 5-31-61

The eight arrived on the "City of New Orleans" in midmorning. And when they tried to use white facilities at the train depot and refused to heed a police officer's order to move, they went to jail.

The arrivals from New Orleans were the first Freedom Riders to travel by train in their test of Southern segregation laws. The first 44 riders—all arrested by Jackson police when they arrived—came in by bus.

Washington, D.C

**Reason for Change**

Richard Haley, field representative for the Congress of Racial Equality, which sponsors the Freedom Riders, had this explanation for the switch to the train:

"So far the emphasis has been on bus depots, to the exclusion of train depots. We want to give them all a fair shake."

R-AH

Jackson police Capt. J. L. Ray, who has supervised most of the Freedom Riders' arrests, told the group today to move out of the white waiting room and when the Riders refused, he arrested them for a breach of the peace.

All previous Freedom Riders have been convicted and fined for breaching the peace—not for defying segregation.

Among the whites arrested today were Peter Sterling, 20, of Rye, N. Y.; Tom S. Green of Ithaca, N. Y.; Charles A. Haynie, 25, New York City, and Joe H. Griffith, Ithaca, all students at Cornell University, and Robert Heller of Rockville Centre, N. Y., a student at Tulane University in New Orleans.

**Three Negroes**

The Negroes were Sandra Marie Nixon, 19, New Orleans; Glenda Jean Gaither, 18, Great Falls, S. C., and James Keat Davis Jr., 21, Florence, S. C.

Those who boarded the streamliner in New Orleans today were students at a special "workshop" set up in New Orleans yesterday by CORE, and taught the methods of non-violence CORE advocates.

At Ithaca, Cornell graduate Davis Smock said a campaign to raise funds was underway in Ithaca with residents asked to contribute $800 to pay fines that may be imposed on the latest arrivals. Smock said he had $150 in pledges.

Earlier Freedom Riders were given 60-day suspended jail sentences — suspended at the request of the prosecution—and $200 fines. Most of those convicted preferred to go to jail or the county work farm rather than pay the fines or post appeal bonds.

Hinds County Sheriff J. R. Gilfoy moved the convicted Freedom Riders from the county penal farm to the county jail in downtown Jackson.

**Beating Reported**

This came after the reported beating of the Rev. C. T. Vivian, a 36-year-old Chattanooga, Tenn., Negro minister. Haley accused prison farm guards of beating Vivian because he refused to address them as "sir."

Vivian wore a small bandage when he and the others moved to the county jail.

Gov. Ross Barnett promised an investigation into the report of the beating and FBI agents quizzed the penal farm director and others.

Sheriff Gilfoy also said local Negro and white prisoners at the county prison farm objected to working with the Freedom Riders. Negro trustys and prisoners in the downtown jail, he said, also objected to their presence.

Associated Press

**James Davis, of Florence, S. C., a leader of the "Freedom Riders" who arrived in Jackson, Miss., yesterday, had a few words with Police Capt. J. L. Ray before they were arrested after entering a terminal waiting room.**

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MISSISSIPPI

DEC.

JACKSON
SUPREME COURT REFUSED TO ORDER A HALT IN THE PROSECUTION OF FREEDOM RIDERS IN JACKSON, MISS.

# RIDERS LOSE PLEA IN SUPREME COURT

## Fail to Win Delay of Trials of Biracial Groups Seized at Mississippi Terminals

By ANTHONY LEWIS
Special to The New York Times.

WASHINGTON, Dec. 18—The Supreme Court refused today to order a temporary halt in the prosecution of Freedom Riders in Jackson, Miss.

Since last May more than 300 riders have been arrested in Jackson. The court was asked to call a halt to most of these prosecutions until a Federal suit attacking them as unconstitutional could be brought here.

The justices were unanimous in denying the requested stay. Their action was a shock to Negro groups and to the Justice Department, which had endorsed the plea for a stay.

The court's decision does not in any way imply legal approval of what the authorities in Jackson have been doing. It simply means that the court found intervention inappropriate at this stage.

### Clergymen Arrested

The Legal Defense and Educational Fund of the National Association for the Advancement of Colored People had sought interim relief. It said that the method used to prosecute the riders was putting a heavy financial strain on them and the fund.

The defendants are both Negr and white. Among them is a group of fifteen Episcopal clergymen, including Governor Rockefeller's son-in-law, the Rev. Robert L. Pierson.

All were arrested for being in transportation terminal waiting rooms in Jackson reserved for members of the other race They were charged not with violating Mississippi segregation laws but with disturbing the peace.

All 300 were convicted in the City Court of Jackson. They were fined $200 each and were given jail sentences of up to four months. All but two then began an involved and laborious process of appeal.

To appeal, each must post a $500 bond. He then gets a wholly new trial in the County Court. If he is found guilty there, as have been all those tried so far, he must post a $1,000 bond to appeal to the Circuit Court.

No surety company in Mississippi has been willing to provide bail bonds for the riders Thus they have had to put up cash at each stage of the proceedings.

### Travel Expenses Heavy

In addition, state rules require that each one appear in person for his new trial in the County Court and then, later for the further appeal in the Circuit Court. Since many of the riders live far away from Jackson, this imposes a severe burden of travel expenses.

Moreover, the Mississippi authorities have refused to let all the prosecutions stand or fall on one test case, which would be carried to a conclusion first.

They have insisted that the new trials in the County Court proceed at a rate of two a day. The court stenographer has indicated that the minutes of the first such trial will not be transcribed until perhaps next February.

Only thenwi ll the first appeal be ready for hearing by the Circuit Court. After that a further appeal would go to the Mississippi Supreme Court, and from there to the United States Supreme Court.

Faced with that long road, fifty-four of the riders have given up, have pleaded no defense in the County Court and have been fined $200 plus costs.

### 'Hardship' Is Charged

The United States Solicitor General, Archibald Cox, told the Supreme Court that the "hardship" of the Mississippi appellate process would force "the vast majority" of the riders to give up their constitutional rights before they ever reached the Supreme Court.

Last June a suit was filed by three Negroes in Jackson, Samuel Bailey, Joseph Broadwater and Burnett L. Jacob, seeking an injunction against any enforcement of segregation at terminals.

A three-judge Federal district court, after holding the case until Nov. 17, refused to issue the injunction. The opinion, by Judge Sidney C. Mize, was joined by Judge Claude F. Clayton. Judge Richard T. Rives of the Fifth Circuit Court of Appeals bitterly dissented.

It was this decision that the N. A. A. C. P. fund took to the Supreme Court. A motion filed by Mrs. Constance Baker Motley of the fund asked for a stay of the prosecutions until the court decided whether the over-all injunction should be issued.

The real object was to block prosecution of anyone arrested after the filing of the suit last June. That would cover about 220 of the 300 cases.

### 'Question of Standing' Raised

The Supreme Court denied the stay in a brief, unsigned order. It emphasized that a Federal injunction against state criminal proceedings was always "an extraordinary remedy."

And the court said that "a serious question of standing" was involved because the three plaintiffs in the case had not actually been arrested or threatened with arrest. Thus they might not be legally qualified to speak on behalf of the 220 defendants seeking to avoid trials now.

Justices Hugo L. Black and Felix Frankfurter noted that they joined in denying the stay solely on the latter ground of standing.

The court's action today will not prevent the Justice Department from bringing an independent suit against bus terminal segregation in Jackson if city authorities continue to bring prosecutions. Several such suits are pending in Mississippi and Louisiana.

Briefs opposing the stay were filed by Joe T. Patterson, Attorney General of Mississippi, and Thomas H. Watkins of Jackson.

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### Barnett Hails Decision

JACKSON, Miss., Dec. 18 (UPI)—Gov. Ross R. Barnett, who has attacked the United States Supreme Court for a number of decisions in recent years, complimented the court today.

Governor Barnett termed the court's refusal to bar Mississippi from prosecuting Freedom Riders "the soundest decision the U. S. Supreme Court has rendered in quite a while."

FREEDOM RIDERS- JACKSON
AIR TERMINAL

# 'Riders' Change To Air Terminal

## Three Fly Into Jackson, Are Arrested—Six Arrive On Bus

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., June 7.— Three self-styled Negro 'Freedom Riders" invaded Jackson by air Wednesday to give variety to the two-week-old assault by out-of-staters on Mississippi segregation laws in bus, railroad and airport terminals.

Like the six—three whites and three Negroes—who arrived at noon on a Trailways bus, the airborne riders were arrested after they refused a policeman's order to "move on" to prevent, he said, creating an incident.

All were charged with breach of the peace.

**Two From Yale**

In the group arriving by bus were three Negro students of Virginia Union University in Richmond, two white divinity students from Yale University and a white woman secretary from New York City.

The three airborne "Riders" came off a Delta Air Lines plane from St. Louis at intervals late in the day.

First off was Ralph Washington, 25, who was arrested when he apparently attempted to enter a white men's restroom. Then Gwendolyn Jenkins, 21, was arrested as she sought to enter a white women's restroom. Later Robert Jenkins, 27, was arrested after he had entered the airport restaurant and seated himself at a table. The Jenkins are not related.

The latest arrivals brought to 81 the number of "Riders" since the first group arrived May 24.

There has been no violence in Mississippi.

Meanwhile, Roy Wilkins of New York City, executive secretary of the National Association for the Advancement of Colored People, explained the difference between his organization's efforts to break segregation barriers and those of the Congress on Racial Equality, sponsors of the "Rider" movement.

He said the NAACP does not endorse all the methods employed by C.O.R.E, but "we do not sneer at them." The NAACP official said his organization, however, agrees with the objective—to seek enforcement of Federal laws against segregation.

"We (NAACP) believe the way to test a law is to set up a test case, carry it through the courts and get a determination.

"We do not believe you can test a law and get it thrown out by staying in jail," he said. "After one spends 30, 60 or 90 days in jail, the law is still on the statute books and still constitutes a support for segregation."

**Face Maximum Penalty**

Of the 81 riders who have invaded Jackson, 19 have been released, either by posting $500 cash appeal bonds or paying the $200 fine assessed by Municipal Judge James Spencer. The others, including James Farmer of New York City, national director of C.O.R.E., have said they plan to remain in jail and work out their fines at $3 a day.

Secretary Wilkins commended Gov. Ross Barnett for his recent conference with Negro leaders, including the state NAACP president. He said while they did not agree on the issues, the meeting served to re-establish lines of communication between white and Negro leaders.

He also said schools to step up registration of Negroes for voting in Jackson, Meridian, Laurel, Greenville, Gulfport, Hattiesburg, Clarksdale, Vicksburg and other larger cities fill be opened soon.

The latest caravan of nine "Riders" will face the maximum sentence of $200 and four months in jail under a new policy of Judge Spencer. The first wave of 65 was given a $200 fine, and 60 days in jail suspended, and the next seven received a $200 fine and four months in jail, with two months suspended.

In the group arriving by Trailways bus were:

John Gager Jr., 23, of New Haven, Conn., and Edward Kale, 24, of Greegeville, Idaho, both white divinity students at Yale; Miss Carol Silver, 22-year-old white secretary of New York City, and three Negroes—Reginal Green, 21, of Washington, Obediah Lee Simms, 21, of Pittsburgh, and Raymond B. Randolph Jr., 21, of New Haven, all students at Virginia Union University in Richmond.

# Miss Arrests Air-Rider

JACKSON, Miss— "Freedom Rider" arrests here mounted to 81 Wednesday when three air passengers attempted to desegregate terminals at the Jackson municipal airport.

The three passengers were listed as being from the St. Louis area.

Prior to arrival of the airborne group six riders from Nashville, three whites and three Negroes, were jailed at a terminal servicing inter-state travel.

All were charged with breach of the peace.

38a 1961

MISSISSIPPI

FREEDOM RIDERS - JACKSON

# Felt Like A Missionary Says College Soph After Ordeal

By SANDRA NIXON
(Freedom Rider)

"The sustained attempt to bring about true democracy and full Americanism into travel facilities in the Deep South is a serious and much-needed project sponsored by the Congress of Racial Equality.

"Those of us who volunteered to participate in the Freedom Rides were well aware that we were not embarking on a pleasure jaunt. We felt it to be our duty to our Nation and to ourselves to demonstrate our belief in the democratic principles by attempting to avail ourselves of the rights and privileges which the Constitution says are ours.

LEAVE NEW ORLEANS

"With this thought in mind, eight of us - five white students of Cornell University, two Negroes of Clafin University, and this writer, a sophomore in Southern University, New Orleans - boarded the Illinois Central Railroad train in the Union Passenger Terminal on May 30 at 7 a. m.

"We felt very much like missionaries going into an unknown, hostile territory. The train trip was uneventful.

"Arriving in Jackson, Miss., about 10:10 a. m., we went into the waiting rooms designated for races other than our own. Within minutes we were placed under arrest by police officers who were firm but not rude nor rough.

"FIVE MINUTE TRIAL"

"That same afternoon we were taken to the city court to be tried before Judge James Spencer, the now - famous 'Freedom Ride judge.' Our trial lasted exactly five minutes. We were found guilty and were sentenced to pay fines of $200 each or serve two months in jail. We decided to remain in jail.

"FREE AT LAST" -- Petite Sandra Nixon, 19-year-old Freedom Rider, is shown being welcomed home by her parents, Mr. and Mrs. Joseph D. Nixon, 3003 Desire Street, last week, after spending 40 days in Mississippi jails for testing segregated railroad station facilities in Jackson. Miss Nixon is a sophomore at Southern University at New Orleans. (PHOTO BY PORTER)

"I spent one day in the City Jail. The next day I was transferred to the Hinds County jail where I spent the next four weeks sleeping on a concrete floor. The jail cell had only one bed.

"For the first 3 1/2 weeks, there were six persons in the jail cell, then we were moved to another cell housing 13 inmates. It was about 14 by 15 feet. This cell had four bunk beds. Nine inmates, therefore, had to sleep on the concrete floor using thin cotton mattresses which were given them.

"GRITS AND GRAVY"

"We were fed three times a day. Meals varied slightly but generally the menus were, Breakfast: grits, gravy, prunes, biscuits and coffee; Dinner: beans or cabbage, cornbread, sometimes macaroni flecked with meat; Supper: rice, gravy and one wiener. We were fed in tin plates and tin cups.

"In the county jail we were allowed pocket-size books and we spent much of our time reading. The good people of Jackson brought us shorts, towels, toothpaste, cigarettes and beach slippers. No newspapers or radios were allowed.

"We were visited by the Protestant ministers, who were allowed to bring Communion on Sunday. I am a Catholic, but didn't get to see a priest. I found the visits of the ministers very uplifting.

"NEARLY SUFFOCATES"

"Many times I thought about home, my parents, my eight sisters and brothers. My father, Joseph D. Nixon, had told me things would be difficult. He is an Army veteran and had been stationed in Mississippi during World War II.

"One day, the jailer was in a bad mood. He shut all the windows, the heat became unbearable and it was difficult to breathe. One of our girls was suffering with hayfever. She appeared to be suffocating.

"We called the jailer. He took quite some time to come and when he did, it was apparent that his mood had not improved. However, he acted promptly and gave her some medicine which gave relief. He told her in a low voice, 'Take a fool's advice and get out of here.'

SANG FREEDOM SONGS

"Our mail was censored. Some of us were sent packages which we never received. The jailer said he had been instructed not to give us packages. For a while we could buy candy, cigarettes and stationery from a vendor who came through the cell block. We could write as many letters as we wished, at that time.

"Suddenly, the jailer cut off these privileges to punish us. One of the jailers came in using abusive language. He wanted us to get in line for breakfast. Previously, one girl had been receiving the food and passing it around. The jailer was so angry, he took all the food back and we didn't get breakfast that day.

"To keep up our spirits, we sang Freedom songs and hymns, and held devotional services.

"IN PENITENTIARY"

"Just when we were beginning to think the jailers had realized that they could not break our spirits, the disheartening news came that we were to be transferred to the state penitentiary at Parchman.

"On June 23, 26 white and Negro Freedom Riders, 23 females and three males, were herded into a large closed - in truck which had two small windows on each side. We sat on the hard built-in benches and began our long ride.

"That night we reached the penitentiary. The officials were waiting. Our first stop was to give all our belongings to an officer; our shoes were taken, we were searched by four women trusties, then we were given our 'stripes.' Our prison garb had horizontal stripes; those of the trusties had vertical stripes.

"GIRL IS SCRUBBED"

"We were placed in maximum security in a 6 x 9 cell that held two persons. A host of bugs greeted us - crickets, roaches, bed-bugs, a full variety.

"When the 'sergeant' came the next morning, we asked for combs, towels, toothbrushes, toothpaste and soap. He provided them for us.

"We asked and were granted permission to take showers. Some of the girls requested showers shoes because they feared they would get athlete's foot.

"One girl, her name was Ruby, was reluctant to go to the showers without the protective shoes. The 'sergeant' handcuffed her and had two women trusties scour her with a rough scrubbing brush. The others who saw what happened, went to the showers.

"HOLIDAY FOOD"

"The food was much better than that in the county jail. Even in the penitentiary the Fourth of July was celebrated. On that day we were given fried chicken, potato salad, sweet potatoes, cake, cornbread, green beans and lemonade.

"Generally, the food was starchy - biscuits, potatoes, cornbread, string beans with specks of meat, etc.

"Later, more Freedom Riders were transferred and maximum security became overcrowded. Three persons, instead of two, were now in the small cells. The third slept on the floor on a mattress.

"MATTRESSES TAKEN"

"On July 3, our mattresses were taken away because we continued to sing. We slept on the cold steel bunks for two nights agreeing that we would rather sleep that way and sing, than have mattresses and not sing.

"We were told on July 5 we would get our mattresses back if we would 'cooperate.' We agreed to a certain extent.

"INSPECTION RIGGED"

"We soon learned that our mattresses were returned because some people from Minnesota were coming to inspect and to see how Freedom Riders were treated.

"To make it appear that Freedom Riders were comfortable, the jailers transferred me and eight other Negro girls to the prison hospital for 1 1/2 days. This freed three cells into which white girls were placed. The Minnesota visitors, therefore, saw conditions which were especially prepared for their inspection. As soon as the visitors left, we were removed from the hospital and the former overcrowded situation was restored in maximum security quarters.

"TREATED CIVILLY"

"I was taken to the Hinds County jail on July 7 to sign a $500 appeals bond. My time would have been up Aug. 4.

"In the prison, we were addressed by our given names. We could receive two letters and and write two letters a week,

but no visitors could come in and no packages could be received.

"I understand that some girls in the last group taken to the penitentiary before I left were given a most painful and extremely personal examination by the women trusties.

"Several girls suffered asthmatic attacks because of the heat and crowded conditions. They received prompt attention and medication.

"WOULD DO IT AGAIN"

"Oh, yes, the jail cells - city, county and state - were racially segregated. We were placed in segregated jails because we protested segregated travel facilities.

"I feel that the Freedom Riders generally received 'preferential' treatment. That is, the officers had obviously been instructed not to handle us in the same manner as they handled other Mississippi prisoners.

"I left Jackson on July 11 and reached home that night. My mother and father were happy to see me and I was glad to be home.

"I feel that my experiences, my sacrifices, are a necessary phase in our non-violent efforts to secure first - class citizenship. Freedom Rides must continue until all vestiges of travel segregation are erased. Young people everywhere should join this movement. As for me, I would not hestitate to do the same thing over again."

WELCOMED HOME -- Sandra Nixon, center, is surrounded by her little sisters and brother who were overjoyed when she returned home after spending 40 days in Mississippi jails for being a Freedom Rider. Left to right are Odette, 7; Sandra, 19; Dempster, 6, and Juliette, 14, who are urging her to tell them of her experiences. (PHOTO BY PORTER)

# JACKSON FINES 13 ON FREEDOM RIDE

The New York Times

## Jail Terms Suspended — Alabama Effort Slowed

p. 26

By United Press International.

Thirteen more Freedom Riders were convicted yesterday of breaching the peace in Jackson, Miss.

Dues. 6-6-61

Meanwhile, a Negro integration leader conceded that an injunction against freedom rides in Alabama had slowed down the movement.

New York Times

But in New York the Congress on Racial Equality said a "fly-in" was planned today to hit segregation barriers at Jackson's airport.

Jackson prosecutors accepted $200 fines and suspended sixty-day sentences for six whites and seven Negroes arrested for having tried to use segregated facilities in the bus terminal.

Jack Travis, city attorney, told the court:

"There appears to be a plot and a conspiracy to completely break down our laws. After today, the State of Mississippi and the City of Jackson will demand in other cases similar to these the maximum penalty" of $200 fines and four months in jail

### Plans Disrupted

Edward King of Atlanta, head of the Freedom Ride Coordinating Committee said the publicity given Judge Frank M. Johnson's restraining order had left many persons with the impression that the rides had been outlawed throughout the South.

He said the order came when the movement was gaining momentum, and "threw a monkey wrench" into many plans.

An immediate effect, he said, was to place Alabama off limits to Negro college students planning to test segregated travel facilities on their way home for summer vacations.

A group of five freedom riders was to have left Richmond, Va., tonight on a Trailways bus bound for Jackson. They were to have bypassed Alabama and enter Mississippi from Tennessee, after a stop at Nashville for final instructions.

Dr. King said the group had been advised not to attempt to use white facilities until it reached Jackson, where 65 freedom riders have been jailed.

One rider arrested at Jackson was a white man, Richard Gleason, 24 years old. He was permitted to hold a news conference at the City jail last Friday.

Mr. Gleason, a Chicago minister, said he had incurred the anger of some of his jailed colleagues because he refused to join a hunger strike, which proved short-lived.

He said he had joined the movement because he thought it was a "good step toward desegregation." He said he had been shocked to learn that some riders had prison records.

### 2 Lawyers Going South

Assemblyman Mark Lane and Percy Sutton, president of the Manhattan chapter of the National Association for the Advancement of Colored People, said yesterday they would leave tonight to investigate the arrests of Freedom Riders in Alabama and Misissippi. They plan to offer assistance as lawyers.

Mr. Lane, a Democrat representing the Tenth Assembly District of Manhattan, advised Attorney General Robert F. Kennedy by telegram of the trip.

He said he and Mr. Sutton "plan to us all of the facilities available to people traveling within the United States, as so clearly enunciated by the United States Supreme Court."

"We call upon you, as the chief law enforcement officer in the United tSates, to guarantee that we will be protected from unlawful acts, whether committed by unruly crowds or by those acting under the color of the law," the message said.

The two will leave at 6 P. M. from Newark Airport for Atlanta, Mr. Lane said. From Atlanta they will proceed tomorrow by bus to Montgomery, Ala., then to Jackson, Miss.

Mr. Lane said they expected to remain in the South four or five days, but would stay longer if their services were needed.

### Minister Quits Movement

JCKSON, June 5 (AP)—A 24-year-old Chicago minister quit the Freedom Rider ranks today, saying "I will not knowingly associate with any questionable organization."

The Rev. Richard Gleason, a Baptist, said his conversation with other riders had involved atheism, communism and deceit.

"I advise anyone thinking of joining the riders to look them over carefully," he said.

The minister met with newsmen in police offices. He was one of six persons arrested at a bus terminal Friday after a freedom ride from Atlanta to Jackson by way of Montgomery, Ala.

"I heard the movement was doing some good in the area of desegregation," he added. "I had met none of my future partners. If I had, that would be another matter."

When he was arrested, he said, "officers began to tell me about the persons in my party; I went back to the cell and asked them about the records and asked if it was true."

"They said, "Yes, what's wrong with that," he recalled. "I don't see how any group like that can do anything about segregation in the South."

Some riders told him that if the Communist party was doing something worth while, they should join the party, he said.

# MISSISSIPPI COURT FINES 27 FOR TEST AT BUS TERMINAL

The New York Times

Sat. 5-27-61

## 60-Day Terms Suspended by Judge in Jackson— Appeal Is Expected

P-1

By CLAUDE SITTON

Special to The New York Times.

JACKSON, Miss., May 26—Twenty-seven Freedom Riders were found guilty here today on charges arising from attempts to desegregate bus terminal facilities.

Municipal Judge James L. Spencer fined them $200 each and gave then suspended sixty-day jail terms on charges of refusing to obey an officer.

[In Montgomery, Ala., five integrationists, including the chaplain, a professor and a student at Yale University and two professors at Wesleyan University, were released on bond.]

The defendants here were expected to appeal the sentence.

### Entrapment Is Charged

Attorneys representing the demonstrators accused the city police of entrapment, contending that "out-of-order" signs had been placed on the door of the waiting room reserved for Negroes. City attorneys denied this charge.

The arresting officer, Capt. J. L. Ray, testified that he had been ordered to arrest the Freedom Riders if they entered a white waiting room.

Stringent security measures were enforced during the trial in the vicinity of the municipal court. Newsmen and a handful of Negro spectators were the only ones allowed into the courtroom. The police kept pedestrians moving on sidewalks around the building.

James L. Farmer of New York, director of the Congress of Racial Equality, was among the defendants.

### Other Riders Ready

The precautions apparently were designed to prevent a repetition of an incident that took place during the recent trial of students who had staged a sit-in at the public library here.

When Negro spectators lined up along the sidewalk across the street from the court's main entrance began to chant, the police charged them with three snarling dogs. Several persons were bitten.

Today's proceedings took place amid reports that other Freedom Riders were waiting in New Orleans and Nashville to come to Jackson if the demonstrators here were convicted.

The twenty-seven riders arrived Wednesday in two groups aboard Trailways buses that had been escorted from Montgomery, Ala., by National Guardsmen and state highway patrolmen.

Sat. 5-27-61

Four members of the first group of eleven Negroes and one white were arrested after ignoring a policeman's order to move away from a rest room entrance in the white waiting room. Eight others were seized inside the rest room.

The second group of fourteen Negroes and one white lined up in front of the waiting room's cafeteria and refused to move. All were charged with breach of the peace and refusing to obey an officer.

The Freedom Riders turned down an offer by the National Association for the Advancement of Colored People to post bond for them.

### Court Permits Integration

JACKSON, Miss. May 26 (UPI)—Two of the defendants were white youths who at first were seated on the white side of the segregated municipal courtroom.

Court officials agreed, however, to allow the two white defendants sit with their Negro companions on the request of their attoneys.

The first of the Negroes to be put on the witness stand after the state had completed its case was the Rev. Mr. James M. Lawson Jr., a Methodist minister of Nashville, Tenn.

On cross examination Mr. Lawson acknowledged that he had been sentenced to three years in Federal prison for refusal to serve in the armed forces.

The prosecution used only one witness—Captain Ray, who was assigned to a police detail at the Jackson bus terminal after having heard that the Freedom Riders were on their way to Mississippi.

At one point the defense asked Judge Spencer for a directed verdict of acquittal on the ground that there had been no evidence presented by the state, that the defendants had been arrested because of race and that their arrests were in violation of the United States Constitution and interstate commerce regulations that provide facilities for interstate travelers be integrated.

Judge Spencer pulled a law book from a collection of more than a dozen on the bench of his walntu-panelled court room and read the state statutes on which the twenty-seven riders had been arrested.

He said they had been brought to trial on clear points of sate law and therefore he could not direct a verdict of not guilty.

Willey Branton of Pine Bluff, Ark., who directed the legal action for Negroes involved in the 1957 Little Rock Ark., school integration dispute, was one of four lawyers who represented the defendants. Another was Charles Olden of St. Louis who is national chairman of the Congress of Racial Equality.

Mr. Branton said Mississippi has brought the defendants to Jackson under the command of National Guardsmen and state troopers with an advance plan to get them arrested.

### Entrapment Alleged

"The bus was under control of the state of Mississippi and there was an element of entrapment," Mr. Branton said.

"The National Guard and the police were stationed at the bus terminal so as to funnel the defendants into the white waiting room.

"What happened on their arrival was influenced by their mental and physical condition imposed upon them during their trip."

"Were you permitted to leave the bus any time in Mississippi?" the attorney asked Mr. Lawson.

"We were not," he said.

"Did you request a rest stop?"

"Yes."

Mr. Lawson was asked what he saw on his arrival at the Jackson bus terminal. He said he noticed a sign on the Negro rest room reading, "out of order."

He said he then walked across the waiting room toward what he thought was a magazine rack when a police officer told him to "move on."

He said he moved into the white rest room and was followed by an officer who told him to move on again and then arrested him.

When the prosecution cross examined Mr. Lawson the first questions asked had to do with whether he had committed any crimes.

He admitted that he had refused to serve in the armed forces because "I am a Methodist minister and a Christian and cannot serve in any army."

He said he had been sentenced to three years in prison but was never asked whether he served.

He said his transportation to Jackson had been paid for by the National Nonviolent Movement of Nashville, Tenn.

Captain Ray testified that he had arrested the Freedom Riders because he knew they had come to Jackson for the purpose of creating a disturbance at the bus terminal.

A Jackson Negro attorney, Jack Young, questioned Captain Ray and finally asked him in a quiet voice:

"Captain Ray, you know me very well and you know I live here in Jackson. If I had come into the rest room with [illegible]

people, would you have arrested me also?"

"Jack, under the same circumstances I would have arrested you."

James L. Farmer, the national director of C. O. R. E., testified that he had taken the trip to learn "to what extent there was compliance with the Supreme Court."

A Negro Baptist minister from Nashville, the Rev. C. T. Vivian, said he had joined the riders because he wanted "to see if laws of the United States Government would make it possible for all members of society to travel through Jackson without being degraded and treated in an inferior method."

Mr. Vivian said officers arresting the riders first failed to take him into custody and he told a policeman:

"These are my companions being arrested. Why wasn't I? The policeman took my name down quietly and seemed a little ashamed that he had missed me."

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MONTGOMERY, Ala., May 26 (UPI)—Five Freedom Riders, including three white professors and the chaplain of Yale University, posted $1,000 cash bond each today and were released from county jail.

Those released after a night in the fourth-floor county jail were:

The Rev. William S. Coffin Jr., 36 years old, chaplain at Yale; Dr. John Maguire, 28, Assistant Professor of Religion at Wesleyan University at Middletown, Conn.; the Rev. Gaylor B. Noyce, 34, assistant professor at the Yale Divinity School; Dr. David E. Swift, 47, Professor of Religion at Wesleyan, and George B. Smith, 24, a Negro student at Yale.

Bonds were put up by Charles S. Conley, a Negro lawyer.

Mr. Smith told newsmen outside the Sheriff's office that he had to take examinations at Yale next week, and Mr. Coffin was scheduled to deliver a sermon Sunday.

Mr. Coffin, appearing tired and unshaven, told newsmen:

"You are well aware that we have been detained for more than twenty-eight hours, a procedure which is blantantly illegal and a traversy of justice."

**Sees Effect Overseas**

The Yale chaplain went on:

"Speaking as a member of President Kennedy's Advisory Council for the Peace Corps, I had a lot of time to think about the Peace Corps. I now know that every man and woman who will go to Tanganyika, the Philippines and Colombia this fall will bear the burden of Montgomery, Alabama."

The five were hustled into their attorney's car, which was flanked by more than twenty National Guardsmen.

Sheriff Mac Sim Butler and his deputies then ordered the five defendants to leave immediately because they were blocking the driveway.

Mr. Conley said bond for those released had been raised by wire from people in the home towns of the five.

**Some Still in Jail**

Still behind bars were the Rev. Ralph D. Abernathy, Montgomery integration leader; Wyatt Tee Walker, chairman of the Southern Christian Leadership Conference of Atlanta; the Rev. Fred L. Shuttlesworth, Birmingham integrationist; Bernard Lee of Atlanta, and Joseph Charles Jones and Clyde L. Carter, students at Johnson Smith College of Charlotte, N. C., all Negroes.

There was no indication whether they would post bond.

Earlier Adjutant General Henry V. Graham of Alabama announced that martial law would continue here until Freedom Riders ceased "their stupid, immoral and criminal provocations."

The major general, commanding about 1,000 National Guard troops, said he was taking "extra precautions" during the week-end to see that law and order was maintained.

Last Tuesday after he had escorted two groups of racially mixed riders to the Mississippi State line, General Graham said he thought he could recommend dissolving martial law.

**'Will Need Security'**

"But how are you going to do it if these provocations continue?" he asked today. "If we are going to have another circus, as we had one circus, we will need security."

General Graham said that when the white professors from Northern colleges tried to integrate the Trailways bus terminal here yesterday a crowd of more than 2,000 gathered—including some "excited whites"—which created a condition endangering all those present.

General Graham went on:

"Any other persons who violate the laws of this state * * * particularly at this time, will be arrested and prosecuted with full vigor."

Associated Press Wirephoto

POLICE DOGS ON WHEELS . . . Two members of the New Orleans police canine corps try out the three-wheel cycles with their handlers, Patrolmen Albert Andry, left, and Howard Pittman. The cycles are designed for quick transportation of the crowd-controlling police dogs.

# 27 'Freedom Riders' Are Fined And Given Suspended Jail Terms

The Courier-Journal
Louisville, Ky.
Sat. 5-27-61

## Are Convicted In Mississippi

By The Associated Press

Twenty-seven "freedom riders"—all but two of them Negroes—were convicted of breach of the peace in Jackson, Miss., last night, fined $200 each, and given 60-day suspended sentences at the request of the prosecution.

The convictions were the first in connection with recent attempts to integrate bus-terminal facilities in Alabama and Mississippi.

*Three stories dealing with the racial problem and written by Tom Duncan, Worth Bingham, and Robert Riggs are in Sunday's Passing Show.*

Municipal Judge James Spencer told the riders that their conduct "flagrantly disobeyed the law" and had led to mob action. He said it would appear that they wanted violence instead of taking their cases through the courts.

**'Took Law In Own Hands'**

If any person wanted to challenge the laws, he said, orderly methods are provided by law.

"These people took the laws into their own hands and flagrantly disobeyed the law," he said.

The judge emphasized he was not trying any segregation laws or the defendants' rights to ride on any particular buses in any way.

Defense attorney Wilye Branton, Little Rock, Ark., contended that officers herded the "freedom riders" into a waiting room for white persons when they arrived Wednesday from Montgomery, Ala., in what he described as "a plot to arrest them."

Shortly before the convictions at Jackson, the Rev. William S. Coffin, Jr., chaplain at Yale University, and four fellow integrationists were released on bond at Montgomery after spending 28 hours in jail after a bus-station desegregation attempt.

P-3

*Coffin, a member of the President's Youth Corps Advisory Council, told newsmen as he stepped outside:*

"While I have been in jail I have had time to think of every Peace Corps man and woman, whether tehy come from the North or South, and particularly those going to Tanganyika, the Philippines, and then Colombia. They will have to bear the burden of Montgomery, Ala."

**'Travesty On Justice'**

Coffin called his arrest and the detention of his companions "blatantly illegal" and a "travesty on justice."

Cash bonds of $1,000 each were posted for the chaplain; the Rev. Gaylord B. Moyce of Yale's Divinity School; Dr. David E. Swift and Dr. John B. Maguire, Wesleyan University religion professors, and George B. Smith, a Negro student at Yale.

Six others, all Negroes, who were arrested with them, remained in jail and may stay there until a hearing set for June 16. An attorney said they might protest by refusing to eat.

**Five Whites Convicted**

Five white men were convicted in Montgomery City Court on charges growing out of last Saturday's violence which erupted when a group of integrationists arrived at a bus station.

They included Usco Wright, 39, Deatsville, convicted of assaulting Jim Atkins of WBRC-TV at Birmingham. Wright was fined $100 and costs and sentenced to 10 days in jail.

Others convicted were Henry Stanley, 23, Montgomery, assault and battery, 30 days in jail; Larry Pounders, 18, failure to obey an officer, $100 fine, and James and Charles Garner, loitering and disorderly conduct, $75 fine each.

**'Immoral And Stupid'**

*Other developments on the racial front:*

1. Alabama Adjutant General Harry V. Graham, commanding the National Guard troops enforcing military law in Montgomery, told newsmen that the refusal of "freedom riders" to suspend their campaign in response to an appeal from Attorney General Kennedy was "immoral and stupid in general."

"How are we going to end it (martial law) when these people ignored the Attorney General's appeal to slow up?" he asked.

2. An Episcopal bishop in Mobile, Ala., the Rt. Rev. George M. Murray, denounced racial violence in the state as "a disgraceful offense against almighty God." He said, "A Christian society does not turn even a murderer to a mob."

3. In Tampa, Fla., the president of the state organization of the National Association for The Advancement of Colored People ordered a test of racial barriers of all rail and bus terminals in that state.

38a 1961

MISSISSIPPI

FREEDOM RIDERS- JACKSON
ARRESTED

# 27 'Freedom Riders' Are Jailed On Arrival In Mississippi Capital

The Courier-Journal

## Police, Troops Shield Them

From Wire Dispatches

Jackson, Miss., May 24.—Twenty-seven white and Negro "freedom riders," shielded by National Guard bayonets, invaded the heartland of Southern racial segregation Wednesday and were promptly arrested. 5-25-61

The avowed purpose of the "freedom riders" was to defy all segregation barriers connected with travel on the highways. Their publicized arrival last weekend in Montgomery, Ala., touched off violence that resulted in martial law and the dispatching of hundreds of United States marshals. P-1

This was the first of what Negro leaders vowed would be a continued attack on all forms of racial segregation in the Deep South.

There was no violence Wednesday, but highway patrolmen, helicopters, National Guard bayonets, and local police kept sullen crowds away from the two Trailways buses that sped the "freedom riders" 250 miles from the capital of Alabama to the capital of Mississippi. Louisville, Ky.

The first bus took four rest stops in Alabama. Once it crossed the Mississippi line, however, it hit speeds up to 90 miles an hour and made no stop till it reached Jackson.

*The "freedom riders" have left Montgomery but the tension remains, Tom Duncan writes on Page 6.*

The 11 Negroes and one white man on the first bus were singing calypso songs when the bus crossed the state line at Cuba, Ala.

**Bomb Rumor Halts Bus**

It stopped in the rain because of a rumor that someone in the silent crowd at the state line planned to throw a dynamite bomb.

Police were waiting in Jackson.

The men aboard the first bus swung down when it reached the Jackson terminal at 3:55 p.m. They walked into the whites' rest room and were arrested. Others in the party were arrested in the whites' waiting room.

The second bus, carrying 14 Negroes and one white man, reached Jackson 2 hours later. All were arrested when they walked into the white cafeteria. They sang hymns on the way to jail.

All 27 were charged with disorderly conduct and refusing to obey an officer. They were held in lieu of $1,000 bonds.

**People Draw Praise**

Governor Ross Barnett, a leading member of the White Citizens Council, has sworn to rush them through his state without stopping, or to arrest any who violated local laws and customs.

"You got to hand it to the people of Mississippi," State Public Safety Commissioner T. B. Birdsong said. "They were just as nice as they could be. They didn't jeer. They didn't yell. They didn't do anything bad."

A third bus from Atlanta, carrying four white professors from Yale and Wesleyan universities and three Negro students, rolled later into Montgomery, where a crowd was waiting at the bus station. This group did not enter any segregated facilities and left the terminal by cars to visit Negro leaders. P-30 Sec 1

James Farmer, national director of the Congress of Racial Equality, was among those arrested in Jackson.

Also arrested were Paul Pietrich, a 29-year-old white man from Washington, and the Rev. James M. Lawson, a Negro minister from Nashville.

**Mississippi Plans Set**

To guard against upheaval in Mississippi, Governor Barnett said he would call out the National Guard or take any steps needed to preserve the peace.

Louisiana Governor Jimmie H. Davis said racial agitators were not welcomed in his state, referring to both the "freedom riders" and the "hate bus" carrying members of the American Nazi Party. The hate bus arrived in New Orleans Tuesday night.

# 7 More Freedom Riders Are Jailed at Jackson

JACKSON, Miss., June 6 (AP)—Seven more "Freedom Riders" quickly landed in jail at Jackson, Miss., today after a new attack on Mississippi's segregation laws.

Two Negroes and five whites were jailed for breach of peace, the same charge used to jail 65 earlier Freedom Riders. Authorities maintained the breach-of-peace charge has nothing to do with segregation, but the Mississippi Legislature approved the statute last year with an anti-integration label.

Today's group came by bus from New Orleans. Their arrival was uneventful, except for their speedy arrest.

Meanwhile, the first Freedom Fly-In to test "Jim Crow" barriers was scheduled to leave St. Louis for Jackson via a regularly scheduled Delta Airlines flight.

Louisville apparently will be the starting point for more Freedom Riders testing desegregation policies of interstate travel facilities in the deep South.

Louisville integration leader Frank Stanley Jr., said students from Washington, Baltimore, Pittsburgh, Philadelphia, Richmond, Va., and Louisville would convene there Thursday to study the city's desegregation movement and organize the rides.

# Mississippi Arrests 17 More Riders

JACKSON, Miss. (AP) — Seventeen "Freedom Riders" were arrested and jailed here Sunday in two separate incidents in a whites-only waiting room at a bus station.

Police charged them with breach of the peace.

Nine persons — seven Negroes and two whites — were arrested during the morning. Eight more — six Negroes and two whites — were arrested in the afternoon.

**DIDN'T MOVE**

In the latter contingent, nine left Montgomery, Ala., for Jackson, but one of them did not participate in the desegregation test.

Arrests were made after police Capt. J. L. Ray told them to "move on" and they didn't budge.

One Negro woman was arrested as she used a white waiting-room telephone.

**TOTAL NOW 17**

Two persons were arrested and searched after they took seats in the white waiting room.

Otherwise there were no incidents as the number of prisoners grew to 17. The latest arrivals were from Montgomery, Ala.

Earlier, nine persons were arrested as they climbed off a Memphis-to-New Orleans bus and strode into the white waiting room.

**ARRESTED AFTER WARNING**

Ray had told them to move on. When they did nothing, Ray said: "Did you hear me say move on?"

After getting no response, Ray said: "Every one of you are under arrest."

Officers then herded them into a paddy wagon under the watchful eyes of highway patrolmen and FBI agents. The officers were not needed, however, as there was only a handful of spectators at the station and no incidents occurred.

**5 MAKE BOND**

Last week, 27 riders were arrested and subsequently convicted by Municipal Judge James Spencer on breach of peace charges. Five gained freedom on bond, but 22 still were behind bars.

In Montgomery, scene a week ago Saturday of bloody rioting, an attempt was made to arrest the Jackson-bound riders when they used white rest room facilities at the white lunchroom, which was closed. Two white riders then headed for the Negro lunchroom, but as they approached, it, too was closed.

It was the same bus station where 11 integrationists were arrested last Thursday when they sat at a white lunch counter.

A spokesman for the Congress of Racial Equality—CORE—Tom Gaither of Great Falls, S.C., said the nine riders were convoyed to the Montgomery bus terminal by National Guardsmen from the home of the Rev. Ralph D. Abernathy, where they had spent the night after arriving in Montgomery Saturday. National Guardsmen and state patrolmen escorted them.

**8 JAILED IN ALABAMA**

The eight in the Montgomery group who were jailed were identified as:

Franklin W. Hunt, 22, Washington, D.C., unemployed.

Larry Fred Hunter, 18, Atlanta, student, Tennessee A&I.

William C. Mahoney, Washington, D.C., student, Howard University.

Pauline Knight, 20, Nashville, student, Tennessee A&I.

Albert Lee Dunn, 26, Fort Worth Tex., Methodist minister of a church in Clarkston, Ga.

**2 WHITES INCLUDED**

Allen Cason Jr., 19, Orlando, Fla., student, Tennessee A&I.

Charles David Myers, 21, Noblesville, Ind., student Central State College, Wilberforce, Ohio, —white.

David D. Fankhauser, 19, Cincinnati, Ohio, student Central State College,—white.

All are representatives of the Student Nonviolent Committee of the Nashville Christian Leadership Council.

Cason was with the original Freedom Riders group attacked by a mob in Montgomery.

The ninth rider who did not participate in the integration effort at the bus station was identified as Louis Jordon, 28, of Detroit, a student at Central State College.

The Memphis group booked in Jackson earlier were:

Catherine Burks, 21, Birmingham, Ala.; Frances Wilson, 22, Nashville; Frederick Leonard, 18, Chattanooga, Tenn.; Lester G. McKinnie, 21, Bolivar, Tenn.; Mary Jean Smith, 19, Nashville; Etta Simpson, 19, Nashville; William Harbour, 19, Nashville; William Mitchell Jr., 19, Oklahoma City, and Clarence Wright, 19, Nashville.

Miss Burks, Leonard, Miss Simpson, Harbour and Mitchel were members of the Freedom Riders group which was attacked in Montgomery.

A CORE spokesman in Montgomery said that there would be no more Freedom Riders activity Sunday in the Alabama capital.

The scene in Montgomery shifts Monday to a federal courtroom where U.S. Dist. Judge Frank M. Johnson Jr. will consider a Justice department suit aimed at preventing further bus station riots.

**CASE AGAINST KLAN**

The Justice department alleges that Ku Klux Klan members led rioting mobs in Montgomery and Birmingham, Ala., and that police deliberately failed to stop them.

The federal government is asking the judge to prohibit police authorities from failing to protect Freedom Riders and other interstate passengers. The suit also seeks to continue in effect a temporary no-violence order issued eight days ago against the KKK.

On Wednesday, Johnson is scheduled to hear a Freedom Riders suit which would desegregate Montgomery bus terminals and prohibit city, county and state officers from enforcing segregation laws.

**RIDERS ORDERED TO 'MOVE ON' AT JACKSON BUS STATION**
**. . . They refused and were jailed . . . They face trial today**

# 17 'riders' face trial in Jackson

The Birmingham News p-1
Birmingham, Ala.
Mon. 5-29-61

JACKSON, Miss., May 29 (AP)—Seventeen more segregation-defying "freedom riders" go on trial in city court today amid reports a fifth group would leave soon for Jackson.

Twenty-two riders convicted on here in Mississippi's capital city on breach of peace charges last Friday, were transferred today to the county penal farm to work off their $200 fines at the rate of $3 a day. Five others posted bond earlier and were released.

The 17 newly arrested freedom riders—13 Negroes and four whites—go on trial on the same charges as the other 27. If convicted, they can post bond, pay a fine and/or serve sentence.

**Four separate groups of bus riders attempting to desegregate bus terminals through the South have arrived in Jackson since last Wednesday.**

Two bus loads from Montgomery, traveling about four hours apart, arrived and were arrested after entering white waiting rooms and failing to obey police orders to leave.

SUNDAY two more groups arrived—one from Montgomery and the other from Memphis. Both had originally left Nashville late Saturday.

A Memphis-to-New Orleans bus group—seven Negroes and two whites—were arrested during the morning. Eight more—six Negroes and two whites—were arrested upon arrival in the afternoon. One of the latter contingent did not participate in the desegregation test and was not arrested.

**Arrests were made after Police Capt. J. L. Ray told them "you'll have to move on," and they didn't budge.**

When they did nothing, Ray said: "Did you hear me say move on?"

After getting no response, Ray said: "Every one of you are under arrest."

THEY WERE immediately herded into a waiting paddy wagon under the watchful eyes of highway patrolmen and FBI agents and hauled less than two blocks to city jail.

The officers were not needed, however, as there was only a handful of spectators at the station and no incidents occurred.

**The first arrested yesterday were identified as:**

Catherine Burks, 21, Birmingham; Frances Wilson, 22, Nashville; Frederick Leonard, 18, Chattanooga; Lester G. McKinnie, 21, Bolivar, Tenn.; Mary Jean Smith, 19; Nashville; Etta Simpson, 19, Nashville; William Mitchell Jr., 19, Oklahoma City and Clarence Wright, 19, Nashville.

Birmingham News p-1

THE EIGHT ARRESTED later were:

Franklin W .Hunt, 22, Washington, D. C.; Larry Fred Hunter, 18, Atlanta; William C. Mahoney, no age, Washington, D. C.; Pauline Knight, 20, Nashville; Albert Lee Dunn, 26, Fort Worth, Tex.; Allen Cason Jr., 19, Orlando, Fla.; Charles David Myers, 21, Nobles-ville, Ind., and David D. Fankhauser, 19, Cincinnati.

Mon. 5-29-61

hTe ninth rider who did not participate in the integration effort at the bus station was identified as Louis Jordan, 28, Detroit. He returned to Montgomery by bus.

# 21 MORE RIDERS ARE CONVICTED

The Times
Each Fined $200, Given Jail Sentences

Clarke
Pol. Sci. 6
New Orleans Trip

JACKSON, Miss. (AP)—Twenty-one more segregation - testing travelers — including a white New York state assemblyman — were convicted of breach of the peace charges here Thursday.

Municipal Judge James Spencer fined each person $200 and sentenced them to four months in jail. He suspended two months of the sentence.

The group included nine whites and 12 Negroes who were arrested Wednesday and Thursday at Jackson bus, train and airline terminals.

**TO TEST LAWS**

The group included one white man whose arrest had not been previously announced.

He was Mike Audain of Van Couver, Canada. He was arrested at a bus terminal en route to New Orleans.

Police said Audain told them he read of the "freedom riders" while he was in San Francisco and came here on his own to test the laws.

Police Capt. J. L. Ray was the chief witness, testifying that in each case the defendants were asked to move from terminal facilities and declined to do it.

The group also included three Negroes who arrivedby air from St. Louis, Wednesday. They were Gwendolyn Jenkins, 21, of St. Louis; Robert Jenkins, 27, also of St. Louis but no relation to the Jenkins girl, and Ralph Washington, 25, of the Webster Grove community near St. Louis.

Those convicted included six who arrived by bus Wednesday: Edward Kale, 24, Grangeville, Idaho, and John Gager Jr., 23, of New Haven, Conn., both white Yale divinity students; Carol Ruth Silver, 22, of New York, a white secretary, and Obadiah Lee Sims, 21, of Pittsburgh, Raymond B. Randolph Jr., 21, of New Haven, Conn.,an d Reginald M. Green, 21, Washington, all Negro students at Virginia Union university.

**ARRIVE BY AIR**

They included two who arrived by air Thursday morning:

Mark Lane, 33, of New York city, white, a member of the state legislature, and Percy Sutton, 40, of New York city, a Negro who is president of the city branch of the National Association for the Advancement of Colored People.

The other nine convicted in the first proceedings Thursday arrived by train Thursday. They were:

Jane Rosett, 18, Washington; Joan Trumpower, 19, Washington, Helene Wilson, 26, Washington, and Terry Perlman, 19, Bronx, N.Y. , all white women, and Robert Wesby, 33, Aurora, Ill., Travis Britt, 27, Brooklyn, N. Y.; John Trigg, 19, New Rochelle, N. Y., Gwendolyn Greene, 19, Washington, and Stokley Carmichael, 19, New York, all Negroes.

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MISSISSIPPI

FREEDOM RIDERS-JACKSON
CONVICTED- FINED

# 17 Freedom Riders Fined In Mississippi

Raleigh N.C.
Tues. 5-30-61

JACKSON, Miss. (AP) — Municipal Judge James Spencer convicted 17 more "Freedom Riders" Monday and slapped them with $200 fines and 60-day suspended jail sentences — the same penalties he imposed on 27 others last week. P-1

Judge Spencer stressed, as he did when he sentenced those last week, that the Freedom Riders were tried on a breach of the peace charge, and not for violating Mississippi segregation laws.

**No Appeal Planned.**

Jack R. Young, the Negro defense attorney, said immediately after the 15 - minute trial the Freedom Riders would not appeal.

Of the 27 Judge Spencer convicted and sentenced last Friday, only eight chose to post appeal bonds. The others preferred to remain in jail.

As Spencer was trying the 15 Negroes and 2 whites in Jackson, a workshop was in progress in New Orleans, teaching about two dozen students — most of them white—the techniques of nonviolence.

The workshop, sponsored by the Congress of Racial Equality, ostensibly was held to prime those for a bus trip reportedly to be made from New Orleans to Jackson Tuesday.

Those tried Monday arrived by bus from Memphis and Montgomery, Ala., Sunday and promptly went to City Jail when they refused to heed a police officer's order to move. The Freedom Riders attempted to use white facilities at the bus station and the arrests came when they ignored police orders.

**May Stay in Jail.**

The group Monday like the first Freedom Riders, have the option of paying their fines, posting appeal bonds, or going to jail. The 60 - day sentences were suspended at the request of the prosecution, as one prosecuting attorney said last week—"because we don't want to be too harsh."

Richard Haley, field director for CORE, charged Monday a guard at the Hinds County Prison Farm where the 19 are serving their sentences clubbed a Freedom Rider for failing to address the guard as "Sir."

Those who posted appeal bonds Monday after arriving at the camp, Haley said, told him the Rev. C. T. Vivian was clubbed several times by the guard. Haley said the 36 - year - old Vivian, who lives in Chattanooga, Tenn., was given first aid after blood began to flow.

Prison farm Supt. Max Thomas could not be reached for comment on Haley's accusation. But Sheriff J. R. Gilfoy said he would investigate the report.

**Martial Law Ends.**

In Montgomery — scene of violence on the arrival of the Freedom Riders in days past — Alabama Gov. John Patterson ordered an end to martial law in the city at midnight Monday.

Patterson called out the National Guard and imposed martial law on the city eight days ago after a brick - throwing mob stormed a Negro church where a mass meeting was in progress.

In another Montgomery development Monday, a Negro student testified that the only policeman she saw on duty shortly before violence started drove away just as the Freedom Riders arrived.

Patricia Ann Jenkins, a student at Tennessee A&I at Nashville, was the first witness at a federal court hearing.

Raleigh N.C.

The Justice Department has asked U.S. Dist. Court Judge Frank M. Johnson Jr. for an injunction to compel Montgomery and Birmingham police to protect Freedom Riders and other interstate bus passengers in the future. Tues. 5-30-61

At New Orleans, George Lincoln Rockwell and nine members of his American Nazi party —opposed to race-mixers and Communists — were in their fourth day of a hunger strike in Parish (county) Jail.

The 10 were arrested last Thursday and charged with disturbing the peace in connection with their picket of the Israel-based film "Exodus."

**ARRIVE FOR HEARING**—Montgomery, Ala., Police Commissioner L. B. Sullivan and his wife, accompanied by a policeman, enter federal court for hearing Monday on government's request for an injunction to require police to protect passengers on interstate buses. Witnesses testified officers stood by while Freedom Riders were being beaten.

# 27 Riders Convicted And Fined

Atlanta Daily World
Atlanta, Ga.

JACKSON, Miss. — (UPI)— Twenty seven "freedom riders", including two white men, were convicted of a breach of the peace, given 60-day suspended sentences and fined $200 each in Jackson Municipal Court Friday. P-1

Those convicted Friday were arrested Wednesday when they rode into the state from Montgomery, Ala., on a heavily - guarded bus and attempted to use white bus station facilities in this bastion of segregation. Tues. 5-29-61

They were taken into custody on two Mississippi laws — breach of the peace and disobedience to police officers. The disobedience charge was dropped when the trial began.

The 27 defendants were returned to their jail cells pending a conference of attorneys as to whether they would appeal the decision.

They were expected to appeal immediately even the fines and then refuse to pay a bond for their freedom pending another trial.

The 27 riders could have been given up to a $500 fine plus six months in jail.

Mississippi and Alabama authorities have promised that new riders who violate state segregation laws will be arrested.

Jackson City prosecutor Jack Travis Jr. said in answer to a question about the possibility of new riders, "That's all right, we can accommodate them."

In testimony at the two -hour trial, Capt. J. L. Ray of the Jackson Police Department acknowledged that had the 25 Negroes obeyed signs posted in the bus terminal waiting rooms concerning white and Negro use of rest rooms, "I would not have arrested them."

The first of the Negroes to be put on the witness stand after the state completed its case was James M. Lawson Jr., a Methodist minister of Nashville, Tenn. P-5

On cross examination Lawson acknowledged that he was sentenced to three years in federal prison for refusal to serve in the armed forces.

Atlanta, Ga.

The prosecution used only one

witness - Capt. Ray, who was assigned to a police detail at the Jackson bus terminal after having advanced knowledge that the "freedom riders" were en route to Mississippi.

At one point the defense asked Judge James L. Spencer for a directed verdict of acquittal on grounds that there had been no evidence presented by the state, that the defendants were arrested because of race and that their arrests were in violation of the U. S. Constitution and interstate commerce regulations which provide that facilities for interstate travelers must be integrated.

Spencer pulled a law book from a collection of more than a dozen on the bench of his walnut -panelled court room and read the state statutes on which the 27 riders had been arrested.

He said they had been brought to trial on clear points of state law and therefore he could not direct a verdict of not guilty.

Willey Branton of Pine Bluff, Ark., who engineered the legal action for Negroes involved in the 1957 Little Rock, Ark., school integration dispute, was one of four lawyers who represented the defendants. Another was Charles Olden of St. Louis who is national chairman of the Congress of Racial Eqquality CORE.

Branton said Mississippi brought the defendants to Jackson under the command of National Guardsmen and state troopers with an advance plan to get them arrested.

"The bus was under control of the state of Mississippi and there was an element of entrapment," Branton said.

Lawson was asked what he saw on his arrival at the Jackson bus terminal. He said he noticed a sign on the Negro rest room reading "out of order."

He said he then walked across the waiting room toward what he thought was a magazine rack when a police officer told him to "move on."

He said he moved into the white rest room and was followed by an officer who told him to move on again and then arrested him.

Ray testified he arrested the "Freedom riders" because he knew they had come to Jackson for the purpose of creating a disturbance at the bus terminal.

Jackson Negro attorney Jack Young questioned Ray and finally asked him in a quiet voice:

"Captain Ray, you know me very well and you know I live here in Jackson. If I had come into the restroom with these people, would you have arrested me also?"

"Jack, under the same circumstances I would have arrested you."

# 27 Arrested In Mississippi As Rides Continued

JACKSON, Miss. — (UPI)—Two busloads of white and Negro "freedom riders" entered race-conscious Mississippi from the riot-scarred capital of Alabama Wednesday and were promptly arrested by waiting police.

The first busload of 12 "freedom riders"—11 Negroes and one white man — reached Mississippi's capital shortly afternoon. They were arrested at the terminal here when the Negro men walked into the white rest room.

The second bus load rolled into Jackson at 6:44 p. m., EDT, and its 15 riders, again including one white man, were rushed off to jail when they tried to enter the white cafeteria at the bus station.

They began singing hymns in the police wagon.

A third bus, carrying four white college professors from Connecticut and three Negro students, was on its way.

Negro leaders said the mass attempt to defy segregation customs of 90 years in the hardcore deep South was just the beginning. They said the "freedom ride" of the inter-racial groups would continue and fan out over the South from Montgomery, Ala., where violence broke out last weekend.

The first two buses were escorted by National Guardsmen and highway patrolmen along the seven-hour route from the capital of Alabama to the capital of Mississippi. Alabama officers turned the buses and their riders over to Mississippi officers at the state line.

Among those arrested on the second bus was James Farmer, national director of the Congress on Racial Equality (CORE) which started the "freedom ride" earlier this month from Washington, D.C.

Several hundred white persons—mostly silent — waited at the bus terminal in Jackson. Police with trained dogs on leashes held them back. There was no violence.

When the first bus pulled in after hitting non-stop speeds up to 90 miles an hour on the final stretch of the ride, the National Guardsmen who had boarded it at the state line stepped out first.

The men walked into the white rest room after reading a sign saying the Negro area was closed.

All were first held in lieu of $1,500 bond on three charges each of inciting to riot, breach of the peace and refusing to obey an officer. The inciting to riot charge—the most serious of the three—later was dropped against all 27 riders and the bonds reduced to $1,000 each on charges of disorderly conduct and refusing to obey an officer.

Arrested were Paul Deitrich, 29, of Washington, the only white person in the bi-racial group; Jean Thompson, 19, New Orleans; Harold Andrews, 23, Atlanta, of Morehouse Col.; Matthew Walker, Jr., 19, a Nashville student; the Rev. James M. Lawson, 32, a Nashville Methodist minister; Joseph Carter, 22, student from Brooklyn, N. Y.; Julia Aaron, 20, a Southern University student from New Orleans; James L. Bevel, 24, a Nashville student; Cordy T. Vivian, 36, a Nashville minister; Davis J. Dennis, 20, Shreveport; the Rev. Alexander Anderson, 35, a Nashville Methodist minister; and Bernard Lafayette, 30, a Baptist minister from Tampa, Fla.

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MISSISSIPPI

FREEDOM RIDERS- JACKSON
ARRESTED

# Lots of cell space available, says chief

The Birmingham News P-1

## 42 in jail; cases getting to be routine

Wed. 5-31-61

Birmingham, Ala.

By The Associated Press

JACKSON, Miss., May 3[illegible]—(AP)—Police in this Mississippi capital city of 150,000 were ready today with unlimited jail space throughout the state for more "freedom riders."

Already 52 persons testing segregation laws in bus and train terminals have been arrested and convicted on breach of peace charges. Ten have posted appeal bails or paid their $200 fines.

There are no new announced plans for more freedom rides.

**"They may as well quit," said Police Capt. L. C. Bennett. "They're not worrying us. It's getting to be routine."**

Yesterday, eight more freedom riders joined earlier groups in testing "Jim Crow" barriers. The newest arrivals—first to come by train—were speedily arrested and got $200 fines and 60-day suspended sentences. Their trial lasted five minutes.

THE 44 EARLIER freedom riders were jailed when they attempted to use white facilities in a cross-country bus terminal.

Thirty-four of the riders, including yesterday's arrivals, remain in jail. They will apparently work out their fines at the rate of $3 per day.

"We're a long way from being where we can't take care of them," Sheriff J. R. Gilfoy said. "If their idea is to saturate the jails, it will take a lot of people. the county jail here can hold 160 to 170 and the city jail between 150 and 175."

Eight whites are being held in the city jail and 26 Negroes in the county jail.

**Gilfoy said that if necessary a circuit judge can be petitioned for permission to send prisoners anywhere in the state.**

"I feel any sheriff would cooperate with me 100 per cent in keeping these prisoners," the sheriff said.

YESTERDAY'S ARRIVALS came from New Orleans aboard the crack passenger liner "City of New Orleans." The group included five whites—four students from Cornell University—and three Negroes.

Monday they had attended a special "workshop" in New Orleans on freedom ride tactics. The class was sponsored by the Congress on Racial Equality (CORE), one of the equal rights groups sponsoring the segregation tests.

They were arrested when they failed to obey police orders to move on following their arrival in Jackson, No incidents occured.

Both defense and prosecution attorneys agreed to skip a rerun of the two previous freedom rider trials and Municipal Judge James L. Spencer quickly convicted them.

CORE fied Secretary Richard Haley of Chicago, who observed the arrest and trial said they were "done in a business-like manner."

None of the eight would say if they planned to pay the fines or post appeal bonds.

Meanwhile, a group of Cornell students at Ithaca, N. Y., raised funds to get their classmates out of jail. Another Cornell group made plans to send more freedom riders into the South.

Eric Craven, 19, of New York City, chairman of the Cornell Committee against Segration, said his group planned to send one group of students South next week and another group the following week. He said the organization was taking instructions from CORE and would send the students wherever needed.

# 17 'Riders' Pass Through State, Jailed In Jackson

Birmingham Post-Herald

Birmingham, Ala.

Mon. 5-29-61

JACKSON, Miss., May 28 (UPI)—New waves of "freedom riders" made fresh assaults on bus terminal segregation practices today. They met expected arrest in Mississippi but surprisingly no resistance in Alabama.

Apparently arriving as part of a stepped up campaign by a new "freedom ride" co-ordinating committee, two groups of students, including 15 Negroes and two white youths, were promptly arrested when they entered the white waiting rooms at the two bus stations here.

The arrests brought to 45 the number of "freedom riders" jailed in this segregation stronghold within the past five days. The students rejected bond pending trial Monday on charges of breach of the peace.

One group of nine Negroes arrived at the Greyhound terminal early this morning from Nashville, Tenn. A second bi-racial group disembarked at the Trailways bus station this afternoon. There were no crowds, other than bus passengers, at either terminal.

**No Trouble**

The bi-racial group came here from Montgomery where they encountered no difficulty in using white facilities at the Trailways terminal. A similar attempt at the Greyhound station eight days ago touched off violence that brought U. S. marshals, National Guardsmen and limited martial law to the Alabama capital. Six Negroes entered the white rest room without resistance. The lunch counter and "colored" rest rooms were closed.

P-1

Under the eyes of armed Alabama guardsmen, the seven Negroes and two white students purchased tickets and boarded a bus for Jackson. The bus was escorted by Highway Patrol cars, carrying guardsmen, to the Mississippi border.

Alabama Adj. Gen. Henry V. Graham and Sheriff Mac Sim Butler saw the bus from Montgomery. Asked why the Negroes were not arrested when they used the white rest room, Butler replied, "None of us saw it. We were getting some sleep when the call came." Graham declined to comment " at the present time."

**Police Waiting**

Police officers were waiting for the nine Negroes who arrived in Jackson around dawn from Nashville. Appearing fresh from a night-long ride, the group, all students at Tennessee A&I University, gathered in front of the "colored" waiting room. Then they filed into the white waiting room.

"All right, you'll have to move on," an officer told them. When the order was ignored, he said 'Okay, you're under arrest." En route to the police wagon, one of the Negroes handed Det. Chief M. B. Pierce pamphlets entitled "Fellowship and Human Rights in America." Pierce laughingly agreed to distribute them.

The students joined 22 of the original 27 "freedom riders" in jail. Five of the students jailed last Wednesday were released under appeal bonds yesterday. one to graduate from college and four to fight charges against them in New Orleans for an earlier anti - segregation demonstration. The original 27 riders were convicted on breach of the peace charges last Friday.

The renewed "freedom ride" activity had been predicted Saturday in Atlanta by Edward B. King, a spokesman for a new coordinating committee for the anti-segregation rides. King said the new committee was formed Friday in the Atlanta office of the Rev. Martin Luther King Jr., top Negro integration leader in the South.

Birmingham, Ala.

**Hearing Set Today**

A hearing is scheduled to begin in U. S. Middle District Court in Montgomery Monday on a Federal injunction against interference with interstate bus passengers. Defendants include three Alabama Ku Klux Klan groups, Montgomery Police Commissioner L. B. Sullivan and Police Chief G. J. Ruppenthal and Birmingham police officials. Another hearing is to be held in Montgomery Wednesday on a Federal court suit filed by "freedom riders" attacking Alabama segregation laws.

The students who used white facilities in the Montgomery bus terminal today expressed surprise at the absence of resistance.

Mon. 5-29-61

"It's so calm it's almost unbelievable in comparison with what happened there Saturday (eight days ago)," said Pauline Knight, 20. "I just hope the people are peaceful in their hearts."

Two white youths with the group, David Myers, 21, and David Forkhauser, 19, both students at Central State College, Wilberforce, Ohio, said they were "pleasantly surprised" at the Montgomery reception. Myers said he would "really be surprised" if they were not arrested in Jackson.

# Jackson Suit Filed to Stop Riders' Arrest

JACKSON, Miss., June 9 (UPI)—Negro attorneys filed suit in Jackson today to stop the arrest of "Freedom Riders" under Mississippi segregation laws. The Justice Department, meanwhile, weent to the legal aid of the riders in Alabama.

The Mississippi suit was filed in U. S. District Court here just a few hours after local officials arrested another ground of five riders who arrived in Jackson by train from Nashville, Tenn., and attempted to use segregated facilities.

A total of 98 Freedom Riders have been jailed in Mississippi's capital city since May 24.

**New Rides Planned**

A Congress of Racial Equality spokesman in Atlanta said, meanwhile, that the movement was gaining momentum and new rides were being organized in Nashville, New Orleans, St. Louis, Memphis and Atlanta.

The spokesman, B. E. Cox, said some of the rides would have destinations other than Jackson. He said one group, including some "professional people was organizing in Maryland and would set out soon for Florida, "testing" facilities in Virginia, North Carolina, South Carolina and Georgia along the way.

The Jackson suit was filed by Thurgood Marshall, chief counsel for the NAACP and two local Negro attorneys—R. Jess Brown and Constance Baker Motley.

It asked that the city, the state and all bus lines and common carriers operating in the state be enjoined from continuing to enforce the state's racial segregation laws an dthe city's policy of segregation in waiting rooms and rest room facilities at transport terminals.

**Defendants Listed**

Named as defendants were State Attorney General Joe Patterson; the city of Jackson; Mayor Allen Thompson, City Commissioners Thomas B. Marshall and D. L. Luckey; Chief of Police W. D. Rayfield; Continental Southern Lines, Inc.; Illinois Central Railroad; Jackson City Lines, Inc.; Southern Greyhound Lines, Inc., and Cicero Carr, of the restaurant at the Municipal Airport.

38a 1961

MISSISSIPPI

# Station Mob Cries 'Kill 'Em,' Beats 5 Negroes in Mississippi

The Atlanta Constitution Thurs - 11-30-61

By CLAUDE SITTON

(Copyright 1961 by the New York Times Co.)

McCOMB, Miss. — A mob of whites shouting, "Kill 'em, Kill 'em!" set upon five Negro freedom riders Wednesday and drove them from the Greyhound bus station here.

Although the three youths and two girls were mauled severely, none was seriously injured. They fled to safety at a Negro hotel after escaping from their assailants in a waiting taxi.

A dozen white youths and men in the small but angry crowd joined in pummeling the Negroes. They chased them around and over counters and tables in the previously white waiting room of the terminal before kicking them out the door.

The mob tossed one youth into the air again and again in the street outside, kicking and beating him as he struck the pavement.

Five minutes after the Negroes had escaped, Chief of Police George Guy and Patrolman Edward (Big Eddie) Smith arrived on the scene from the City Hall, less than a block from the terminal. They cleared the streets and sidewalks with little trouble.

In an unrelated incident, a Columbia Broadcasting System television cameraman from Jackson, Johaan Rush, 19, was attacked Wednesday morning while taking films of the station and a group of whites standing around it.

The violence marked the first move in Mississippi's history to comply with a federal court desegregation order. The riders came here by bus Wednesday morning to test the city's compliance with a federal directive to halt the enforcement of segregation at bus and rail terminals.

The order was handed down in open court last week and filed Monday in Jackson. A U.S. deputy marshal served copies of it on Mayor C. H. Douglas, Chief Guy and the city's selectmen Tuesday.

FBI agents, who already were here, apparently as observers, began an immediate inquiry into the trouble.

The Justice department in Washington said the FBI will conduct a "complete investigation" into the incident.

The testing group, all members of the New Orleans chapter of the Congress of Racial Equality, said a further attempt would be made to use previously white terminal facilities.

"We'll be back," declared Doratha Smith, 18, after she had been examined by Dr. James Anderson.

The five Negroes came here under the leadership of Jerome Smith, 22, president of CORE's New Orleans chapter. The others are George Raymond, 18, Thoma Valentine, 23, and Alice Thompson, 22.

## 5 NEGROES BEATEN

# McComb Hit By Violence

The Montgomery Advertiser Thurs. 11-30-61 P.1.

MCCOMB, Miss. (AP) — Five Negroes who were beaten and kicked by whites at a bus station here Wednesday afternoon in what the justice department called "an outbreak of violence" left Wednesday night for New Orleans. Montgomery Adv.

The bus station closed about 10 minutes before the New Orleans-bound bus arrived. When the bus a 3:30 P.M. bus and he had planpulled in, police blocked off the ned to be there to try and prevent area and a taxicab brought the any trouble. But the Negroes artwo five Negroes—three men and rived earlier than he thought women — to the middle of the they would, Gaither added. street. They boarded the bus McComb Police Chief George under police protection, and there Guy said "I can't find the were no incidents. Negroes to find out what hap-

In the block there were num- pened." Advertiser

erous carloads of white men. Several of the men told a reporter: "It's a good thing they are leaving."

Earlier, in Washington, Atty. Gen. Robert F. Kennedy said McComb Mayor C. H. Douglas had assured the Justice Department that the five Negroes "who were the subjects of violence this afternoon will receive full and complete protection while in that city."

Tom Gaither, field secretary for CORE in Jackson, said the five arrived at the bus station just before 3 p.m. He said they were beaten for more than 10 minutes until McComb police arrived.

Gaither said Thomas Valentine was beaten and "thrown into the street."

Jerome Smith, whom Gaither identified as the chairman of the group, was the most severely beaten and suffered head lacerations. The two women, Gaither said, were knocked down and kicked.

Gaither said he understood the Negroes were planning to catch

**CAMERAMAN HIT**

Earlier, a crowd of whites attacked free lance photographer Johann Rush, 19, of Jackson, Miss., and reportedly tore his coat and damaged his camera.

Guy said that the disturbance involving Rush came after Rush took a picture of a bystander.

The police chief said several men "whipped him around a little bit" but added he thought Rush "was okay." 11-30-61

The police chief said Rush remained at City Hall, discussing the incident with officers but was not charged with anything. There were no other arrests made.

Guy said Rush talked with Columbia Broadcasting System's office in New York after the disturbance.

He was not reported seriously injured, but witnesses said his film was taken.

The incident came after an unsuccessful attempt by several Negroes to use what had been the white waiting room of the

NOV.

McCOMB - FREEDOM RIDERS

5 NEGROES BEATEN

terminal. They found the doors locked and officials reported gas had escaped from a pipe.

3Ba 1961

MISSISSIPPI

FREEDOM RIDERS -JACKSON, MISS.
6 WHITE FREEDOM RIDERS
ARRESTED

# Mississippi Arrests 6 White Riders

The Atlanta Constitution
Mon. 6-12-61 Atlanta Ga.
P. 2

By CLIFF SESSIONS

JACKSON, Miss. (UPI)—Six white "freedom riders," led by a blonde coed, were arrested Sunday when they sought service at a lunch counter in the Negro waiting room of the Greyhound Bus terminal.

The riders, four of them students at the University of Minnesota, came here from Nashville, Tenn., where they stopped off for instructions on "freedom riding" from the Nashville Non-Violent Movement.

Leading their invasion of the segregated waiting room was Claire O'Conner, a 22-year-old coed from St. Paul, Minn., and the only girl in the group. She and four other riders sat at the counter and were promptly arrested.

The sixth one, Eugene John Uphoff, 19, of Minneapolis, walked in later, struggling to carry a guitar, and he, too, was arrested after conceding he was part of the group.

Uphoff told officers he brought the guitar to "while away" his time in jail and to "keep spirits up." But it was taken from him under a policy against allowing metal objects in the cells.

Officers said Miss O'Conner told them she felt "stifled" by segregation.

Others in the group were identified as Marvin Allen Davidov, 29, of Minneapolis; Robert M. Baun, 19, Excelsior, Minn.; David Kerr Morton, 21, whose family recently moved from Minneapolis to Jackson, Wyo., and Zev Alcony, 23, of Minneapolis.

Officers said members of the group told them they answered a call for volunteers by the Congress of Racial Equality. They said six others from the university also agreed to make a "freedom ride" but later changed their minds.

38a 1961

MISSISSIPPI

JUNE,1961
FREEDOM RIDERS- JACKSON
FEDERAL JUDGE REFUSED TO RULE ON RIDERS UNTIL THE MATTER IS TAKEN THROUGH STATE COURTS

# Judge Refuses Rule On Riders

## Mize Says No Federal Role Is Proper Until State Courts Hear Cases

By United Press International

JACKSON, Miss., June 27.—A Federal judge refused Tuesday to rule on the constitutionality of Mississippi's arrests of the so-called "Freedom Riders" until the matter is taken through state courts.

District Judge Sidney Mize of Biloxi said it would be improper for Federal courts to step into the case at this time.

Judge Mize had been asked to deliver a ruling by attorneys who claimed Mississippi state courts are "behind segregation" and the matter should be "pried out of their hands."

### Strategy Session

As Judge Mize was delivering his answer from the bench, high ranking members of the so-called "Freedom Rider" movement were en route here for a closed-door strategy session later Tuesday.

Dr. Martin Luther King Jr. of Atlanta, president of the Southern Christian Leadership Conference, and representatives of other groups which have sponsored the rides were to attend the meeting.

There were reports that some integration leaders want to ease off the rides but Richard Haley of Chicago, a representative of the Congress on Racial Equality, said his organization still favors the anti-segregation rides.

A total of 164 riders have been arrested here since May 24 after attempting to integrate waiting rooms in bus, train and plane terminals. All but one of them, a juvenile, have been convicted of breaching the peace.

### Rejects Writ

Judge Mize's decision came as he rejected a habeas corpus plea to free one of the riders—Elizabeth Wyckoff, 45, a free-lance writer from Greenwich Village—from custody.

Her attorneys, William M. Kunstler of New York and Jack Young of Jackson, claim Mississippi authorities are using the breach of the peace statute unlawfully to enforce segregation.

Kunstler told Judge Mize in a hearing last week it was his duty to issue the writ even though Miss Wyckoff had not exhausted her legal remedies in Mississippi's courts.

"State courts are not going to be of any assistance to her," Kunstler said.

But Judge Mize said he was prohibited from entering the case under "an act of Congress. He pointed out Miss Wyckoff's city court conviction could be appealed in Hinds County Court, Circuit Court, and the state Supreme Court.

### Expected To Appeal

Attorney Tom Watkins of Jackson, in arguing for the state in last week's hearing, said Kunstler was wrong in claiming Miss Wyckoff could not get a fair hearing in Mississippi courts, which he said were due "an apology" by the New York attorney.

Watkins claimed issuance of such a Federal writ would "pervert the entire system of state courts."

Kunstler and Young are expected to appeal Judge Mize's decision.

38a 1961

MISSISSIPPI

DEC.

McCOMB

# Students promise to keep riding

The Afro-American P1

Date 12-9-61

McCOMB, Miss. — "This is only the beginning. We plan to continue exercising our Constitutional right to ride in and out of this town as well as anywhere else in Mississippi."

This was what a spokesman for the Congress of Racial Equality told the AFRO, this week, in wake of the third Freedom Ride here over a four - day period, last week.

The ride on Saturday was by three former students of Burglund High School here who were expelled for participating in sitdown activities.

A total of 11 Freedom Riders from New Orleans came here Wednesday and Friday to test application of a court order which bans segregation of interstate travelers.

Those participating in Friday's test were Thomas Peete, Willis Bradford, Claude Reese and Patricia A. Tate, all of Baton Rouge; George Raymond and Jean Thompson, both of New Orleans.

* * *

**THE FIVE WHO** arrived on Thursday, including two girls, were beaten by a mob of approximately 25 men and boys. Six returned the following day and were threatened, but not beaten, by a mob of several hundred persons.

* * *

**THE VICTIMS** of the mob which gathered about the Greyhound bus terminal in McComb were identified as Misses Doratha Smith, 18, and Alice Thompson, 22; Jerome Smith, president of the New Orleans Chapter of CORE, 22; George Raymond, 18, and Thomas Valentine, 23.

In wake of the attack, telegrams from groups in Mississippi and other states requested U.S. Attorney General Robert F. Kennedy to act to insure the safety of interstate travelers in Mississippi, particularly in McComb, and enforcement of the Interstate Commerce Commission and Federal Court ruling banning racial discrimination in travel.

Such communication came from CORE, Mississippi State Conference of the NAACP, Woman Power Unlimited, a Jackson organization, and a number of Mississippi ministers.

* * *

**IN WASHINGTON,** the Attorney General expressed deep concern over the outbreak of mob violence.

He said the FBI had been asked to make a complete investigation and that the "matter will be vigorously pursued."

Mr. Kennedy added:—

"Officials of the Department of Justice have just talked by telephone to Mayor C. H. Douglas. We have received his personal assurance that the five persons who were subjects of violence, will receive full and complete protection while in the city.

"Only a relatively small nurber of persons are responsible for this inexcusable violence. We are certain that the vast majority of the people of McComb and other parts of the country deplore the incident."

* * *

**IN JACKSON,** the CORE field secretary, accused Mayor C. H. Douglas of literally "inviting violence."

He said that before arrival of the group from New Orleans the Mayor issued a public statement to the effect that he and the police would not attempt to enforce segregation, but were going to let the testers "get their heads skinned."

He said the group arrived at the bus terminal the second time at 2:59 and was almost immediately set upon by a waiting mob of about 25 men and boys.

* * *

"THEY WERE beaten until 3:10," the CORE official stated.

The actual attack was described as follows:—

When the group arrived at the terminal an elderly white man wearing work clothes and a gray felt hat attempted to block the entrance to the waiting room.

He stepped aside when the Freedom Riders pushed pass. Misses Smith and Thompson, Raymond and Valentine sat at the lunch counter. Smith went to the ticket window, while Raymond asked to be served.

* * *

**UPON BEING ignored,** Raymond again asked to be served. A. P. McGehee, walked from behind the operator of the terminal counter and said in a loud voice:—

"Greyhound does not own this building. Greyhound does not own this restaurant You get out of here."

While McGehee was ordering the group out, one of the members of the mob grabbed a cup of hot coffee from a table, went over to Raymond and poured the hot liquid down his back.

Smith, who still was sitting at the lunch counter, got up and motioned for the others to take seats in the waiting room. As the group got up to move, Raymond was then attacked by another member of the mob.

* * *

**THE FREEDOM RIDER** tried to protect himself from blows that were rained upon his head and body by the mob leader and others who joined the attack.

The Afro-American P1 Date 12-9-61 Baltimore, Md.

**MOB VICTIM** — Jerome Smith, 22, one of the five persons beaten by a group of white men at the bus terminal in McComb, Miss., last week, is pictured at left with bandages on his face, as he is greeted by friends shortly after his arrival via bus at a New Orleans bus terminal.

The whites were shouting and cursing: "Kell 'em! kill 'em! kill 'em!"

One of the male Freedom Riders was tossed again and again into the air. All of them were struck, knocked down and kicked inside the terminal and on the street after be ing forced outside.

All suffered bruises, cuts and contusions. Miss Smith was mauled so severely she had to be treated by a physician.

After the group escaped by taxi and was carried to a local hotel, Police Chief George Guy and Patrolman Edward Smith arrived on the scene and told the mob to clear the street. They left McComb at 9:30 p.m. Thursday, escorted directly to a bus by policemen.

No arrests were made.

* * *

**EARLY THURSDAY** morning, Johann Rush, television cameraman, was assaulted by members of the mob.

The violence followed by a week and one day a ruling by a three-judge Federal Court that the Nov. 1 Interstate Commerce Commission regulation banning segregation in railroad stations and bus terminals must be complied with.

Monday of this week, copies of the order, which also invalidated three Mississippi laws requiring segregation, were served by a Deputy U.S. Marshal or Mayor Douglas and Chief Guy.

It is understood that agents of the Federal Bureau of Investigation were present during the violence and have first hand information on what actually occurred.

* * *

**LATER MAYOR DOUGLAS** announced that four of

the men in the mob were arrested and charged with fighting and disturbing the peace. They were released on $100 bail, the Mayor said.

The official also pledged that police would prevent further violence, but despite this promise four newspapermen from Life magazine and the Associated Press were attacked by mob members.

# CORE IS ORDERED TO STOP 'RIDERS'

Birmingham Post-Herald P.1 Mon. 12-4-61

## In Wake Of McComb Violence

Birmingham Post-Herald

### Injunction Hearing To Follow Temporary Order

P. 1

McCOMB, Miss., Dec. 3 (UPI)—The Congress of Racial Equality today was ordered by a Federal judge to stop "freedom rides" into this strife-torn South Mississippi city. 12-4-61

Tom Gaither, a field secretary for CORE, was served a temporary restraining order in Jackson this morning. It was granted Saturday by U. S. District Judge Sidney Mize of Biloxi, Miss.

Mize took the action on request of city and state officials who charged CORE-sponsored rides were designed to "foment violence and to provoke breaches of the peace."

Birmingham Ala

**Hearing Set Thursday**

Mize scheduled a hearing in Jackson Thursday on a request for a temporary injunction against more rides. The restraining order is for a 10-day period and is designed to prevent rides until the injunction request can be acted upon.

Six riders and as many newsmen have been attacked here since the rider campaign into McComb began Wednesday and angry crowds of white persons have gathered in the streets. The integration campaign was touched off when two Federal Judges, over objections from Mize, ordered an end to segregation in the terminal recently.

Atty. Gen. Joe Patterson, McComb City Attorney Louis Alford and other lawyers claimed in their petition for an injunction that "agitation" by riders "was calculated to, did and will continue to provoke further incidents of violence in and around said bus terminal."

**Terminal Closing Cited**

They said Mr. and Mrs. Arthur McGee, operators of the terminal, had been forced to close it.

Failure of the court to stop the rides, they charged, would bring on "immediate and irreparable injury, loss and damage" to the McGees and to the city.

They requested that the court stop CORE "from continuing to utilize said terminal facilities for the purpose of fomenting violence and provoking breaches of the peace in or near said terminal facilities."

Gaither issued a statement pointing out that U. S. Judge Frank M. Johnson Jr. "recently dissolved an injunction similar to the order just issued by Judge Mize."

Gaither said the United States government shares a view by CORE that "the right of an individual" cannot be limited.

## CORE Will Fight To Resume Mixing

Jackson Daily News P. 1 Jackson, Miss. Mon. 12-4-61

### Restrained By Judge's Order; McComb Editor Is Attacked

McCOMB, Miss. (AP)—A Congress of Racial Equality (CORE) field representative said today his group will oppose a federal order banning further CORE integration tests in McComb terminals.

"We are really exercising our rights as citizens under the Interstate Commerce Commission ruling," Tom Gaither, the CORE official, said in Jackson.

The ICC has ordered a halt to segregation in interstate travel facilities.

U.S. Dist. Judge Sidney J. Mize of Gulfport will hear CORE arguments in Jackson federal court Thursday. Judge Mize issued the temporary restraining order against CORE over the weekend in the wake of racial incidents here.

The restraining order forbids CORE to use terminal facilities "for the purpose of fomenting violence and provoking breaches of the peace in and near said terminal facilities."

The order lasts 10 days, but its effect could be extended if Judge Mize approves a request for a temporary injunction Thursday.

The latest disorder in this southwestern Mississippi city of 12,000 came Sunday when a white man punched J. Oliver Emmerich, 62, editor and publisher of the McComb Enterprise Journal.

Milton J. Stayton, 43, a McComb oil production man, met the editor in a drug store and asked Emmerich if he were responsible for bringing out-of-town newsmen to McComb.

The blow shattered Emmerich's glasses and opened a cut over his brow which had to be closed with stitches.

Stayton was freed on $1,000 bond after police booked him on assault and battery charges.

"He asked me if I were crazy," Stayton said. "When a man up and says I am crazy, I don't like it. I hit him because he said I'm crazy. It was not anything pertaining to integration."

Associates said Emmerich replied negatively to Stayton's query on reporters, saying he had only shown visiting newsmen professional courtesy.

A group of white men beat five Negroes Wednesday and threw them out of a McComb bus terminal. The Negroes rode here and used the white waiting room.

Four newsmen were struck by angry crowds of whites Friday as six Negroes — under heavy police guard — were successful in using the bus terminal.

It was during Friday's flare-up that the city announced it would seek a restraining order. McComb officials accused CORE of sending in its agents to "break down the peace and order in McComb."

A 3-judge federal court earlier ordered the city to remove waiting room segregation signs that appeared outside the terminal after the ICC ruling effected the removal of signs inside.

The federal tribunal enjoined city authorities from performing any acts to enforce segregation in interstate terminals.

In asking for the restraining order, McComb authorities said they not sit by and let CORE endanger the citizentry of McComb under a fictitious cover of interstate travel."

## CORE Fights Ban on Tests In McComb

Wash. Post & Times Herald Mon. 12-4-61

*Associated Press*

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Birmingham

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Mr. Stayton was freed on $1000 bond.

## THE RIDERS' BOX SCORE

| | |
|---|---|
| Arrested | 227 |
| Convicted | 224 |
| Held For Youth Court | 3 |
| Released On Bond | 77 |
| Released As Juvenile | 1 |
| Paid Fine | 4 |
| In Jackson Jails | 9 |
| In Parchman | 136 |

# U.S. Files Brief Backing Riders

## Three Jackson Negroes Cite State Segregation Laws —Case Is Postponed

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., July 10. — Three Negroes challenging Mississippi segregation statutes dealing with transportation facilities are residents and businessmen of Jackson. They were in Federal Court Monday morning when a three-judge panel postponed the case until Aug. 7.

As the case was called, the Federal Government entered it with a brief supporting contentions raised by the National Association for the Advancement of Colored People that state laws are invalid.

Although not related directly to the self-styled "Freedom Riders," the issue follows the arrests of more than 200 whites and Negroes who entered segregated facilities in Jackson in protest to their segregation by state law.

**Government Brief**

The Government brief notes it is "not concerned with the wisdom or utility of the so-called freedom rides in general, nor with the merits of any individual arrest." However, it cites that "Negroes are being arrested by the police if they do nothing more than to enter white terminal facilities."

The brief explains that the Government "is not attempting to have this court enjoin criminal prosecutions already begun in state courts. But simply to prevent the future enforcement of state enactments in situations which would bring such enforceemnt in conflict with the Federal Constitituon." That relates to the convictions of the protest riders for breach of the peace for refusing to leave segregated facilities when ordered to do so by police.

Relative to the state's use of the breach of the peace statute, the Federal brief asserts that "state-imposed racial segregation which is otherwise forbidden may not be accomplished or enforced through the vehicle of the application of otherwise valid statutes or ordinances or by arrests not pursuant to any specific statutory authority."

**14th Amendment**

"Thus, the arrests and convictions for breach of the peace, based solely on the defendant's use of facilities, which, under the 14th Amendment or other Federal consititutional or statutory authority, he has a right to use on a non "segregated basis, are necessarily illegal and void," the Government contends. "The state and its officials are acting beyond the scope of their lawful power if they make such arrests and obtain such convictions."

"Since a Negro has a constitutional right to the use of non-segregated facilities, his use of the white portion of those facilities cannot be taken into account to support the legality of his arrest or conviction," the Government said "Nor can arrests of those who lawfully exercise their constitutional rights be supported on the theory that others, unwilling to respect the law of the land and the rights of their fellow citizens, might riot and that breaches of the peace and violence might ensue."

**Promise Of Arrests**

The arrests were premised on the presence of the protest riders, who came here deliberately to test the laws, causing violence. However, the Government asserted in that relation that "the obligation of the state in such a situtation is not to violate the constitution by arresting those who act under it, but to punish those who would interfere"

"This court cannot permit these officals to avoid their constitutional obligation and it surely cannot permit them to punish those who are law-abiding merely because such a course may seem to the officials more convenient or more popular than dealing with the mob.

"Constitutional rights would be frail indeed if the courts were to cease protecting them because a mob willed it so," the Government said "Such rights depend neither on the mercy of the mob nor on any possible lack of sympathy of law enforcement with the objectives of those who assert their rights."

# Mississippi Upheld on Bus Riders

JACKSON, Miss. (AP)—Federal District Judge Sidney Mize said Monday Jackson's use of its breach of peace law in foiling "freedom riders" was not an effort to prevent integration.

The statement came in a written decision on a petition by Miss Elizabeth Wyckoff, 45-year-old New York free lance writer serving a jail sentence for breach of peace. Judge Mize said Miss Wyckoff should go through state courts before trying to get out of jail through federal court.

He said Miss Wyckoff contended the arrests were "an effort to prevent integration and to enforce segregation. This contention is without merit."

Judge Mize said breach of peace laws are common to many states and are "a very wise exercise of the police powers of the state."

The judge said he could not act on Miss Wyckoff's request because Congress forbade federal courts to act until such cases had gone through state courts.

# Government Joins Case For 'Riders'

WASHINGTON, D. C. (Special) —The U. S. Justice Department today asked the federal court in Jackson to strike down nine Mississippi travel segregation laws as unconstitutional and restrain state authorities from arresting "freedom riders" who refuse to obey those laws.

The department filed a friend of the court brief with the three-judge court considering the case brought by three Jackson Negroes, Samuel Bailey, Joseph Broadwater, and Burnett L. Jacob, challenging the laws which require separate white and negro waiting rooms, rest rooms and restaurants.

U.S. Atty. Gen. Robert S. Kennedy said the brief did not support the plaintiffs' entire petition, which asked state authorities be barred from "harassing and intimidating" as well as arresting violators of the segregation laws. The justice department brief said this petition was "unnecessary, broad and ambigious" and would "complicate the work of the police, since it may sometimes be impossible to know in advance whether a particular arrest could be construed as harassment."

**FEDERAL 'RESPONSIBILITY'**

Department officials said they entered the case because "the United States is concerned when federal civil rights are violated on a massive scale." The federal government, they said, has a responsibility to insure the safety and uninterrupted movement of interstate commerce.

The brief stated that it is not concerned with the wisdom or futility of the so-called freedom rides in general, nor with the merits of any individual arrest."

Other department sources said the injunction, if granted, would not affect the more than 200 "freedom riders" already jailed but would prevent any future arrests on charges arising from the use of racially separated facilities.

The dpatmnt officials said they expected the U. S. Supreme Court to hand down a final ruling that the Mississippi laws requiring segregated facilities in terminals of common carriers are unconstitutional.

The Justice Department brief contended that the use of laws against such offenses as disorderly conduct, merely to enforce the segregated traffic facilities is unconstitutional. The brief said it is improper for the police to arrest the Negro attempting to use the white facilities, but instead should act against potential rioters.

The brief said Mississippi statutes are clearly unconstitutional and constitute "defiance" of the federal law.

"The Supreme Court of the United States ruled many years ago that state statutes which require racial segregation in interstate commerce are unconstitutional," the brief said.

"Nevertheless, the state of Mississippi has enacted, and its officials have continued to enforce laws which have no purpose other than to accomplish that which the federal government have repeatedly held may not be done."

All the "freedom riders" have been charged with breach of the peace, not violation of any segregation laws.

**'ILLEGAL AND VOID'**

"Arrests and convictions for breach of the peace—or anyother charge — based solely on the defendant's use of facilities which, under the 14th Amendment, the Commerce Clause, or any other federal constitution or statutory authority, he had a right to use on a non-segregated basis, are necessarily' illegal and void," the brief stated.

Asst. Atty. Gen. Ed Cates, who asked the court today to reject the brief, contended that the federal government, represented by Robert Owens of Washington, "cited conclusions, not facts" in the brief.

The court overruled Cates' motion and received the brief.

## U. S. attacks state laws—

# 'Riders convicted in Mississippi

The Birmingham News

JACKSON, Miss., July 11—(AP)—City Judge James Spencer convicted another 34 "freedom riders" of breach of peace yesterday, while federal judges postponed two hearings aimed at tearing down state segregation barriers.

Mrs. 7-11-61

In two trials, Spencer sentenced the 34 to the maximum four months in jail and fined each $200. It was the largest number convicted in one day since the riders first rolled into Jackson May 24 to challenge segregation in transportation facilities. It brought the total convicted to 224 to date.

p. 5

A THREE-JUDGE federal panel postponed until Aug. 7 hearing of a National Assn. for the Advancement of Colored People suit seeking to halt the arrest of freedom riders.

Birmingham

U. S. Dist. Judge Sidney Mize of Biloxi, a member of the panel, delayed until Aug. 10 hearings of a suit by James Meredith, Kosciusko Negro, seeking admission to the all-white University of Mississippi.

Meredith's hearing was scheduled for yesterday, but Mize postponed it due to his participation in the panel considering the NAACP suit.

**Mize and U. S. Dist. Judge Claude Clayton of Tupelo voted to delay the NAACP hearing, scheduled yesterday, due to the illness of State Asst. Atty. Gen. Dugas Shands who has been handling race cases. Chief Justice Elbert Tuttle of the Fifth U. S. Circuit Court of Appeals objected to the delay.**

Mize said the case was not simple, as Tuttle contended. Mize added that he delay "would not cause undue harm to the plaintiffs."

On another matter, Mize postponed from Aug. 7 to Aug. 14 two U. S. Justice Department voter registration suits against Forrest and Clarke counties. The government claims the registrars discriminated against Negroes seeking to register to vote. The delay was due to the Aug. 7 hearing date set for the NAACP case.

THE NAACP suit attacked what it called unconstitutional state laws requiring segregation in railroad cars, buses, rest rooms, waiting rooms and other areas. It claimed such laws subject Negroes to daily "public inconvenience, harassment and embarrassment."

The Justice Department joined NAACP forces as a "friend of the court." It asked for an injunction to stop Mississippi from enforcing nine state laws calling for racial segregation of travelers. Federal attorneys called such laws unconstitutional.

The government also asked that Mississippi be stopped from invoking valid laws, such as breach of peace statutes, to enforce what it called illegal segregation.

**Mississippi Gov. Ross Barnett yesterday made public a letter from Minnesota Gov. Elmer Andersen thanking the governor for permitting two Minnesota officials to inspect jail and state prison facilities and treatment of Minnesota citizens jailed as freedom riders.**

Andersen wrote that violation of state laws by the freedom riders strike "at deep fundamentals in our American way of life."

He added that if a law is wrong or bad, "there are proper ways to seek to change it. At no time can we condone deliberate breaking of any law."

Andersen said he believed the recent inspection trip "has been worthwhile from our standpoint, and I believe it has been beneficial from yours."

WHEN JUDGE SPENCER tried the riders yesterday, one acted as his own attorney.

Morton B. Slater, 18-year-old white student at New York City College, testified he sat in the Illinois Central Railroad terminal 90 minutes last Saturday without incident. He said he acted as an individual and had no intention of breaching the peace.

Officers said they arrested him for refusing to leave the Negro waiting room. Slater said he refused to leave becaues he believed the order was unreasonabl.

38a 1961

OCT.

MISSISSIPPI

FREEDOM RIDERS - JACKSON

# 'Riders' Cause No Segregation Change

"Freedom Rider" assaults on Mississippi transportation terminals have caused no visible change in segregation in this Deep South state.

Separate facilities for whites and Negroes are maintained at all travel terminals and the jails which the Riders planned to fill are all but empty of the integration advocates.

The Riders reached Mississippi May 24 and continued at a steady pace through July. Only two riders arrived in Jackson in August and 15 Episcopal priests tested segregation in September.

In all, 297 riders and the 15 priests were arrested on breach of peace charges—failure to move as ordered by officers. Municipal court convicted 306, with one man acquitted and five juveniles turned over to juvenile authorities.

Only 10 riders remain in jail. Only three served out their sentences and only six of the small group in jail have been there continuously.

The rest gained freedom by posting $500 appeal bonds and taking their cases to Hinds County court.

Four of those who were out for a period under appeal bonds went back to jail after deciding against appeals or following their conviction by county court juries.

Thus far, county court has convicted 30 on appeal and 50 others entered pleas of nolo contendere—which means they decided not to contest the charges.

Those pleading nolo contendere were given fines and suspended sentences.

Almost 200 cases remain on the county court docket and most of the 30 who were convicted in county court are now free pending appeal to circuit court.

The county court trial docket, which lists several trials a week for riders, is filled until May with rider cases.

# Rider Assaults Are Diminishing

## Segregation In Mississippi Remains Unchanged —10 Still In Jail

By The Associated Press

JACKSON, Miss., Oct. 28. — So-called "Freedom Rider" assaults on Mississippi transportation terminals have caused no visible change in segregation in this Deep South state.

Separate facilities for whites and Negroes are maintained at all travel terminals and the jails which the riders planned to fill are all but empty of riders.

The riders reached Mississippi May 24 and continued at a steady pace through July. Since then, however, only two riders reached Jackson in August and 15 Episcopal priests tested segregation in September.

**312 Arrests**

In all, 297 riders and the 15 priests were arrested on breach of peace charges — failure to move as ordered by officers. Municipal Court convicted 306, with one man acquitted and five juveniles turned over to juvenile authorities.

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**Convicted 30 On Appeal**

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# Jail, Threats Keep Mississippi Peace

By Elsie M. Carper
Staff Reporter

Mississippi profited from Alabama's mistake and avoided violence when "Freedom Riders" arrived in the capital city of Jackson. Mass jailings, though, offer no permanent solution to a problem that is boiling to the surface in the Magnolia State.

Public officials, like those in Alabama, are doing nothing to prepare the people for the day when a Federal court orders public facilities opened to Negroes.

Mississippi has no organized Ku Klux Klan, but the White Citizens' Councils, formed to preserve segregation, are the State's most potent political force.

The State, actively hunting for new industries and tourist dollars, has eschewed open violence. More subtle means such as economic pressures are used to maintain the status quo.

The Sovereignty Commission, a State agency with a big budget, has sent speakers out around the country to tell a story of racial harmony and Negro satisfaction with the progress being made in the State.

Undoubtedly, schools and other facilities for Negroes have been improved in Mississippi, but is this enough? The National Association for the Advancement of Colored People says emphatically "no."

Young Negroes in Mississippi, as in the rest of the South, form a great reservoir of discontent. White leadership which blames all troubles on "outside agitators" is whistling in the dark if it believes what it says.

There have been locally generated sit-ins at the library in Jackson and wade-ins on the long 26-mile stretch of beach on the Gulf at Biloxi, where Negroes are not allowed. There have been efforts to enter State-supported universities and an application is now pending from a Negro veteran to enter the University of Mississippi.

**Other Intimidation**

So far, Mississippi's solution has been arrests and, Negroes say, other and more subtle intimidation. Negroes who step out of line find the world closing in on them. They or members of their families face the loss of jobs or credit.

The example of Clyde Kennard is not lost on Mississippi Negroes.

Kennard's troubles began when he sought to enter Mississippi Southern University.

First, police found liquor in his car. Kennard said it was a plant. Then he was implicated in the theft of five sacks of chicken mash and given seven years in the state prison, more than the average term for manslaughter.

Mississippi's Gov. Ross Barnett used language nearly as explosive as that of Alabama's John Patterson when the Federal Government first sought safe passage for the Freedom Riders through Mississippi.

Then, after the Federal Government moved firmly into Alabama to end violence and restore interstate bus travel, Barnett gave assurances that there would be no repeat in Mississippi of the riots in Birmingham and Montgomery.

**Governor Issued Plea**

Barnett issued an appeal to Mississippi citizens to leave handling of the Riders to law enforcement officers. He said the laws of the State would be enforced.

In his pocket, Barnett had a batch of laws passed by the Legislature last year to deal with sit-in demonstrations. The laws made no mention of race or segregation.

When the Freedom Riders reached Jackson under escort of police and National Guards men, they were charged under these laws with disorderly conduct and committing a breach of the peace and put in jail.

In calling for a peaceful reception for the Freedom Riders Barnett had the help of John R. Wright, president of the Jackson Citizens' Council. Wright read a statement over radio and television urging residents of Jackson and members of the Council to leave law enforcement in the hands of police.

"Our public officials, most of whom are members of the Citizens' Council, are determined to prevent these bus loads of traveling agitators from causing trouble in Mississippi," Wright declared.

Jackson authorities have said they have plenty of room to take care of as many Freedom Riders as want to try out the jail. The strongly segregationist Jackson Daily News ran a box score on the front of last Sunday's paper. It listed new arrivals—13, those previouslyd reported—52 an vacant bunks—297.

**Riders Denounced**

The News in front page editorials described the Riders as "vulgar, restroom-loving quacks" on an "illegal, scummy mission."

Mississippi remained calm with the assurance of the Governor and the Citizens' Council head that the Riders would be arrested under State laws.

"So long as all of us remain determined and united," the Citizens' Council head said, "the segregation laws of Mississippi will be enforced."

Asked what will happen if the segregation laws are found in conflict with Federal law, the youthful-looking, 42-year old funeral director said: "We do not know, we haven't faced that yet."

Gov. Barnett, asked a similar question in a press conference, said so long as State laws have not been stricken down they are enforceable.

He gave no clue as to whether Federal laws will receive the same diligent enforcement. It would be hard to find someone in Mississippi who thinks that they will.

# *Mississippi Cottons to Riders*

PARCHMAN, Miss., June 15 (UPI)—Forty-five "Freedom Riders" were transferred to Mississippi State Prison today by Gov. Ross Barnett, in a personal appearance at the prison, directed that they not be put to work in the fields like other prisoners.

Barnett told prison guards it would be "dangerous" to send the Riders—29 Negroes and 16 whites—to the cotton fields, because their "passive resistance" might result in a sitdown strike, which he said could spread to other prisoners.

"It would be dangerous to work these men in the fields," Barnett said. "I wish we could, but if they refused to work, what could we do? It would upset the whole prison routine."

"If we can avoid any incident or violence it will be the best thing for Mississippi," Barnett said. "I know it will be hard for you men to take what they may say to you, but I know you can do it. They want an incident and thereby publicity for themselves."

## *'Freedom Riders' Move Into Georgia, Florida*

Associated Press

Segregation-testing "Freedom Riders" met scant resistance as they pushed into southern Georgia and northern Florida Thursday.

oFur groups of Negroes and white persons were thwarted only once in their efforts to make integrated use of facilities at interstate bus terminals on routes from Charleston and Sumter, S. C., to Jacksonville and Tallahassee, Fla.

The only refusal of service was at Lake City, Fla. Nine members of a group of rabbis and Negro and white Protestant ministers sat for 15 minutes at a bus station snack bar while no one waited on them.

The biracial groups were served at terminals in Jacksonville, Tallahassee and Savannah, Ga.

38a 1961 SEPTEMBER

MISSISSIPPI JACKSON- FREEDOM RIDERS

# Story They Didn't Dare Tell About Miss.

## Blonde Freedom Rider describes days in prison

By ROSEMARIE TYLER

WASHINGTON

"The ride to Mississippi State penitentiary, 130 miles from Jackson, was just the beginning of the horror, the indignities we were to suffer.

"Those twelve days in jail will never be forgotten. I'll always remember what we went through."

The words came from the lips of an attractive, young blue - eyed blonde who looks as American as hot dogs at a Sunday afternoon baseball game.

Her name is Shirley Smith and she is the director of the Women's Committee of the African - American Institute.

In an exclusive interview with the Washington AFRO - AMERICAN, this well - groomed woman described the inhuman treatment she and others suffered during her arrest as a "Freedom Rider."

* * *

**WHAT MADE Shirley who has been working with Africans, who had worked in Africa for nearly five years decide to cast her lot with the Freedom Riders?**

* * *

"MY INABILITY to reach the Africans was because I had no emotional awareness of America's own problem, segregation. So that in an effort to understand them I had to return to my own country and its problems. It was all an experiment. The problem is now real.

* * *

"THE DRIVER OF THE jeep was white. He was lewd for the entire 130 miles. In the group, which included Jean Kidwell, a lawyer from California; Rosie Rosenberg, another lawyer, a mother of 4 children and about 45 years old; and about 4 ft. 5 ins. tall; Marilyn Eisenberg an 18 year old who had come with her family's consent and approval; Marilyn Freeman, a school teacher from Philadelphia and Shirley B. Smith, it was unique and horrifying experience to be called whores!

* * *

"EACH TIME, the driver stopped for cokes or coffee never for us — he would revile us before the curious public which gathered at each stop. He claimed we only waved at colored men as we traveled to the Hines County Jail, but this was not true. We waved at everyone we saw. Some waved back. Many were furtive, a little afraid to identify with Freedom Riders."

SHIRLEY continued: "The driver deliberately braked the jeep violently as many times as possible. By the time we reached the Hines County Jail, our insides were like jelly."

Certainly the ride was made worse by the vicious thrusts at the character of these women, who had many different reasons for volunteering for a Freedom Ride to Jackson to test interstate travel.

* * *

**"We merely shrugged and ignored the driver. How can you respond to this kind of crudeness? The driver was a kind of degenerate who could certainly not understand that he was a minor character in a great American drama. I believe this fight which we are engaged in is an extension of the American Revolution. And in his way, he was the cause of what was happening to us, up to now and what was to happen," Shirley said firmly, her blue eyes deepening.**

* * *

Stopping the jeep with a final jerk, the remaining caravan composed of three jeeps interspersed with armed cars carrying heavy sub-machine guns drew to a lumbering stop.

* * *

THE WOMEN alighted, making an effort to recover from their joustling. The prison yard was empty. Once through the main gate, the girls could see the watchful faces of the four men who occupied each of the corner watchtowers.

No sound could be heard as the five women entered the heavy door, leading to maximum security unit, later to be dubbed "Mississippi State University."

"I remembered seeing some men lined up in the hall, all eating peaches, just watching us. I remembered them so clearly, I guess, because I like peaches," admitted Shirley with a sudden laugh.

Recalling this incident, Shirley admitted it was her last light thought for sometime to come.

**"The closer I came to the door in front of me, the greater was my dread. We all knew of the searches being made supposedly for dope. In fact, we were the first group to have prior knowledge. And we were the first to formally protest against this kind of barbarism."**

* * *

"WE PASSED through a room where all the guards and drivers were standing around—around 20 or so — some leering, some making suggestive remarks and some looking at us with pure hatred.

We lined up. . .Jean Kidwell, Rose Rosenberg and then I was to be next..

**"I knew that Rosie would protest, just as Jean would, I would and all the others after me. Rose asked for punishment instead of the search. I later learned she was told she would receive punishment and the search. One woman in the group had had female surgery only a few months ago. Her protests were futile, also.**

"By now Jean Kidwell had entered the room..

"I was next.

"The door opened. My knees began to shake.

* * *

"IN THE DISTANCE I could hear the men singing, "Onward, Christian Soldiers."

The room where the search was conducted was small. The walls were beige. There was a chair, a desk. A set of bars led to cell block 12 which was to be Shirley's home for over a week. On this wall, was a panel board which controlled the lights to all the cells. And there was a bed.

Assisting in this search were 2 trustys, one colored and one white and a woman dressed in white uniform acting as a nurse.

And there was Mrs. Lee. She was an ex-con. Her present job was a reward for having been such an excellent prisoner.

"She faced me as I entered the room. One hand was covered with a rubber glove.

"She was snapping her fingers, as if in a hurry.

"From the room behind me, I could hear a man's voice saying 'we are going to have a hard time making those dames'."

Told to undress by the matron, Mrs. Lee, Shirley was unable to do this without a protest. She looked down at her dress: blue and white striped, with red buttons. Bought in New York to wear on the Freedom Ride, it had seemed so patriotic. She had smiled when she bought it. She could not smile now.

"I LOOKED at Rosie and Jean. I hoped they could communicate something to me. There was nothing in her eyes, but I knew the struggle had been futile.

**"I knew now there was nothing I could do. My mind was crowded. I remembered the orientation we had received in Atlanta. We had been trained to be non-violent. What was non - violent in this situation? How could I be passive with what was about to happen to me?**

"I was standing there, when suddenly.."

* * *

SHIRLEY WAS suddenly grabbed, her body stiffened. She felt someone grab her feet. Another pair of hands grabbed her wrists. She could feel herself being dragged still in an upright position to the cot on the other side of the room.

Tossed onto the bed, she could see the colored attendant was holding her hands the second attendant fell across her chest.

"I knew it was hopeless as I looked into the inscrutable eyes of Mrs. Lee. I talked fast, however. I told her of my UN connections. Words tumbled out about America's image."

The search was over. The colored trusty let go of her wrists. Her chest was free of a great weight.

* * *

**It was now Wednesday, the 19th of July.**

Their day began at 4:30 am. with breakfast served at 6: cold, stiff hominy grits, dried bacon and chicory coffee.

* * *

**Lunch at one o'clock in the afternoon offered a break in the monotony, if not in the diet: 1/2 cup of milk, cold vegetables and usually cold biscuits or corn bread. Once during Shirley's internment, they were served meat- cold pork rind with the hair sticking out!**

Dinner at 6 was as unappealing as lunch.

Shortly, after breakfast, there was a quiet hour. For two hours, none of the women in the 13 cells uttered a sound!

reedom Riders . . . an extension of the American Revolution. . . the search . . . I babbled about America's image . . . . . we did Shelly Berman, toothpaste commercials,

# 15 Clergymen Sentenced, Fined By Jackson Judge

JACKSON, Miss. (AP)—Fifteen Episcopal priests -- including the son-in-law of New York Gov. Nelson Rockefeller — conducted prayer services in the Hinds County Jail Saturday after their breach of peace convictions.

The clergymen — 12 white persons and 3 Negroes — were switched from city to county jail Friday after they stood trial. The Charges came after they attempted to desegregate a white waiting room in a bus terminal.

The Rev. Robert L. Pierson, 35, of New York and Evanston, Ill., Rockefeller's son-in-law, and the other 14 were fined $200 and sentenced to four months in jail, the same as most "Freedom Riders" received.

**NO COMMENT**

A spokesman for the group said they would not attend the opening of the 60th general convention of the Episcopal Church Sunday in Detroit, Mich. He said bond would not be posted until after the weekend.

In Albany, a spokesman for Gov. Rockefeller would have no comment on the sentencing.

Rockefeller has expressed admiration of the courage and dedication of the clergymen. He has said he did not intend to intercede for them for possible reduced sentences.

Meanwhile, Yale University Chaplain William S. Coffin, a Presbyterian and nine other "Freedom Riders" were convicted on breach of peace charges in Montgomery, Ala.

**FINES, TERMS**

Judge Alex Marks fined them $100 and handed down jail sentences ranging from 10 to 90 days Friday night. They immediately posted appeal bonds of $750 to $1,000 and were released.

In the trial involving the Episcopal clergymen, both City Judge James Spencer and Special Prosecutor Robert Nichols said they were Episcopalians.

"I find my duty clear," Spencer said before sentencing the ministers. "I believe they violated the laws of Mississippi and the articles of religion of their faith.

# Jailed 'Prayer Riders' Go On Trial Friday

The son-in-law of New York Gov. Nelson Rockefeller and 14 other Episcopal ministers will be tried Friday on breach of peace charges stemming from a lunch-room segregation incident.

The clergymen, part of a group of 28 ministers touring the nation on an anti-segregation "prayer pilgrimage," were lodged in two cells in city jail.

Twelve white ministers, including the Rev. Robert L. Pierson of Evanston, Ill., who is married to Rockefeller's daughter, Anne, were kept in a large cell with bunk beds. Three Negro clergymen were held in a smaller cell.

The ministers, most of whom wore clerical collars, were intercepted by police when they tried to enter the segregated restaurant in the Trailways bus terminal.

The clergymen were told by one of two officers at the door to "move on."

"We're hungry. We are interstate passengers," replied one of the ministers. Rubbing his chin, the policeman asked: "Are you all going to move on?" The minister answered, "After we have some lunch."

Police Capt. John L. Ray, a veteran officer who has arrested scores of "freedom riders" here, was summoned to the scene. He arrested the clergymen when they again refused to leave the terminal.

In Rochester, N.Y., Rockefeller did not appear surprised by news of his son-in-law's incarceration.

"He has been very interested in this cause," the New York governor said. "I admire the courage and dedication of these young people to the basic precepts on which this country was founded and their dedication to the cause of making a reality out of these precepts."

# Judge Convicts 15 Clerics

JACKSON, Miss. (AP) — Municipal Judge James Spencer convicted 15 Episcopal clergymen—including New York Gov. Nelson Rockefeller's son - in - law—on breach of peace charges Friday after their efforts to desegregate a Jackson bus terminal.

Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term.

The group was arrested Wednesday. All pleaded innocent to the breach of peace charges—failure to move as ordered by an officer—and were tried in a joint trial.

him he wanted to eat.

Police Capt. J. L. Ray told the court, "In my opinion the crowd in the bus terminal was in an ugly mood and was acting antagonistically toward these people. In my opinion there would have been a breach of the peace."

Under cross examination by the defense, Ray said, "I felt that had I not acted quickly, there would have been a riot in there caused by these defendants."

He also testified none of the ministers showed him any tickets or told him they were interstate passengers, but that the Rev. John Morris, 31, of Atlanta told

# Rockefeller Kin And 14 Found Guilty in Sit-In

JACKSON, Miss (UPI) — The son-in-law of Gov. Nelson Rockefeller of New York and 14 others, were sentenced to four months in jail Friday for attempting to dine together in a segregated restaurant here.

The group of Episcopal ministers was arrested here Wednesday while making an anti-segregation "prayer pilgrimage."

In New York, a spokesman for Rockefeller said the governor would not intercede in any way in the case of his son-in-law, the Rev. Robert L. Pierson, husband of Rovkefeller's daughter, Anne

AUG.1961
JACKSON- FREEDOM RIDERS
FREEDOM RIDERS RELEASED ON BAIL TO RETURN AUG. 14, 1961
(EACH PERSON RELEASED ON BOND MUST APPEAR IN PERSON WHEN COUNTY COURT CONVENES, OR BAIL MONEY WILL BE FORFEITED)

38a 1961

# Riders face bail loss of $75,000

SPECIAL TO AFRO

JACKSON, Miss. — City authorities indicated, Tuesday, that unless the more than 125 Freedom Riders released on bond, return to the city Aug. 14, bail money totaling over $75,000 will be confiscated.

City Attorney Jack Travis, who is prosecutor in the Freedom Ride cases, told Jack Young, attorney for the riders, that each person released on bond must appear in person when County Court convenes, or bail money will be forfeited.

At least 125 of the over 300 persons arrested here have been released on $500 cash bond each, pending appeal to the county court.

* * *

**TRAVIS INDICATED** that decision to require the Freedom Riders to appear in person was made by high city and state officials.

The city's Freedom Ride strategy has been determined by Gov. Ross Barnett and Mayor Allen C. Thompson, both of whom insist that racial segregation in Mississippi must be maintained no matter what the cost.

Prior to being elected governor, Barnett volunteered to defend John Kasper, the segregationist who was arrested on charges of precipitating the 1956 school riots in Clinton, Tenn.

Mayor Thompson was quoted as recently stating that segregation laws will be enforced "if it takes a 5,000-man police force."

* * *

**MONDAY, JULY 31,** 22 more Freedom Riders were convicted in Municipal Court. City Judge James Spencer levied fines of $200 each and four-month jail terms.

All were arrested over the week end at the Greyhound bus terminal and the Illinois Central Railroad station on charges of breach of the peace after they failed to abide by local segregation rules.

Hilmar Enrenfried Pabel, 50, of Munich, Germany, who also was arrested on similar charges, was released.

Explaining his actions, Judge Spencer said he was releasing Pabel because he is a foreigner in a strange country.

* * *

**THE JUDGE** said he assumed the German was unfamiliar with the United States customs and language and "became confused and got in the way."

Attorney Young, who has represented the Freedom Riders arrested here since May 24, said the arrests are having an impact on local colored citizens.

"They are being aroused out of their state of lethargy," the attorney declared.

A group of women set up an organization for the specific purpose of supporting the Freedom Riders. Called Woman Power Limited, the group is headed by Mrs. Clarice Collins Harvey, a local business woman and civic and church leader.

* * *

**"THE FACT THAT** Freedom Riders are willing to suffer has caused us to realize that we're going to have to, too, to get some of these things we want," Mrs. Harvey declared.

She defined "these things" as "improved school facilities, better jobs and more police protection."

Richard Haley, CORE field secretary arrested here last week, fined $200 and sentenced to four months in prison, has been transferred to the state penitentiary at Parchman, Miss.

Thomas Gaither, who was leader of the sitdown movement in Rock Hill, S.C., last January, has replaced Haley as CORE representative here.

MISSISSIPPI

# Trials Scheduled For 82 'Riders'

P.I.O Trial, 9-12-61

## Hearings In Jackson Will Be Next Spring

The Commercial Appeal

JACKSON, Miss., Sept. 11.— (UPI) — Eighty-two so-called "Freddom Riders" appeared in Hinds County Court Monday, pleaded innocent to breach of the peace charges and received trial dates for an eight-week period next spring.

Each member of the group — Divided about equally by races —was charged in connection with challenges thay made of segregation at transportation terminals here.

Last month 192 rides were arraigned and entered "not guilty" raigned and entered "not guilty" pleas. Their traisl will be held through February.

The group of 82 was made up of persons who were arrested later or were in jail at the time the 192 were arraigned. Each is free on appeal bond.

The riders will be tried at the rate of 10 a week beginning March 12 and ending May 11. The trials, before a jury in county court, are necessary in the appeal of convictions from police court.

Six riders scheduled for arraignment were absent.

The integrationists arrived here from throughout the nation for the mass court appearances. A blue and white bus from Tougaloo College, a church-supported Negro school, carried most of them from the Tougaloo campus to the courthouse where 10 or 12 policemen stood guard.

court breach of peace convict

Peter J. Ackerberg, 22, white, of New York City, and Elizabeth Adler, 21, white, of Brooklyn, N. Y., had been expected to plead guilty and go back to jail as had three predecessors, but Ackerberg asked for trial.

The Adler woman was expected to do the same this afternoon.

Three others are already in the Hinds County jail serving the balance of their city court sentence rather than paying their fines and going free. They each posted $500 bond which is being held in their names and is sufficient to pay their fines and still have a substantial balance.

**SEEK NO REFUND**

However, none of the three has asked for return of his bond as yet, according to the sheriff's office. Only two of the nearly 200 convicted riders have paid their fines and returned to their homes, these over the protest of CORE officials, who claimed it was not "policy to pay fines."

Defense Attorney Young said he did not know whether the six others scheduled for trial the balance of this week would follow the pattern now being set by these returning to jail.

Bob Nichols, special prosecutor who entered the court handling last week, said CORE "has been desperately trying to build this thing back up into a popular appeal. They undoubtedly want to get their hands on the appeal bond money."

Sheriff Bob Gilfoy said he had received no court order to release the bond money for those already returned to jail, and no request had been made by the individual riders for the money.

## 78 Riders on Trial

P.I.O Jackson, 9-12-61

JACKSON, Miss. (AP)—Seventy-eight "Freedom Riders" pleaded innocent during their arraignment in Hinds County Court Monday on breach of peace charges and their appeal trials were set two a day beginning Mar. 12.

# 2 Decide To Request Trial Here

Jackson Daily News 9-6-61

By BILL COPPENBARGER
Daily News Staff Writer

Attorneys for two "freedom riders" changed their court strategy here today and asked for jury trials of their appeals of city

# 'Rider' Appeal Postponed In Jackson

The Montgomery Advertiser

JACKSON, Miss. (AP)—The appeal trial of "Freedom Rider" Marshall Bennett, 17, of Jackson was postponed until Wednesday because of the illness of a witness.

Wed. 9-13-61

Earlier, Hinds County Judge Russel Moore sentenced two others and ordered forfeiture of three riders' $500 appeal bond because they did not show up for their arraignment Monday.

Bennett, a high school student, was arrested July 5 for trying to desegregate Trailways bus terminal. He was sentenced to $200 fine and 4 months in jail. He posted $500 bond and appealed.

Earlier, Charles Biggers, 21-year-old Wayne University Negro student from Boulder, Colo., declined to contest his breach of peace charge and drew a $200 fine and a suspended 4-month jail sentence.

Biggers was arrested July 7 in Trailways bus terminal. He appealed and was arraigned Monday. Judge Moore allowed him to enter his nolo contendere plea immediately instead of waiting until trial set for March 1962.

# Court drops one complaint in riders' suit

Birmingham News P.33 Wed 9-6-61

MONTGOMERY, Ala., Sept. 6—(AP)—After hearing witnesses for "freedom rider" complainants yesterday, U. S. Dist. Judge Frank M. Johnson Jr. dismissed a complaint against Circuit Solicitor William F. Thetford.

Tre judges' action means that the solicitor can proceed with prosecution of 11 "riders" arrested here May 25 on breach of the peace charges.

**The dismissal action came after the complainants had rested their case, following testimony of seven witnesses in a suit attacking constitutionality of the state's breach of the peace laws and asking for a court order to prohibit bus lines or city and state authorities from "enforcing and pursuing a policy, practice, custom and usage of separation of the races."**

After ruling out Thetford as a defendant, Judge Johnson refused to dismiss the cases against the other defendants — Greyhound Corp., Traliways Motor Lines, State Atty. Gen. MacDonald Gallion, Montgomery County Sheriff Mac Sim Butler, the Montgomery City Commission, Police Chief G. J. Ruppenthal and the State Public Service Commission.

GALLION, denying enforcing segregation in buses or bus stations, told the court he obtained a state court injunction prohibiting "freedom riders" in Alabama before the May 20 violence to try "to maintain peace and safety of everyone" and that he "was not acting in the interest of any segregation customs."

A National Guard officer and legal advisor to Adj. Gen. Henry V. Graham during martial rule here said it was his decision which led to the arrest of the 11 "riders" May 25.

Lt. Col. Ralph Porch of Anniston said he determined that the "riders'" effort to be served at the Trailways depot lunch counter was "a breach of custom at a time and place which was calculated to provoke a breach of the peace."

**One "rider" testified that a copy of an injunction was served on him as he lay on the pavement after being beaten.**

John R. Lewis, 20, Troy, testified that he was beaten on arrival at the station and was lying on he pavement when he was served with the injunction by Gallion and Butler.

# 'FREEDOM RIDER' RELEASED AGAIN

Times Picayune 9-14

JACKSON, Miss. (AP)—Twice convicted "Freedom Rider" James Wahlstrom, 24-year-old Madison, Wis., man, gained his freedom from the Hinds county jail Thursday by posting a $500 appeal bond.

Bail 1-2-61

Wahlstrom was one of two riders the highway patrol charged had taken part in a visiit to Cuba last year by the "Fair Play for Cuba Committee," which the patrol said attended a Soviet-directed seminar on how to make desegregation efforts.

New Orleans La

He was first arrested with a group of riders June 2 and bonded out June 24 following his convition in city court on breach of peac charges. He returned alone July 31 and was convicted again on Aug 2.

The Hinds county sheriff's office reported he was one of seven riders who posted appeal bonds this week.

In addition, Richard Haley, 45-year-old Chicago Negro, field secretary for ride-sponsoring Congress of Racial Equality, gained his freedom by posting an appeal bond. He was arrested on breach of peace charges for ignoring police orders to move on as he picketed a southern governors meeting here July 19.

# Freedom Riders View Is Given

Jackson Clarion-Ledger 9-6-61

PARCHMAN, Miss. (AP)—The editor of "Inside World" said "freedom riders" jailed in maximum security quarters at the state penitentiary were "suckered into coming down here to disturb the peace."

Atlanta Const. 9-6-61

In an editorial, James Hendricks said in the monthly prison publication a rider "is just as big a fool to break the law an cause disturbance in Jackson, Miss., as he would to cause a disturbance in his home town or state capitol.

New Orleans La

"Now I know it could not be because they are ashamed of what they did, are doing, and what they stand for, for this would make the comrades angry."

Hendricks said the "freedom rider does not care about what is laughingly known as the Negro problem in the South." His beef with the citizens of Mississippi is, and I quote, 'the flagrant disregard of the people of Mississippi of the U.S. supreme court rulings . . .'"

# McComb tense after racial flareup

JACKSON, Miss., Nov. 30—Mississippi's racial situation continued to boil ominously today in the wake of bus station violence Wednesday which saw five "freedom riders" beaten and kicked in McComb.

A McComb official predicted federal marshals will be sent into his city to restore order if further violence occurs.

**The executive secretary of the Mississippi pro-segregation Citizens Council announced his organization is forming "Minuteman" units to counter integration attempts with non-violent protests.**

And in Jackson tonight the pro-integration National Association for the Advancement of Colored People will meet to discuss a Negro boycott of white merchants who support the Citizens Council.

THE McCOMB official, who asked to remain anonymous, said he expected federal marshals to be sent in as they were after the Montgomery, Ala., race disorders. At the same time the McComb mayor pledged police protection for the "freedom riders."

In Greenwood, Robert B. Patterson, executive secretary of the Association of Mississippi Citizens Councils, said the "Minuteman" units are being formed over the South to combat racial integration.

Patterson said "their purpose is to peacefully assemble on short notice at any given point within their community to demonstrate a citizens protest against invasion of their institutions."

**Patterson said the units would lend moral support to local law enforcement officers who might be outnumbered by "the invaders."**

THE UNITS have a communications system with seven basic leaders or "colonels" telephoning five "captains" who call five "lieutenants" until the entire "Minuteman" unit is alerted.

In Jackson, the NAACP called its boycott meeting tonight despite the fact that two previous boycotts staged here have failed. White merchants and officials of the Chamber of Commerce reported no noticeable business letdown during the two boycotts.

**A McComb official said the Federal Bureau of Investigation already has been called in to investigate the Wednesday attack on the "freedom riders."**

McComb has become a center of racial disturbances in strongly pro-segregationist Mississippi since the "freedom rider" campaign waned in Jackson, the state capital.

Nearly 100 Negro pupils were dismissed from McComb's Berglund High School earlier this fall after they repeatedly demonstrated against segregation practices.

The five Negroes, all members of the integrationist Congress of Racial Equality, left McComb late Wednesday night under heavy police protection.

THEY ARRIVED in New Orleans early today.

City officials had ordered segregation signs removed from outside the bus station after a special three-judge federal court struck down Mississippi segregation laws late last week.

The Negroes—three men and two women—arrived at the bus station shortly before 3 p.m. and attempted to get service at a lunch counter in the white waiting room.

**"I told them that the lunch counter was a private business and I couldn't serve them," said A. P. McGehee, husband of the bus station manager.**

McGehee, working at the lunch counter, told the Negroes they could use waiting room facilities but would have to be served food at the Negro counter.

"THEY STARTED beating on the counter and demanding service," he said.

"Suddenly the place blew up," said McGehee, who left the eating facility momentarily to go to the ticket window.

Alex Gifford, managing editor of New Orleans' television Station WDSU, said a group of whites rushed into the bus station and began dragging the Negroes out.

Gifford said a white man poured a hot cup of coffee down the back of one Negro.

The Negroes fled in a taxicab.

**Tom Gaither, field secretary for CORE, said Jerome Smith, 22, was the most severely beaten and suffered skull lacerations. The other Negroes were identified as George Raymond, 18; Thomas Valentine 23, Alice Thompson, 22, and Doratha Smith, 18, all of New Orleans.**

Smith, president of the New Orleans CORE unit, was one of more than 300 "freedom riders" arrested during the Summer a Jackson, Miss.

EARLIER Wednesday, a crowd of whites attacked freelance photographer Johann Rush, a 19-year-old Jackson resident, who said he was on assignment from the Columbia Broadcasting System.

McComb has become the center of racial disturbances in pro-segregationist Mississippi since the "freedom rider" assaults on Jackson transportation terminals slowed down.

Nearly 100 Negro pupils were dismissed from Berglund High School earlier this Fall after they repeatedly demonstrated against segregation practices.

## *Mississippi Crowd Roughs 5 Negroes*

MC COMB, Miss., Nov. 29 (AP)—Five Negroes were beaten and kicked by white persons at a bus station here this afternoon in what the Justice Department called "an outbreak of violence."

The Negroes left later for New Orleans under heavy police protection.

The bus station closed about 10 minutes before the New Orleans bound bus arrived. When the bus arrived, police blocked off the area and a taxicab brought the five Negroes — three men and two women — to the middle of the street. They boarded the bus under police protection and there were no incidents.

Earlier, in Washington, Atty Gen. Robert F. Kennedy said McComb Mayor C. H. Douglas had assured the Justice Department that the five negroes "who were the subjects of violence this afternoon will receive full and complete protection while in that city."

Kennedy said the FBI will investigate all aspects of the incident and "the matter will be vigorously pursued."

Tom Gaither, field secretary for CORE in Jackson, said the five arrived at the bus station just before 3 p.m. and were beaten for more than 10 minutes until McComb police arrived.

Gaither said Thomas Valentine was beaten and "thrown into the street." Jerome Smith, who Gaither identified as the chairman of the group, was the most severely beaten and suffered head lacerations. The two women, Gaither said, were knocked down and kicked.

Gaither said he understood the Negroes were planning to catch a 3:30 p.m. bus and he had planned to be there to try and prevent any trouble. But the Negroes arrived earlier than he thought they would, Gaither added.

**Negroes Unavailable**

McComb Police Chief George Guy said, "I can't find the Negroes to find out what happened."

Earlier, a crowd of white persons attacked free lance photographer Johann Rush, 19, of Jackson, Miss., reportedly tearing his coat and damaging his camera.

Guy said that the disturbance involving Rush came after Rush took a picture of a bystander. The police chief said several men "whipped him around a little bit" but added he thought Rush "was okay."

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GREENWOOD, Miss., Nov. 29 (AP)—A Mississippi citizens council leader said today that several Southern communities are forming "minutemen" organizations to meet integration attempts.

Robert B. Patterson, executive secretary of the Association on Citizens Councils of Mississippi, said the groups are being formed throughout the South.

"Their purpose is to assemble peacefully on short notice at any given point within their community to demonstrate a citizens protest against any invasion of our institutions," Patterson said.

The groups have a communications chain with seven basic leaders called "colonels" who telephone five "captains" who in turn call five "lieutenants" until the entire unit is alerted.

Patterson said the minutemen "are made up of a cross section of the finest white citizenry in each community." He said they would lend moral support to local law enforcement officers who might be outnumbered "by the invaders."

## *After McComb, South Must Start Over Again*

The South resents being pictured as a violent and backward place where mobs beat up Negroes.

With cries of "Kill 'em, Kill 'em," a mob has now beaten up some Negroes in McComb, Miss.

And the South, saddened and wearied by so many setbacks, must start over once again to undo the ugliness which the violent few repeatedly smear like tar across the reputation of the just and gentle people who are Southerners.

No matter how long it may take, the South must and will reclaim her good name from the unclean hands of men who think it is all right to drag her down into the dirt of blood and brutality.

# 5 NEGROES BEATEN BY MISSISSIPPI MOB

## Riders Attacked in McComb —Crowd Shouts 'Kill 'Em'

By CLAUDE SITTON

Special to The New York Times.

McCOMB, Miss., Nov. 29—A mob of cursing whites, shouting "Kill em! Kill 'em!", set upon five Negro Freedom Riders today and drove them from the Greyhound bus station.

Although the three youths and two girls were mauled severely, none was seriously injured. They fled to safety at a Negro hotel after escaping from their assailants in a taxi.

A dozen white youths and men in the small but angry crowd joined in pummeling the Negroes. They chased them around and over counters and tables in the waiting room of the terminal before kicking them out the door.

The mob tossed one youth into the air again and again in the street outside, kicking and beating him as he struck the pavement.

Five minutes after the Negroes had escaped, Chief of Police George Guy and Patrolman Edward Smith arrived on the scene from the City Hall, less than a block from the terminal. They cleared the streets and sidewalks with little trouble.

Johann Rush, a freelance television camera man from Jackson, was attacked this morning in an unrelated incident while taking film of the station and a group of whites standing around it.

The violence marked the first move in Mississippi's history to comply with a Federal Court desegregation order. The Riders came here by bus this morning to test the city's compliance with a Federal directive to halt the enforcement of segregation at bus and rail terminals.

The order was handed down in open court last week and filed Monday in Jackson, the state capital. A United States Deputy Marshal served copies of it on Mayor C. H. Douglas, Chief Guy and the city's selectmen yesterday.

Agents of the Federal Bureau of Investigation, who were already here apparently as observers, began an immediate inquiry.

Officials of the Justice Department in Washington were also seekinng to learn details of the outbreak.

The mob action here repeated on a smaller scale the riots that greeted Freedom Riders last May in Anniston, Birmingham and Montgomery, Ala.

### New Tests Planned

The group, all members of the New Orleans chapter of the Congress of Racial Equality, said a further attempt would be made to use previously white terminal facilities.

"We'll be back," declared Doratha Smith, 18 years old, after she had been examined by Dr. James Anderson.

The five Negroes came here under the leadership of Jerome Smith, 22, president of the New Orleans chapter of the Congress. The others are George Raymond, 18, Thomas Valentine, 23, and Alice Thompson, 22.

Their first effort to enter the terminal was unsuccessful. Shortly before they arrived this morning, the station reported a gas leak in the building. The Negroes were warned when they approached the door that it would be dangerous to enter.

"Well, wasn't that a coincidence," remarked Charles Gordon, a city selectman and member of the Citizens' Council, a building; Greyhound does not own this restaurant. You get out of here."

At this point, a youth grabbed a half-filled cup of coffee from a table and walked rapidly down the line of stools at the counter. When he reached Mr. Raymond, he struck hi msharply at the base o fthe skull with the cup and caucer, spilling ocffee over the Negro's head and back.

Mr. Smith then waved to the four others to join him in a row of seats at the front of the waiting room. As they got up to move, a short, wiry white man of about 35 jumped at the Negro leader and began beating him with his fists.

The Negro doubled over and ducked his head under a rain of blows to the back of the neck, the shoulder and the stomach. "I'll kill him! I'll kill him! I'll kill him!," yelled the white.

The assailants then shoved and kicked the youths and the two girls through the door. They fled on the sidewalk and out into the street, where their taxi stood waiting.

Both Mayor Douglas and Chief Guy had asserted to newsmen that no further attempt would be made to enforce segregation in waiting rooms.

The weatehr was sunny but brisk as small knots of whites and Negroes gathered along the sidewalks of Canal Street near the pink stucco terminal. Youths in duck-tail haircuts and blue jeans crossed and recrossed the street from the terminal to the "City Billiard Parlor and Dominoes."

No policeman was in sight when the five Freedom Riders arrived in a taxi and walked up to the glass-jalousied entrance of the white waiting room.

An elderly white man in gray felt hat and work-stained clothes blocked the way and sought to persuade them not to enter. But he stepped aside and the five filed into the joint waiting room and cafe, past the brightly lighted pinball machines and back to the lunch counter in the rear.

Mr. Smith walked over to the ticket window and the four other Negroes took seats at the lunch counter. Mr. Raymond asked twice in a firm voice for service. He was ignored.

### 5 Told to Leave

A. P. McGehee, operator of he bus terminal, walked behind the counter. Tapping his finger on the counter for emphassis, he told each of the Negroes:

"Greyhound does not own this

# Mob Drawn By 'Riders' Turned Back

MCCOMB, Miss. (UPI)— Three more "freedom riders" arrived here unannounced Saturday and police broke up a crowd of white youths who tried to attack them.

No crowd was present when the three riders stepped off a bus from Jackson and entered the Greyhound terminal waiting room, previously reserved for whites.

But a number of white youths spotted them when they emerged from the terminal and got into a waiting car occupied by Tom Gaither, a Congress of Racial Equality (CORE) field secretary, and two other CORE workers.

### DOORS LOCKED

The whites attempted to open the doors, but found they were locked.

They kicked and pounded on the car until police arrived and chased them away.

CORE said the riders were 17-year-old high school students at Jackson who decided to join the "freedom rider" movement on a weekend trip to their homes here.

The three—Jerome Byrd, James Burnham and Joe Lewis — were among a group of about 100 Negroes expelled from school here last fall after a series of student protest marches.

Another CORE member, McArthur Cotton, said he bought a ticket in the white waiting room shortly before the riders arrived and was slugged by a white man.

### HIGHLY SYMBOLIC

The terminal was first integrated Friday by six riders from Louisiana whose trip had advance publicity and drew about 400 angry, jeering whites to the scene. It was the first known instance of compliance with a federal integration ruling in Mississippi.

CORE spokesman Marvin Rich of New York hailed the riders' success as "highly symbolic." Rich said in New Orleans, "the bastion of segregation has been breached and (Mississippi Gov.) Ross Barnett will never be able to make it whole again."

The Jackson Daily News, an outspoken pro-segregation voice, said in Saturday afternoon's edition that Friday will "go down in history as integration day in Mississippi."

But local and state authorities, conceding one defeat in their efforst to preserve segregation, vowed that the battle is not over. City officials said they were preparing a lawsuit aimed at enjoining CORE from sending more riders here. More rides, they said, would endanger the community's citizens.

# DEPOT VIOLENCE FLARES IN MISS.

## Five Negroes Ejected at McComb

By W. F. MINOR

(Times-Picayune Staff Correspondent)

M'COMB, Miss.—Violence flared at the Greyhound bus station here Wednesday as five young Negroes who attempted to test removal of race barriers were roughed and hustled out of the station by white men.

**Earlier a free-lance movie cameraman who said he was on assignment for CBS television, was hit and chased by a crowd in front of the bus terminal.**

The five Negroes, who arrived from New Orleans during the morning, were unable to make a test of desegregation on their arrival because the station was temporarily closed.

They returned about 3 p. m. and attempted to get service at the lunch counter in the white waiting room.

A. P. McGehee, husband of the bus station manager, who was working at the counter, told the Negroes the food service was a "private business" and that he couldn't serve them there.

### CAUGHT TAXI

He told them they could use the waiting room facilities but would have to be served food at the counter for Negroes.

McGehee told police that the Negroes "started beating on the counter and demanding service."

When he was distracted for a few moments to go to the ticket counter, police said, "suddenly the place blew up." Several white men in the station grabbed the Negroes and roughly hustled them out the front door.

The Negroes jumped into a Negro taxicab and left. Police said late Wednesday afternoon they were still looking for the five Negroes in order to "find out what happened to them."

**No police officers were present at the bus station during the day, pursuant to orders from police Chief George Guy and Mayor C. H. Douglas.**

**Guy and Douglas had said earlier that the presence of officers may appear to be an indication that they would seek to enforce segregation of the waiting room facilities by police officers.**

Segregation signs outside the bus station were taken down Tuesday night under the injunction order of a three-judge federal court which was served on the city officials earlier Tuesday.

Mayor Douglas said he would comply with the order and leave the bus station "wide open and see what happens."

The five Negroes who came here on a morning bus from New Orleans included Jerome Smith, 22, president of the CORE chapter in New Orleans; George Raymond, 18; Thomas Valentine, 23; Alice Thompson, 22, and Doratha Smith, 18.

When their bus arrived Wednesday morning, the bus station had been cleared about 15 minutes earlier because of gas fumes from a leaky hot water tank. A plumber had been called and was working on the faulty gas line when the bus came in.

### PLANNED TO LEAVE

Because no one was being permitted inside the station, the five young Negroes caught a cab and left.

They said afterwards they intended to catch a bus out of McComb and return to New Orleans later in the day or Thursday morning.

The cameraman who was attacked was Johaan Rush, 19, from Jackson, a former student at Hinds Junior college.

**Bystanders said Rush was outside the bus station about 2 p. m. Wednesday with his camera when a white man asked him if he "wanted to take my picture." Rush reportedly said "yes, I will," and the man hit him.**

Rush's jacket was torn and then he started running, with several persons chasing him.

He ran into the rear of a dress shop on Main st. and asked for police protection. Police arrived a short time later and took him to the police station.

Rush told police he did not intend to file charges against his assailant.

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MISSISSIPPI

DEC.

McCOMB- FREEDOM RIDERS (CORE)
10 DAY RESTRAINING ORDER ISSUED BY FEDERAL JURIST AGAINST CORE AND THEIR AGENTS

# Judge Orders CORE Halt McComb Activity

## 10-Day Restraining Order Issued By Federal Jurist

McCOMB, Miss. (AP)—The city of McComb Sunday was granted a federal temporary restraining order against the Congress of Racial Equality (CORE) and their agents.

The order enjoined CORE from using bus terminal facilities in McComb for transporting passengers, mail and baggage to McComb and from continuing to use the facilities "for the purpose of fomenting violence and provoking breaches of peace in and near said terminal facilities."

The temporary restraining order was signed late Saturday night by U.S. Dist. Judge Sidney Mize.

It was requested by Asst. City Atty. W. A. Wiltshire, state Atty. Gen. Joe Patterson and Charles Clark, Jackson attorney who is special counsel for the city. Clark flew to Gulfport to give Judge Mize the request.

**ISSUED SATURDAY**

The injunction, which is good for ten days, was issued Saturday but could not become effective until it was served. Service was obtained Sunday on Tom Gaither, Jackson, field representative for CORE.

The injunction applies specifically to CORE and does not affect normal travel of any person in interstate commerce.

The Interstate Commerce Commission recently forbade segregation in interstate travel terminals.

No date for a hearing to extend the restraining order has been set.

The city's plans to seek a federal injunction were announced

**ORGANIZED EFFORT**

"There is now apparently an organized effort by CORE and its agents to break down peace and order in McComb by sending groups purporting to be interstate travelers to the bus terminal," city officials said in a statement.

"The fact has already been established that McComb authorities will not violate the injunction of the federal court that the city must not perform any acts to coerce or enforce segregation in interstate terminals. However, we feel that the city cannot sit by and let CORE endanger the citizenry of McComb under a fictitious cover of interstate travel."

The statement was issued after groups of white men attacked visiting newsmen. On the same day, a group of Negroes—with heavy police protection — were successful in using the bus terminal. Earlier on the previous Wednesday a group of whites attempted to use the bus station facilities.

## McComb Seeks Court Order To Halt Riders

McCOMB, Miss. (AP) — Mayor C. H. Douglas and other city officials said Friday they would ask for a federal court injunction to prevent the influx of more "Freedom Riders" into the explosive McComb bus station.

They said they would ask that the injunction be directed against the Congress of Racial Equality.

Douglas met with Asst. City Atty. W. A. Wiltshire, and Selectmen Sam N. Alford and Charles B. Gordon.

They said, "There is now apparently an organized effort by CORE and its agents to break down peace and order in McComb by sending waves of groups purporting to be interstate travelers to the bus terminal here.

**DAMAGE TO CITY**

"The fact has already been established that McComb authorities will not violate the injunction of the federal court that the city must not perform any acts to coerce or enforce segregation in interstate terminals.

"However, we feel that the city cannot sit by and let CORE endanger the citizenry of McComb under a fictitious cover of interstate travel.

"We feel that this is an intended publicity play by CORE and can only be done at the expense of the city of McComb.

They recommended that the city board apply for such an injunction because "the federal government refuses to assist us in getting CORE from its dangerous actions."

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## RFK Congratulates McComb Officials

WASHINGTON (AP) — Atty. Gen. Robert F. Kennedy congratulated officials of McComb, Miss., Friday on their efforts to end racial violence.

In a statement issued about 5 p.m., EST, Kennedy said:

"Department of Justice representatives in McComb, Miss., have reported that Mayor C. H. Douglas, Police Chief George Guy, and the officers and men of the McComb police department have maintained law and order under tense and difficult circumstances.

"I congratulate them. The situation still is tense and I hope that all persons will continue to respect and obey the orders of the police."

## CORE Files Complaint In Mississippi

MCCOMB, Miss. (AP)—A Mississippi official of the Congress of Racial Equality (CORE) charged today that three Negro men and two Negro women were attacked by white persons at a McComb bus terminal.

Tom Gaither, field secretary for CORE in Jackson, said the five arrived at the bus station just before 3 p.m. and were beaten for more than 10 minutes until McComb police arrived.

Gaither said Thomas Valentine was beaten and "thrown into the street." Jerome Smith, whom Gaither identified as the chairman of the group, was the most severely beaten and suffered head lacerations. The two women, Gaither said, were knocked down and kicked.

In Jackson, the National Association for the Advancement of Colored People sent a telegram about the McComb incident to U.S. Atty. Gen. Robert F. Kennedy.

The wire told Kennedy that, "McComb has become a lawless community. Today, Negroes were beaten by mobs of white men when they tried to use interstate bus facilities."

The NAACP urged Kennedy to take steps "to preserve law and order and guarantee Negro citizens free and unobstructed access to travel facilities in the state of Mississippi and in McComb in particular."

Gaither said he understood the Negroes were planning to catch a 3:30 p.m. bus and he had planned to be there to try and prevent any trouble. But the Negroes arrived earlier than he thought they would, Gaither added.

McComb Police Chief George Guy said, "I can't find the Negroes to find out what happened."

Earlier, a crowd of white persons attacked free lance photographer Johann Rush, 19, of Jackson, Miss., reportedly tearing his coat and damaging his camera.

Chief Guy said the disturbance involving Rush came after Rush took a picture of a bystander.

# McComb Bus Test Barred; Editor Slugged

By CLAUDE SITTON

(Copyright 1961 by the New York Times Co.)

McCOMB, Miss. — A Federal District Court judge has issued a temporary ban against further tests of bus terminal desegregation here by the Congress of Racial Equality.

An official of the antisegregation organization was served with the order Sunday shortly before the McComb newspaper's editor was attacked in front of a downtown drug store.

Oliver Emmerich

Oliver Emmerich, editor and publisher of the Enterprise-Journal, was knocked to his knees by a white oil-field worker. The 61-year-old Emmerich, who recently recovered from a heart attack, received a deep gash across his left temple.

The publisher, who also is editor of the State-Times in Jackson, said his assailant had complained that out-of-town newsmen were using the McComb newspaper as their headquarters.

Police chief George Guy said he personally has arrested Milton Joins Stayton, a 43-year-old Texan who moved here a few months ago to work in a local oil field. He said Stayton was charged with assault and battery after admitting the attack. He was released on $1,000 bond.

**PERSUADED OFFICIALS**

Emmerich, one of Mississippi's most prominent residents, played a key role in persuading city officials here to take a stand for compliance with a three-judge ruling issued Monday. It directed the police to remove racially discriminatory signs they had erected at the Greyhound bus terminal and to take no other action to block implementation of a recent Interstate Commerce Commission regulation banning segregation.

Judge Sidney C. Mize of Gulfport, a dissenting member of the three-judge panel, granted the 10-day temporary restraining order Saturday at 4 p.m. against CORE, which has headquarters in New York. He set a hearing for Thursday in Jackson to determine whether the order should be extended.

Thomas Gaither, the organization's field secretary in Jackson, said he had been served with the order Sunday morning.

The ban was requested by Mayor C. H. Douglas of McComb and Mr. and Mrs. A. P. McGehee. The McGehees operate the Greyhound terminal and restaurant here.

CORE was forbidden from "sponsoring, financing or encouraging persons to utilize the facilities located in the city of McComb."

**VIOLENCE BARRED**

The organization and its agents also were prohibited from "continuing to utilize said terminal facilities for the purpose of fomenting violence and provoking breaches of the peace in or near said terminal facilities."

Judge Mize specifically excluded from the order the "normal, usual or ordinary travel of any persons in intra-state or inter-state commerce."

The following statement by CORE was issued by Gaither.

"CORE does not feel that the right of individuals to travel in dignity can be limited. We would like to point out that the United States government has previously shared this view in proceedings in the United States District Court in Alabama. Judge Frank M. Johnson has recently dissolved an injunction similar to the one just issued by Judge Mize.

"CORE hopes that the day will soon come when all can travel with dignity, without fanfare and without crowds all over America. CORE representatives will be present to defend their position at the hearing on Dec. 7, 1961, at 9 a.m."

**GASH CLOSED**

A physician closed the gash on Emmerich's temple with two stitches. He found no other injuries, according to the victim.

"I may be completely wrong, but I don't remember ever seeing that man before," Emmerich told newsmen later.

## DESPITE VIGILANCE

# 3 Newsmen Attacked In McComb Violence

MCCOMB, Miss. (AP)—Despite increased police vigilance and the mayor's promise to suppress violence, disorders erupted on the streets of McComb Friday with groups of white men attacking visiting newsmen.

Four white men attacked Don Uhrbrock and Don Underwood of Life magazine and Simmons Fentress of Time magazine. The attackers pushed Uhrbrock through a plate glass window.

Later in the day, a group of six white youths attacked Associated Press Photographer Fred Kaufman. One of them hit him three times behind the right ear before Kaufman reached the office of the McComb newspaper, the Enterprise Journal.

When new Negro "freedom riders" arrived from Baton Rouge to test segregated facilities in the McComb bus terminal, a group of white men cursed other newsmen whom police hustled into City Hall for protection. The new riders apparently left McComb quickly by car.

Violence first erupted in McComb this week when five Negroes—three men and two women—were attacked and beaten Wednesday by a group of white persons. One of the Negro men, Jerome Smith of New Orleans, said later he was beaten by a man wearing brass knuckles.

**MET BY FOUR MEN**

Mayor C. H. Douglas said four white men were arrested in connection with the beatings, charged with fighting and disturbance of the peace, and later released on $100 bond each.

At the same time, Douglas said the city would enforce the new Interstate Commerce Commission ruling banning segregated facilities for interstate passengers in transportation terminals. He said he would end violence in the city.

Fentress said the three newsmen were walking toward the newspaper office when the four men met them.

One of them, Fentress said, asked "Are you from Time magazine?"

"I am here on business," Fentress said he replied.

"Your business is our business," one of them shot back, Fentress said, prodding him in the chest with a finger, and then striking him.

Fentress said the men then attacked Uhrbrock and Undrwood, shoving Uhrbrock through the glass window.

Uhrbrock suffered a swollen lip, but Underwood and Fentress apparently were not injured.

Shortly after the attack on the three newsmen, police arrested Haskel Boyd, 20, who was among the four men arrested in Wednesday's attack.

The bus station in McComb—the community is in Southern Mississippi and termed "The Camellia City"—shut down its restaurant facility today. Other sections of the terminal remained open.

Police turned out in full force at the single-story bus station, located a bit more than a block away from the police station. Officers cautioned all pedestrians to keep moving and not to congregate around the station.

Police Chief George Guy, who said he believed his force could cope with the situation, said offers of aid came from the state highway patrol and the Pike County sheriff's office.

Mississippi Gov. Ross Barnett said in Jackson he had no plans to call out the National Guard to preserve order in McComb.

# Irate White Slugs Editor Over Policy

McCOMB, Miss. (AP) — Editor John Oliver Emmerich of the McComb Enterprise-Journal was slugged Sunday in the wake of racial disturbances here.

Police said Milton J. Stayton, 43, a white oilman, was charged with assault and battery. Bond was set at $1,000.

Police Chief George Guy said Stayton admitted striking the editor in anger over racial disturbances in McComb.

Stayton, married and the father of several children, was a former east Texas oilman who has been living in McComb about 18 months.

Associates said Emmerich stopped at a drug store for a cup of coffee when a white man approached and asked him whether he was responsible for bringing in out-of-state photographers and newsmen for coverage of racial violence last week. Five New Orleans Negroes who came to McComb to test segregated terminal facilities, and four visiting newsmen were beaten by white men.

Emmerich replied that he had only shown visiting newsmen professional courtesy.

The white man struck Emmerich on the left arm and hit him over an eye. Emmerich fell, fending off additional blows. Several stitches were taken to close the wound over his eye.

A drug store employe came to Emmerich's aid and told the attacker he ought to be ashamed of hitting a World War I veteran.

The assailant said, "Well, I'm a veteran of the Korean War," and walked off.

# 4 Newsmen Attacked in McComb

MCCOMB, Miss. (AP)—Despite increased police vigilance and the mayor's promise to suppress violence, disorders erupted on the streets of McComb Friday with group of white men attacking visiting newsmen.

Four white men attacked Don Uhrbrock and Don Underwood of Life magazine and Simmons Fentress of Time magazine's Atlanta bureau. The attackers pushed Uhrbrock through a plate glass window.

Later in the day, a group of six white youths attacked Associated Press Photographer Fred Kaufman. One of them hit him three times behind the right ear before Kaufman reached the office of the McComb newspaper, the Enterprise Journal.

**RIDERS EXIT FAST**

When new Negro "freedom riders" arrived from Baton Rouge to test segregated facilities in the McComb bus terminal, a group of white men cursed other newsmen whom police hustled into City Hall for protection. The new riders apparently left McComb quickly by car.

Violence first erupted in McComb this week when five Negroes—three men and two women—were attacked and beaten Wednesday by a group of white persons. One of the Negro men, Jerome Smith of New Orleans, said later he was beaten by a man wearing brass knuckles.

# Federal Court to Hear Mississippi Freedom Riders' Case Sept. 25; NAACP Files Suit

JACKSON, Miss.—(ANP)—A federal court test of segregation, the results of which will affect the future of Jackson's 300 freedom riders arrested on breach of the peace charges, was delayed last week.

Federal Judge Richard T. Rives set Sept. 25 as the date for the hearings both on temporary and permanent injunctions that would stop police from arresting freedom riders on such charges. The NAACP is seeking the injunctions.

Rives overruled motions for more definite information concerning the charges, but ordered the NAACP to furnish Jackson City Lines within 10 days the names and circumstances of bus drivers ordering Negroes to sit in the rear of buses.

The judge denied a motion for immediate hearing on a temporary injunction because of the addition for the Jackson City Airport commission as a defendant. The commission, included last week, was given until Aug. 27 to file information and until Aug. 17 to file motions in the case.

Rives, who presided over the three-judge case, told attorneys both for the NAACP and the defendants that he intends to try the Freedom Rider case on its merits.

While last week's action was spent in hearing preliminary motions, he said there will be no arguments on such motions when the court convenes in September.

The court declined to order the NAACP to post bond for court costs after the organization's Negro woman attorney from New York, Constance Baker Mot[illegible] said she would file a statem[illegible] with the court that the NAA[illegible] will pay any costs assessed.

Hearing the suit are Judge Ri[illegible]es and district Judges Claude Clayton of Tupelo and Sidney Mize of Gulfport.

Jackson attorney Tom Watkins, representing the city, asked the court to throw out the suit in which the NAACP seeks to enjoin the city and state and transportation officials from enforcing segregation.

He said the three-judge court is limited to determining whether existing segregation laws are constitutional and cannot rule on the enforcement of breach of the peace laws.

"There has not been an arrest made under the segregation statutes in the past 10 years," Watkins said of the statutes being tested for constitutionality by the NAACP.

Jackson's 300 "freedom riders" have all been arrested for breach of the peace after refusing to obey police orders to move on.

"The court's only function is to pass on the constitutionality of state statutes," Watkins contended.

"The method of enforcing a law cannot properly be heard by a three-judge court."

The NAACP argued that the city has enforced segregation "under color" of the breach of peace statutes.

Watkins contended that the case should be heard by a single judge district court.

The NAACP filed the suit on behalf of three Jackson Negroes, Samuel Bailey, Joseph Broadwater, and Burnett L. Jacob. None has been involved in the "freedom rider" invasion.

In another challenge against southern laws, a four-man civil rights staff in the office of the attorney general went back to work in defense of an attack on school segregation.

## 'RIDER' TRIALS TO START

### First Of Appeals Cases To Begin Tuesday

JACKSON, Miss., Aug. 18.—(AP)—The vanguard of 190 convicted "Freedom Riders" will go on trial Tuesday in Hinds County Court, seeking to overthrow the city court decision finding them guilty on breach of peace charges.

The two-a-day trials involve riders who posted appeal bonds before the August term of county court began. Those posting bonds after the opening of the term will go before a later court session.

The trials will be before Hinds County juries.

The first case will involve Henry J. Thomas of St. Augustine, Fla., one of the first group of riders who arrived May 24.

## Agency Trying To Evade Suit

### Airport Authority Asks To Be Removed From Action By 'Freedom Riders'

By The Associated Press

JACKSON, Miss., Aug. 17. — The Jackson Municipal Airport Authority asked the Federal District Court Thursday to remove it from a suit to stop police from arresting so-called "Freedom Riders" on breach of peace charges.

The airport authority also filed a motion asking that the injunction plea be taken out of a three-judge court and sent back to the United States District Court, Southern District, where it was filed originally.

The airport authority was added to a list of defendants Aug. 7. This move delayed a hearing on the permanent injunction until Sept. 25.

**Riders Arrested**

The Riders and several Jackson Negroes have been arrested after they refused to move from transportation terminals, from terminal restaurants and from the front of city buses.

Attorney Rubel Phillips said the airport group is an agency and political subdivision of the State of Mississippi and the complaint fails to state a claim on which relief may be granted.

The injunction, he said, presents only factual issues and complaints of policies, practices, customs and usages.

The original motion, filed June 9 by the National Association for the Advancement of Colored People on behalf of three Jackson Negroes, would prohibit police from arresting anyone testing segregation barriers in public travel facilities.

**Defendants Named**

Defendants in the case include Jackson City Lines, Illinois Central Railroad, Trailways and Greyhound Bus companies, the attorney general's office and the Airport Authority.

Presiding Judge Richard T. Rives has ordered the NAACP to furnish Jackson City Lines the names of circumstances under which bus drivers allegedly ordered Negroes to sit in the rear of buses

# First Of Rider Trials Opened

Jackson News 21 June 8-22-61

## Attorney Believes Jury Will Be Fair

The first of 192 "freedom rider" appeals began in Hinds county court here today but it may be another day before testimony actually begins.

The appeal of Henry Thomas, 19, a Negro, of St. Augustine, Fla., was scheduled to begin at 9 a.m. before County Judge Russel Moore.

Jackson News

Freedom Rider Attorney William Kunstler at the opening of county court this morning withdrew his request for a change of venue but asked the court to instruct the Jackson Daily News to refrain from calling racial agitators "homosexuals and draft dodgers."

Kunstler said he decided to forego the request for a change of venue because "we've come to the conclusion the people of Jackson will not be influenced by the literature that has been in the local press."

Judge Russel Moore denied his plea for instructing the newspaper. Moore said the appeals will be heard as individual cases. "I don't care to get in an argument about the newspapers," Moore said.

Moore commented he wished he could instruct Life and Time magazines sometimes to be factual.

He protested the appearance of only two Negroes on the list of 60 prospective jurors.

"Rider" appeal cases have been scheduled at the rate of two per day in county court but the schedule would apparently be upset during the opening day.

Kunstler has subpoenaed more than 50 witnesses, including state officials and Jackson's leading 7 attorneys. In addition he said he planned to question prospective witnesses at length.

City Prosecuting Attorney Jack Travis has subpoenaed 13 witnesses, including several policemen, civic and business leaders and newspaper reporters.

Both sides obviously planned to make a lengthy record of the first trial.

Thomas, a student at Howard University in Washington, D. C., was arrested at the Trailways bus terminal here May 24, with the first group of "riders" to invade Jackson when the movement shifted here from Montgomery.

He was convicted in municipal court the next day and fined $200 with a 60 day jail term suspended.

He sat out the fine at the rate of $3 per day until July 5, when the Congress of Racial Equality secured his freedom on $500 bond.

In municipal court the city charged the "riders" came to Jackson only to break state laws and create an incident.

**ALL THE WAY**

Kunstler, an attorney for the American Civil Liberties Union, said he expects to take the cases to the U. S. Supreme Court if necessary.

He issued more than 40 summons yesterday, including requests for the appearance of Gov. Ross Barnett, former Gov. J .P. Coleman and other state officials.

Barnett rejected the subpoena and said he expected to be out of town today. Sheriff's deputies could not contact Coleman.

Barnett wa sin Miami, Fla., today to address the national convention of the Veterans of Foreign Wars.

**PRIESTS TURN BACK**

Meanwhile two Catholic priests who announced from New York they planned to come to Jackson as "riders" last night were halted en route by their superiors.

The two, both staff members of a New Orleans school, said they had permission of church officials to conduct the move in Jackson but as they reached Atlanta en route Jackson a diocese official telephoned them and ordered them to call off the ride.

The two white priests had planned to come to Jackson via airplane, then move to the Trailways bus terminal and sit in the Negro waiting room while awaiting transportation to New Orleans.

# Big Names Called For Rider Trials

Jackson News p 18 June 8-22-61

By W. C. SHOEMAKER
Daily News Staff Writer

Attorneys for "freedom riders" scheduled to go on trial in county court here today have summoned more than 40 persons as defense witnesses, including Gov. Barnett and nearly every other state official.

Attorneys for the "riders" filed the requests for subpoenas yesterday and William Kunstler, of New York, American Civil Liberties Union attorney who has joined in the defense, said he expected to issue more later.

Jackson Miss

A deputy sheriff telephoned Gov. Barnett to notify him of the summons.

He said Barnett told him he had planned to be out of Jackson

Also among those subpoened were former Gov. J. P. Coleman of Ackerman, now Choctaw County's representative in the State Legislature. Deputies said they had been unable to reach Coleman.

The list also included numerous Jackson attorneys and businessmen.

Appeals of 190 "riders" begar at 9 a. m. before County Judge Russel Moore.

The 190 have been convicted i municipal court of breach of the peace charges. They are among nearly 300 "riders" who have flooded Jackson since May 24 under the sponsorship of the Congress of Racial Equality.

Subpoenaed by the defense in addition to Barnett and Coleman were Hinds Chancery Clerk Frank T. Scott, Hinds Supt. of Education J. E. Aldridge, City School Supt. Kirby Walker, Hinds county supervisors Tom Virden, E. F. Reagan, Shelby M. Hubbard, Dan Ferguson, and L. J. Beasley, Citizens Council Administrator W. J. Simmons, State Atty. Gen. Joe T. Patterson, Mayor Allen Thompson, Police Chief W. D. Rayfield, Detective Chief M. B. Pierce, Dist. Atty. William L. Waller, Jackson attorneys E. H. Cunningham, Forrest B. Jackson, E. B. Tobb, Pat H. Eager, Julian P. Alexander Jr., Rufus Creekmore, E. L. Shelton, Dixon Pyles, Colin L. Stockdale, B. B. McClendon and W. E. Gore Jr.; Jackson newsman W. F. Minor, S. W. Miller, James W. Wilson, R. W. Sanders, R. L. T. Smith Sr., M. J. Lyells, T. C. Almore, John W. Dixon, Dampeer Thornton, Fred P. Scott, Onie Forte, Dr. A. H. McCoy, I. S. Sanders, Frank Conic, O. J. Wolfe, Wiley Spencer, Jonas Waits and V. R. Collier.

The city has subpoenaed Ralph Hargrove, J. M. Sheppard, John A. Chamblee, and J. L. Ray of the police department, Civic and business leaders, Robert M. Hearin, Jimmie Flower, and Mendell Davis, and newspaper reporters, Wallace Dabbs, Bill Coppenbarger, W. C. Shoemaker, Dave Maddux and Ed McHale.

Judge Moore told county court jurors yesterday that in spite of "considerable publicity and news stories regarding the so-called 'freedom riders" and their appeal trials beginning here this week," the trials will all be handled as routine breach of the peace cases.

"There will be no extra consideration nor undue attention over these cases," the judge said, "as they are simply breach of the peace appeal cases and nothing more."

Prospective jurors summoned to hear the appeals this week include Harry Geotes, Thomas J. Hooper, A. L. Phillips, T. L. McFarland, I. Lewine, Walter E. Sistrunk, G. A. Sanderford, Golden B. Branch, Albert E. Armstrong, B. G. Horton, Chester P. Null, U. J. Barr Jr., Thomas E. McKenzie, H. P.

Burt, D. B. Moore, Henry M. Alford;

Ned F. Montgomery, C. Paul Sebren, C. M. Prouty, Samuel J. W. Bell, Robert Whittington, Roy E. Waddy, J. B. Thompson Jr., Edward F. Frank Jr., Tommy Barron, D. L. Weeks, Earl Jointer, John L. Bell, Eddie L. Leach, J. J. Rawls, Charles A. Jackson, David H. Smith, George Gouras, J. Robert Buntyn, Sam A. Coggin, H. E. Wads, James Thomas Dorris, Grover E. Cook, Hamilton Pierce, Ellis J. Cummins, Wilfred E. Lack, A. C. Spivey Jr., John F. Pate, Dewitt Tyler, Thomas F. Gallagher, Shelton M. Thomas, James A. Ables, Francis M. Pender, Lawson T. Watts Jr., James L. Martin Jr., R. C. Armstrong, Jerry Hackler and Manzie Reese.

# No Fair Trial In Mississippi, Atty. Tells Rider Trial

Atlanta World
Wed 8-23-61
A5
Atlanta, Ga

JACKSON, Miss. — (UPI)—Attorneys for a young Negro "freedom rider" called a parade of witnesses Tuesday in an attempt to show he could not receive a fair trial under Mississippi's predominantly white jury system.

Henry J. Thomas, 19, of St. Augustine, Fla., is the first of about 300 riders convicted in police court for breach of the peace to go on trial in appeal proceedings in Hinds County court.

Before selection of a jury could get underway defense attorney William A. Kunstler of New York asked that the 60-man venire, from which the jury would be selected, be declared ineligible to hear the case because only two of its members are Negroes.

To prove his charges that Negroes are allowed only token jury duty here Kunstler called eight white lawyers, 10 Negro voters and county officials and election commissioners.

The lawyers testified that they had never seen a Negro serve on a trial jury in cases they handled but said they frequently serve on grand juries and are called on venires from which trial juries are chosen.

Eight Negroes testified that they had been registered to vote—and thus eligible for jury duty—for 12 to 40 years and had never been called to jury service.

Under cross-examination Julian

the automobiles and buses and a modern and efficient network of local railways to serve the growing number of workers during rush hours.

The plan calls for an initial 60 miles of high speed trunk lines serving all five counties and connecting Marietta, Norcross, North Druid Hills, Avondale, and Forest Park with a centrally located Transit Center opposite Plaza Park in the heart of downtown Atlanta. Thirty-two stations are named.

38a 1961

# Freedom Riders' Trials To Run for 5 Months

JACKSON, Miss., Aug. 15 (AP).—The appeal trials of nearly 200 convicted Freedom Riders will begin next Tuesday in Hinds County Court. They are expected to continue through January.

County Judge Russel Moore today scheduled arraignment for three additional riders after 188 others pleaded not guilty of breach of peace charges.

The riders are appealing City Court convictions after their arrests for refusing to obey police orders to move on while attempting to desegregate transportation terminal facilities in this State capital city of 70,000.

The first Freedom Riders reached Jackson last May 24. Since then, 297 have been arrested. Some remain in jail.

The three scheduled to be arraigned today were John Dolan, 20, of Berkeley, Calif.; George Marion Blevins, 21, of Los Angeles, and Frank Nelson of Brooklyn N. Y. All are white.

**Three Given More Time**

Judge Moore granted the three an additional day after they were jailed on other charges in New Orleans last Saturday and were unable to meet the Monday appearance deadline.

Attorneys went through formal legal procedure in the first of 197 cases called yesterday, then took an average of 25 seconds per person for the 188 who entered pleas and received trial dates. Nine defendants did not appear, including the three who were to be arraigned today.

Judge Moore said the other six must forfeit their $500 bonds or appear at the next term of court and show why they were not present yesterday.

Defense Attorney William Kunstler's motion to dismiss the charges failed. He contended that the application of the breach-of-peace law was unconstitutional and violated a Federal statute in regard to free use of travel facilities.

**Motion Overruled**

Judge Moore overruled the motion, saying it was premature and could be entered when the jury trails begin next week.

The defense also filed a motion for a change of venue on grounds prospective jurors in Hinds County had been prejudiced by newspaper and television editorials.

After consultation with the judge, Mr. Kunstler withdrew the motion and said he would re-enter it later. Judge Moore said testimony and arguments on the motion would be heard before the first rider appeal trial begins.

Most of the riders planned to leave Jackson and return home to await their trial dates.

Mr. Kunstler has had five other rider cases removed to Federal Court in Jackson. United States District Judge W. Harold Cox will hear arguments on whether civil rights are involved in the cases Saturday when the State attempts to regain jurisdiction.

**Action Speeded for Two**

Yesterday Judge Moore permitted two defendants to enter their pleas during the morning so they could return home by plane.

They were Mark Lane, 33, a New York State assemblyman, of Manhattan, and Percy Sutton, 40-year-old Negro president of a New York City branch of the National Association for the Advancement of Colored People. Both pleaded not guilty.

Under procedure agreed upon by both Mr. Kunstler and city attorneys, two trials will be held daily five days each week until all cases are finished. The 188 are scheduled to complete their trials January 17.

Under the rules of Judge Moore's court, all Freedom Riders who had posted bonds were required to appear personally or forfeit bonds.

There were no demonstrations or incidents yesterday. Police kept a two-block area around the courthouse cleared of onlookers and Judge Moore banned applause, smoking and loud talking in the courtroom.

MTSSTSSTPPT

# 'Riders' Descending On Jackson to Appeal $500 Bonds at Court

JACKSON, Miss., Aug. 12 (AP).—Freedom riders coming by bus, train, plane and cars—began arriving in Jackson Saturday to keep a date with a County Court judge.

More than 180 white and Negro riders who posted $500 appeal bonds after unsuccessful desegregation attempts of transportation facilities were expected in Jackson by Sunday night. They are to appear in court Monday to appeal breach of the peace convictions.

**SUNDAY RALLY SET**

A freedom rider rally will be held Sunday night.

The Hinds county sheriff's office and Jackson police prepared to prevent any outbreak of violence.

"We are taking extra precaution to see that proceedings are completed in an orderly manner," said Sheriff J. R. Gilfoy. "No loitering or congregating will be allowed around the courthouse Monday. No one will be allowed inside the courtroom except the defendants, their counsel, the prosecutors, the judge and the press."

**TO BE POLICED**

Chief of Detectives M. B. Pierce said "We will have adequate policemen on hand to assist the Sheriff at the courthouse and to see that if any laws are broken, whether it be by freedom riders or not, the persons involved will be arrested."

Riders began arriving in Jackson Saturday individually and in small groups, but the largest delegation was expected Sunday on the "City of New Orleans" train. New Orleans was one of the major gathering points for riders.

**2 BUSES SATURDAY**

Two chartered buses carrying riders were to leave Nashville Saturday night.

John Lewis, acting chairman of the Nashville Student Non-Violent Movement, said "We have the entire Minnesota dele-gation and some from Chicago and Cincinnati."

# 180 Riders Set Mass Trek to Jackson Trials

By the Associated Press

More than 180 convicted Freedom Riders were making plans today for a mass trek to Jackson, Miss., to start appeal proceedings Monday.

Trials of the appeal cases are expected to begin before county juries on August 21 at the rate of two per day, indicating it might be four or five months before final cases are heard.

Attorney William Kunstler of New York said he tried without success yesterday to win modification of a Hinds County court order requiring all defendants to be present on the opening day of the county court term handling their appeals.

Circuit Judge Leon Hendrick refused to order County Court to change its rule, Mr. Kunstler said, and Justice W. N. Ethridge, jr., of the Mississippi Supreme Court did not have the power to take the action he sought.

**Advised to Appear**

The attorney said he had advised the 187 convicted Freedom Riders to be in Jackson to appeal their breach of peace convictions in City Court to County Court.

At the same time, he said he was filing proceedings to transfer to Federal Court the cases of five convicted riders not expected to be able to

AUGUST

JACKSON-FREEDOM RIDERS

return to Jackson.

Meanwhile, arguments resumed in Federal District Court at Jackson on the application of James H. Meredith, 28, a Negro, for a court order to force the University of Mississippi to admit qualified Negroes.

A survey by the Richmond News Leader showed that 529 Negroes planned to enter desegrated schools next month, compared with about 200 enrolled last year. That would raise from 37 to 67 the number of desegrated schools. However, Negroes would still account for less than one per cent of those enrolled.

**10 Negroes to Enroll**

The school board in Elizabethton, Tenn., agreed to abolish segregation in first grades on September 1. Officials estimated 10 Negro pupils would attend classes. Similar grade-a-year plans already are in effect in Knoxville and Nashville.

At Nashville, fines were levied against six of 15 persons arrested Saturday night during a racial clash between white youths and demonstrators picketing a supermarket. The stiffiest fine, $50, was on a disorderly conduct charge.

The State Board of Education in Georgia agreed to hold a special meeting Monday to consider an appeal of its decision to permit a white Atlanta girl to trasnfer from one high school to another.

**Earlier Request Denied**

The Atlanta Board of Education earlier denied the request of Sandra Melkild to transfer from Northside High, scheduled to be desegregated August 30, to Dykes High, a school which will remain segregated this year. The State board overruled this decision.

At Madison, Wis., Mrs. Vel Phillips, Democratic National Committeewoman for Wisconsin, joined a group of sit-in demonstrators in the rotunda of Wiscsin's Capitol. The sit-in participants are seeking housing legislation.

Mrs. Phillips, a Negro, said, "All I'm doing is representing the State Democratic Party's principles."

# 'Rider' Faces Jury Trial Tuesday

The Montgomery

JACKSON, Miss. (AP)—Henry Thomas, a 19-year-old Negro, will become the first "Freedom Rider" to receive a jury trial Tuesday when he appeals his breach of peace conviction to county court.

Thomas, a lanky Howard University student, was convicted in City Court May 25 after he refused an officer's order to move out of the Trailways bus terminal May 24. He attempted to use all-white facilities.

City Judge James L. Spencer gave Thomas a $200 fine and a 60-day suspended sentence. Thomas posted a $500 appeal bond July 5 after serving out more than half his fine at $3 a day.

The St. Augustine, Fla., rider was in the second group of riders arriving May 24. He is one of 297 riders arrested in Jackson, of which 291 have been convicted, 237 have posted appeal bonds, four have paid fines, one has served the sentence and 49 remain in jail.

**WOULD APPEAL**

Defense attorney William Kunstler of New York said if Thomas were convicted in county court, the case would be appealed to the circuit court, State Supreme Court and the U. S. Supreme Court if necessary.

County Judge Russel Moore is scheduled to hear a motion for a change of venue at 8:30 a.m. Tuesday.

# Riders' Pleas Being Studied

By BEN MCCARTY
Associated Press Staff Writer

U.S. Dist. Judge Harold Cox Saturday took under advisement until next week a suit to return five "freedom rider" cases to state court.

Attorney William Kunstler of New York earlier filed the suit which automatically placed an appeal of breach of peace convictions in federal court.

Tom Watkins, attorney for Hinds County, cited two cases which said the illegal enforcement of a law by police or administrative officers was not grounds for removal to federal court.

The petitioners, Watkins said, cannot come to this court and say a policeman improperly enforced a legal statute.

"If the alleged wrongs are committed by officers or individuals the remedy is the . . . highest court of the state and then to the Supreme Court of the United States."

Kunstler argued that removal to federal court when a state statute prevents the petitioners from enforcing a civil right in state court.

"It is not a breach of peace law," Kunstler said. "It is a segregation law—pure and simple.

"It is designed to punish people who violate segregation acts in public transportation terminals which are unconstitutionl."

These five petitioners, he said "cannot enforce their rights in state courts because they are faced by this breach of the peace conduct."

"There is no constitutional defense against the broad and vague staute designed to take the place of segregation statutes."

On a question by Judge Cox, Kunstler said the freedom riders, sponsored by the Congress of Racial Equality, used a non-violent approach and had no idea to provoke a breach of the peace.

"They came here to dramatize the segregation in interstate commerce as practiced in Mississippi," he said.

"The federal court is the proper place for these cases. They can't be resolved in state courts."

Atty. Gen. Joe Patterson said in rebuttal the removal to federal court was "a blatant attempt to nullify action in state court by coming in the backdoor.

"It's the business of the State of Mississippi which statute it acts under to enforce its law. The petitioner's contention is frivolous."

Patterson said the freedom riders decided, "we don't like your laws and we're going to break them. We dare you to stop us."

He added: "They were nonviolent provided nobody got in their way. They came here to provoke trouble and to create friction, confusion and riots."

In County Court Tuesday, appeal trials for 190 freedom riders will begin on the same breach of peace charges.

The five whose cases went to federal court were:

Judith Ann Frieze, 22, Waban, Mass.; Dr. James Carey, Berkeley, Calif.; Shirley Smith, 34, New York City; Orville Luster, Daly City, Calif., and Elmer Brown, 20, Akron, Ohio. Frieze, Carey and Smith are white and Luster and Brown Negro.

# First Rider Trial Ready To Begin

## Florida Negro To Appear In Jackson Court Tomorrow

By United Press International

JACKSON, Miss., Aug. 20. — The first of 192 so-called "Freedom Riders" appealing breach of the peace convictions goes on trial Tuesday. The other 191 are scheduled to be tried from then until Jan. 19.

Henry J. Thomas, a 20-year-old Negro from St. Augustine, Fla., was the first rider to receive a trial date when the integrationists were arraigned last week. All the riders were convicted in Police Court and are being given jury trials as part of their appeal process.

**Veteran Of Rides**

Thomas' trial opens before County Judge Russell Moore Tuesday at 9 a.m. The state is expected to try to show Thomas was trying to provoke a breach of the peace when he entered a white waiting room. The defense will claim he was arrested for challenging segregation.

Thomas has been a member of the rider movement since its start. He was aboard the bus which was burned by segregationists in Anniston, Ala., and he was on the first bus which reached Jackson May 24 under massive police protection. Since that day about 300 persons have been arrested here as members of the movement.

Thomas served part of his jail sentence for breach of the peace, then was released on appeal bond. He made a 'protest ride' into Arkansas and now is a field director of the Congress of Racial Equality.

A Federal judge will make a decision next week which might take all the rider trials out of County Court.

William Kunstler, attorney for the riders, transferred the cases of five riders from the County Court to United States District Court. He said a Federal Civil Rights Act allows such transfers to be made when persons are arrested on state laws designed to preserve segregation.

**Called 'Blatant Attempt'**

In a hearing Saturday, state Atty. Gen. Joe Patterson called for United States District Judge Harold Cox to return the cases to County Court. Mr. Patterson said Kunstler's act was a "blatant attempt to nullify state court procedure."

Judge Cox said he will rule on the motion this week. Kunstler has said he will transfer the cases of all the riders out of the state courts if he gets a favorable ruling.

# First Of Rider Trials Today In Mississippi

JACKSON, Miss. — (UPI) — Separate trials for each of 192 "freedom riders" appealing breach of peace convictions resulting from their integration activities begin here Tuesday. The trials are expected to extend well into 1962.

Henry J. Thomas, a 20-year-old Negro from St. Augustine, Florida, will be the first of the integrationists to appear before County Judge Russell Moore. He is scheduled for trial at 9 a. m. Tuesday. Thomas, a field director of the Congress of Racial Equality, has been a member of the rider movement since it started. He was aboard the bus which was burned by segregationists in Anniston, Ala, last May.

All the riders were convicted in police court on breach of peace charges after refusing to obey police orders to use segregated waiting rooms in bus, rail and air terminals here.

The entire group was required to appear in court here last week for arraignment.

A federal judge will make a decision next week which might take all the rider trials out of county court.

# 'RIDER' APPEAL TRIALS TO BEGIN

## Henry Thomas Hearing Slated for Today

By BEN MCCARTY

JACKSON, Miss. (AP) — Henry Thomas, 19-year-old Negro, will become the first "Freedom Rider" to receive a jury trial Tuesday when he appeals his breach of peace conviction to county court.

Thomas, a tall Howard University student, was convicted in city court May 25 after he refused an officer's order to move out of the Trailways bus terminal May 24. He attempted to use all-white facilities.

City Judge James L. Spencer gave Thomas a $200 fine and a 30-day suspended sentence. Thomas posted a $500 appeal bond July 5 after serving out more than half his fine at $3 a day.

**IN SECOND GROUP**

The St. Augustine, Fla., rider was in the second group of Freedom Riders arriving May 24. He is one of 297 riders arrested in Jackson, of whom 291 have been convicted, 237 have posted appeal bonds, 4 have paid fines, 1 has served the sentence and 49 remain in jail.

Defense attorney William Kunstler of New York said if Thomas was convicted in county court, the case would be appealed to the circuit court, state Supreme Court and the U.S. Supreme Court if necessary.

County Judge Russell Moore was scheduled to hear a motion for a change of trial site at 8:30 a.m. Tuesday. Kunstler was expected also to enter a motion asking Moore to dismiss the case on grounds the defendant was within his constitutional right in using terminal facilities.

**JURY SELECTION**

After all motions are heard, attorneys will begin selecting a 12-man jury to decide the case. The jurors will come from a 53-man weekly jury list which includes two Negroes.

Judge Moore said the case would be heard just as any misdemeanor charge. Kunstler said he plans to exhaust all legal means in Thomas' defense so he will have a full record for appeal purposes.

Gov. Ross Barnett and former Gov. J. P. Coleman were sought as defense witnesses, but officers said Barnett declined to accept his subpoena and Coleman was not located by the deputies seeking to serve him.

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CHATTANOOGO CHIT CHAT

MISSISSIPPI

AUGUST
JACKSON- FREEDOM RIDERS
CHATTANOOGA, TENN.REV. C.T. VIVIAN
IN GROUP OF ORIGINAL RIDERS

# Rider trial holds real interest here

The Afro American
P. 11

By PETER D. SIMMONS

CHATTANOOGA, Tenn. — Miss. Freedom Riders' trails held special interest here.

The ~~Rev. C. T.~~ Vivian, pastor of the Cosmopolitan Community Church here, was among the original riders and was back in Jackson for the mass grouping of ~~defendants~~.

A telephone conversation ~~with~~ the Rev. Mr. Vivian on his return to town revealed some interesting facts.

First of all he said, "We were treated very nicely. I noticed many little things that perhaps the press might have overlooked. They made no attempt to segregate us."

Further conversation brought out the fact that there was really no need for all of the riders to return to Jackson, because the way the trial dates are set, it will be 1962 before there will be an end to it, at the rate of two a day, five days a week.

Jan. 2, 1962

THE REV. MR. VIVIAN said his trial ~~date is set~~ for around January, 1962.

At a recent Freedom Meeting held here, the Highlander Folk School mixed choir under the direction of Guy Carawan furnished the music.

The group of colored and white students came from many southern states and elsewhere.

The back-to-school movement is taking shape again and in a few weeks, the teachers and students will return to the classrooms.

Around this town there were several changes and promotions among principals and a number of new teachers were employed.

The city school board this week approved five personnel changes involving principals and persons promoted to the status of principal.

JACKSON- FREEDOM RIDERS TRIAL

# Freedom Riders Convicted in Jackson Court; Appeals Will Be Heard Through January

JACKSON, Miss.—(ANP)—More than 180 "Freedom Riders" filed by twos before Hind County court here last week and pleaded innocent to breach of peace charges, setting the stage for a long series of appeal trials.

The convicted riders were arraigned and given trial dates in the county courtroom with a segregated but non-segregated atmosphere. They sat on benches on the first floor in an integrated manner, white and Negro defendants rose and stood side by side when their names were called in pairs.

**Reporters Segregated**

The attorneys' table before Hinds County Judge Russell Moore was integrated with Jackson Negro Attorney Jack Young sitting beside his co-counsel William N. Kunstlier of New York City. The courtroom balcony, where the reporters sat, was strictly segregated. However, Negroes and whites used the same rest rooms on the second floor, the doors of which read "male defendants" and "female defendants."

Most of the riders from at least ten states are currently free on appeal bond. The court intends to try at least two cases per day beginning Aug. 22, and continue two-a-day, five days a week until Jan 19, with three days off for Christmas and one for New Year's day.

Although originally billed as an appeal of their convictions the upcoming trials are legally the first appearance of the "Freedom Riders" in a court of record.

**Recent Developments**

HUSTN. — Eleven "Freedon Riders" from California — sever whites— were arrested last week in the Union Station Restaurant on John and Jane Doe warrants charging unlawful assembly. Attorney George Washington jr. bailed out four white "Freedom Riders", after they told him they had been beaten and roughed up by other prisoners.

MONTGOMERY.—A move to halt "Freedom Rides" into Alabama has been dropped in the local federal court.

CORINTH, Miss.—A "Freedom Rider," Leslie Word, was jailed and later ordered out of town last week when he used a telephone in the railroad waiting room reserved for whites. The Chicago real estate dealer told the Chicago Daily Defender that one of the seven white police who came for him said: "Can't you read? This hear-ah waitin' is for white folks only."

JACKSON, iMss.—Mayor Allen Thompson went down a checklist of areas in which integration attempts and segregation protests have been made in Jackson last week at the Neshoba County Fair and said neither the city nor Mississippi would tolerate any of them.

NEW ORLEANS.—Three "Freedom Riders" said that they were en route to Jackson to appear along with 188 other "Freedom Riders" when they were unmercifully beaten by police here after they had been forceably taken from a Negro home.

## 2 Riders Pay Fines, Drop Court Appeals

JACKSON, Miss. (AP) — Two Negro "Freedom Riders" withdrew their appeals from county court Monday and paid their fines.

Matthew Walker, 19, of Nashville, Tenn., and John H. Moody, 25, of Philadelphia, Pa., were convicted of breach of the peace May 26 in court after they arrived by bus two days earlier.

Sheriff J. R. Gilfoy said each paid a $100.95 fine, which included $17.95 in court costs, of the $200 fine and 60-day suspended jail sentence. Part of the fine was served off at $3 a day.

Field Secretary Tom Gaither of the Congress of Racial Equality in Jackson said Moody and Walker paid their own fines.

"Paying fines are strictly against CORE's policy," Gaither said. "We feel it is an admission of guilt. We came here to fight segregation, not to perpetuate it by hard earned money.

"Any future riders who get out by paying fines will do so on their own."

The next scheduled trials are Wednesday, with defendants Doris Castle, 19, and Jerome M. Smith, 22, both New Orleans Negroes.

Moody and Walker were the third and fourth of 190 "Freedom Riders" whose appeals are scheduled to run through January.

In appeal trials last week, all-white juries found two riders guilty of breach of the peace. They received a four-month sentence and a $200 fine.

## Two 'Riders' Drop Appeals To Hinds Court

Two "freedom riders" scheduled for trials today, in a surprise move withdrew their appeals in Hinds county court and paid the balance due on their $200 city court fines.

John H. Moody and Matthew Walker Jr., convicted on breach of peace charges, had served out some of their fines sitting in jail. They had received 60-day suspended sentences.

One of the two was to have gone on trial before Judge Russel Moore this morning and the other this afternoon.

Trials of the remaining 188 convicted riders who have filed appeals from city court are scheduled at the same rate.

Last week, the opening trial consumed three days before a guilty verdict set the pace for subsequent such hearings. The second trial took less than six hours and court officials indicted the following cases would consume even less time.

The initial case included numerous motions and statements for the purposes of establishing a record, while following cases are expected to be limited to basic facts.

All of the appeals are based on city court convictions growing out of arrests for breach of the peace by failure to obey an officer. Fines of $200 and four months were meted in city court.

Defense attorneys said they would appeal both of the county court convictions to the Hinds circuit court for review and if necessary, would carry them on to the state supreme court.

There are 190 convicted riders who have appeals docketed for trial, at the rate of two a day, five days a week.

The second pair which were scheduled lost their place due to the length of the first action, and their cases were remanded to the bottom of the docket. They were Joseph Carter, and John R. Lewis, now scheduled for Jan. 21.

## 'Riders' Refused U.S. Jurisdiction

### Mississippi Law 'Is Ruled 'Natural, Necessary' By Federal Judge

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., Aug. 26. — Federal Judge Harold Cox ruled Saturday that Mississippi's Breach of the Peace Law, under which 200 so-called "Freedom Riders" were arrested for refusing to leave segregated facilities, "is a perfectly natural and necessary exercise by the state of well-known and well-recognized police power."

He refused to permit transfer of five "test" cases from Hinds County Court to Federal jurisdiction under an old civil rights act he said "has never been successfully invoked in a case of this kind."

The five riders—three whites and two Negroes—had charged they were arrested for violating state segregation laws which they contended had been stricken down by Federal court decisions and laws.

**'Integration Not Involved'**

However, Judge Cox said "this case cannot be treated or regarded by anyone in search of the truth or in quest of justice as a case in anywise or to any extent involving either integration or segregation."

"The statute is a pure and simple peace law enacted by the Legislature in good faith to assure peace and tranquility among its people," he said.

Judge Cox was the first appointee named by President John F. Kennedy under terms of a bill increasing the number of Federal judges in several states.

In refusing to accept Federal jurisdiction, Judge Cox asserted that "this court may not be regarded as any haven for any counterfeit citizens from other states deliberately seeking to cause trouble here."

**'Objective Was Trouble'**

"These petitioners heralded their arrival in Jackson from other states for provocative purposes," Judge Cox said. "Their status as interstate passengers is extremely doubtful—their destination was Jackson but their objective trouble.

"They were arrested and tried according to the local court because of the provocative circumstances under which they appeared at the time in this particular place," he said. "They had no civil right to incite a riot or provoke mob violence, and the arresting officer promptly and efficiently and very properly discharged his duty in arresting each of these criminals under such circumstances."

## First 'Freedom Ride' Trial Begins

JACKSON, Miss. — (UPI) — The first "Freedom Rider" jury trial began Tuesday, Aug. 22, in county court. Selection of a jury was expected to consume most of the day.

William A. Kunstler of New York, an attorney for the American Civil Liberties Union, said he would dislike having segregationists on the jury which will hear the state's case against Henry J. Thomas.

Kunstler was expected to ask at the start of the trial that the jury be quashed on the grounds that only two Negroes were among the 50 veniremen from which it was to be chosen.

Thomas, 20, of St. Augustine, Fla., was on the first bus to reach Jackson when the "Freedom Rider" movement made the city its target May 24. A student at Howard university, he is a field director for the Congress of Racial Equality (CORE).

Ten Jackson Negroes were convicted in municipal court Monday on breach of peace charges for sitting on benches and picnicking at the city zoo.

Both races use the zoo, but until this summer only whites customarily sat on the benches. The benches were removed recently after Negroes began using them.

Kunstler summoned more than 50 persons to appear as witnesses in Thomas' trial.

They include Gov. Ross Barnett; Citizens Council Leader W. J. Simmons; State Atty. Gen. Joe Patterson; Public Safety Commissioner T. B. Birdson; State Adjutant Gen. W. P. Wilson; Mayor Allen Thompson; Detective Chief M. B. Pierce; Dist. Atty. W. L. Miller, Former Gov. J. P Coleman; the Hinds County Board of Supervisors; other state and local officials; numerous lawyers, and several newsmen.

Thomas is one of 192 riders whose trials are set for county court. The others are charged with breach of the peace and have trial dates set through Jan. 19, 1962

# No Fair Trial In Mississippi, Atty. Tells Rider Trial

JACKSON, Miss. — (UPI)—Attorneys for a young Negro "freedom rider" called a parade of witnesses Tuesday in an attempt to show he could not receive a fair trial under Mississippi's predominantly white jury system.

Henry J. Thomas, 19, of St. Augustine, Fla., is the first of about 300 riders convicted in police court for breach of the peace to go on trial in appeal proceedings in Hinds County court.

Before selection of a jury could get underway defense attorney William A. Kunstler of New York asked that the 60-man venire, from which the jury would be selected, be declared ineligible to hear the case because only two of its members are Negroes.

To prove his charges that Negroes are allowed only token jury duty here Kunstler called eight white lawyers, 10 Negro voters and county officials and election commissioners.

The lawyers testified that they had never seen a Negro serve on a trial jury in cases they handled but said they frequently serve on grand juries and are called on venires from which trial juries are chosen.

Eight Negroes testified that they had been registered to vote—and thus eligible for jury duty—for 12 to 40 years and had never been called to jury service.

Under cross-examination Julian P. Alexander, district attorney from 1950-56, testified there was a mutual agreement by attorneys for both defense and state in cases he tried that Negroes would be excluded without either side losing its quota of challenges.

Kunstler will attempt to show that the riders were arrested as part of the state's efforts to preserve segregation. The state contends that they threatened a breach of the peace.

38a 1961

# Release Of Riders Appealed To President JFK

Atlanta World
Aug 1-3-61

DETROIT — Release of imprisoned "freedom riders" in Jackson, Miss., is sought by the National Conference for Interracial Justice in an appeal to President Kennedy.

Atlanta Ga

In a convention resolution Aug. 28 the conference argued that the riders should be freed because "they are unjustly confined and have acted entirely within their constitutional rights."

The conference also asked President Kennedy in another resolution to issue a presidential executive order banning discriimnation in all housing which receives federal aid or mortgage guarantees. It urged governors in states without fair housing practice laws to initiate such legislation, and asked the AFL-CIO to end racial segregation in local unions and to stop discrimination in union - controlled appreticeship programs.

Bishop Victor J. Reed of Oklahoma City and Tulsa said that a Christian can take only one attitude toward racial injustice — condemnation. Speaking at mass, he said that a policy of silence is indefensible.

"Our country is today the world's leader," he said; "Her failure affects others than herself .... Her public image is being maliciously distorted by her enemies as a result of racial segregation difficulties .... With secularism trying to seize leadership and seeking to interpret life on every side, the church cannot delay. Her mission in the world is not to follow but to lead.

Jan 9-5-61

"Last winter the photograph of a Catholic priest being carried out of a public restaurant by two policemen appeared on the front pages of newspapers all over this nation and in other parts of the world. The incident took place in my own Oklahoma City."

Secretary of Labor Arthur J. Goldberg said that U. S. churches must fight racial discrimination or be false to their mission.

MISSISSIPPI

SEPT.
JACKSON - FREEDOM RIDERS
NATIONAL CONFERENCE FOR INTERRACIAL JUSTICE

38a 1961

5 NEGROES BEATEN

# McComb Hit By Violence

MCCOMB, Miss. (AP) — Five Negroes who were beaten and kicked by whites at a bus station here Wednesday afternoon in what the justice department called "an outbreak of violence" left Wednesday night for New Orleans.

The bus station closed about 10 minutes before the New Orleans-bound bus arrived. When the bus pulled in, police blocked off the area and a taxicab brought the five Negroes—three men and two women—to the middle of the street. They boarded the bus under police protection, and there were no incidents.

In the block there were numerous carloads of white men. Several of the men told a reporter: "It's a good thing they are leaving."

Earlier, in Washington, Atty. Gen. Robert F. Kennedy said McComb Mayor C. H. Douglas had assured the Justice Department that the five Negroes "who were the subjects of violence this afternoon will receive full and complete protection while in that city."

Tom Gaither, field secretary for CORE in Jackson, said the five arrived at the bus station just before 3 p.m. He said they were beaten for more than 10 minutes until McComb police arrived.

Gaither said Thomas Valentine was beaten and "thrown into the street."

Jerome Smith, whom Gaither identified as the chairman of the group, was the most severely beaten and suffered head lacerations. The two women, Gaither said, were knocked down and kicked.

Gaither said he understood the Negroes were planning to catch a 3:30 P.M. bus and he had planned to be there to try and prevent any trouble. But the Negroes arrived earlier than he thought they would, Gaither added.

McComb Police Chief George Guy said "I can't find the Negroes to find out what happened"

**CAMERAMAN HIT**

Earlier, a crowd of whites attacked free lance photographer Johann Rush, 19, of Jackson, Miss., and reportedly tore his coat and damaged his camera.

Guy said that the disturbance involving Rush came after Rush took a picture of a bystander.

The police chief said several men "whipped him around a little bit" but added he thought Rush "was okay."

The police chief said Rush remained at City Hall, discussing the incident with officers but was not charged with anything. There were no other arrests made.

Guy said Rush talked with Columbia Broadcasting System's office in New York after the disturbance.

He was not reported seriously injured, but witnesses said his film was taken.

The incident came after an unsuccessful attempt by several Negroes to use what had been the white waiting room of the terminal. They found the doors locked and officials reported gas had escaped from a pipe.

MISSISSIPPI

# NEGRO TEST IS DUE IN MISSISSIPPI CITY

## Bus-Rail Racial Signs Going Down Today in McComb

By CLAUDE SITTON

Special to The New York Times.

McCOMB, Miss., Nov. 28—City officials said today they would cease to enorce segregation in rail and bus terminals tomorrow under terms of a Federal Court injunction.

They reasserted their intention to comply with the order shortly after they had been served with copies of it by John Daniels, deputy Federal marshal from Jackson.

make an immediate test of terminal facilities. Their use of previously white waiting rooms would mark the first desegregation under orders from the Federal judiciary in recent Mississippi history.

There were no indications tonight that the prospect had raised tension in this railroad and trading center in southwestern Mississippi near the Louisiana line.

**Gets Call for Capital**

Nevertheless, a Justice Department spokesman in Washington said that agency was watching developments. "We are hopeful that there will be orderly compliance," he said.

Mayor C. H. Douglas said that there will be orderly compliance," he said.

Mayor C. H. Douglas said that Jerome Heilbron, an attorney in the department's Civil Rights Division, had telephoned him from Washington this morning.

"He wanted to know if we had had any repercussions, favorable or unfavorable," Mr. Douglas recalled. "He wanted us to know that the Justice Department was interested in our problem."

The Mayor met with city attorneys, the police and other officials to discuss the city's policy on the matter. He said he would issue a statement calling on citizens "to comply fully with this enjoining order."

Mr. Douglas noted that the injunction, issued by a three-judge court and filed yesterday at Jackson, related only to the Greyhound bus terminal. The city was directed to remove signs designating one waiting room for "white intrastate passengers" and another for "colored intrastate passengers."

**Will Confer on Point**

The signs, mounted on steel stanchions embedded in the concrete sidewalk, were erected after the bus company had obliterated similar signs in compliance with an order from the Interstate Commerce Commission. The city had also placed signs outside the waiting rooms of the Illinois Central Railroad passenger terminal.

The Mayor noted that the court's order forebade the city from "otherwise seeking to enforce or coerce the segregation of the white and Negro races in their use of terminal facilities used in interstate commerce."

While he intends to confer with lawyers on this point, he said, he interprets it to mean that the railroad terminal is included.

He and George Guy, the police chief, said the signs would be removed "during the night when there's nobody around."

Referring to the bus station Mayor Douglas said: "We won't give it special police protection. If anything happens, of course we'll see to it.

"I think if it's left alone it will solve itself. We'll just leave it wide open and see what happens."

# McComb Chief Orders Strong Police Force

McCOMB, Miss. (AP)—McComb Mayor C. H. Douglas ordered the city's police force strengthened Thursday and said "the South Mississippi Camellia City of America" is determined to halt violence in racial disputes.

The mayor's announcement came at a news conference, scarcely 24 hours after a group of white youths attacked Negro "Freedom Riders" at the Greyhound Bus Terminal.

Douglas said four white men had been arrested in connection with the beating of the three Negro men and two Negro women. The four whites were released on $100 bond after being charged with fighting and disturbing the peace.

The five "Freedom Riders" arrived in New Orleans Thursday. One of them, Jerome Smith of New Orleans, said he was hit by a white man wearing brass knuckles.

NOV. DEC.

McCOMB- FREEDOM RIDERS

**ICC EDICT**

"The law regarding our bus and railroad terminals is a federal law," Mayor Douglas told newsmen at the conference. "We did not make it at the local level, but it is our purpose to enforce it. We are determined to this end."

He referred to the new Interstate Commerce Commission edict forbidding racial segregation at transportation facilities.

"We are immediately increasing our normal police force to cope with the present situation," Douglas said. "Our Police Department is capable in normal times of meeting any local development.

**MUST MOVE ON**

"But we now find ourselves in a situation where our resources are taxed by a sudden influx of outside, professional agitators who come with the announced intention of remaining in our city until an incident is provoked and photographed," Douglas said.

Newsreel and television cameramen were on hand during Wednesday's disturbance and photographed the attack on the five Negroes.

While not specifying the increase in the Police Department's strength, Douglas said the city is "now prepared to meet these emergencies." He indicated officers would double their shifts and work overtime.

"We are requesting the public not to congregate at the bus and railroad terminals," he said, "and any persons in the vicinity of these facilities who have no reason to be there will be required to move on.

"We want to make it clear," he said, "that the law will be applied to all persons—white and colored—alike. All white persons known to have participated in Wednesday's trouble have been arrested and taken into custody. We are determined to suppress violence."

## Signs in Mississippi

In the Mississippi town of McComb last Nov. 1 a bus-terminal manager took down signs designating separate waiting rooms for whites and Negroes. Outside, the McComb police promptly put up new signs on the sidewalk indicating separate entrances to "White Waiting Room, Intrastate Passengers" and "Colored Waiting Room, Intrastate Passengers." Such segregation, the police contended, was required by state laws.

That was the answer in McComb to a new ruling by the Interstate Commerce Commission barring interstate bus and railroad lines from using terminals where facilities were segregated. Similar efforts to defy the order were the rule in Mississippi and Louisiana, and in parts of Georgia and Alabama. Elsewhere, compliance was more general, either because terminals had already been desegregated, as in the case of South Carolina, or in obedience to the new order.

Last week a three-judge Federal court in Jackson, Miss., ruled unconstitutional the Mississippi laws requiring separate terminal waiting rooms. The court also granted the Justice Department an injunction requiring removal of the offending McComb signs. The suit was one of several brought by the Federal Government in efforts to enforce the I. C. C. ruling.

The decision was in line with numerous Supreme Court rulings that have held unconstitutional laws requiring segregation in public places. It was considered doubtful, however, that the McComb ruling obviated the need for individual suits in other communities where the ruling was being violated.

# Riders Beaten In Bus Terminal

## Five Negro Youths Dragged From McComb Station— Photographer Attacked

By United Press International

M'COMB, Miss., Nov. 29. — Five Negro so-called "Freedom Riders," three boys and two girls, were beaten Wednesday by a group of white men at the McComb bus terminal, recently ordered integrated by two Federal judges.

They were dragged from the terminal's white waiting room after sitting at the lunch counter. The violence occurred shortly after a free-lance television photographer was beaten. No arrests have been made.

About 40 white men were waiting when the riders, who arrived here earlier Wednesday from New Orleans, turned up at the terminal.

They took seats at the lunch counter over objections of Aubrey McGee, who operates the terminal cafe. They were immediately grabbed by the whites.

**Doors Locked**

The Negro youths attempted to integrate the terminal earlier in the day but found that both the white and Negro waiting rooms were locked.

Terminal officials said the doors were locked because of a gas leak inside. No policemen were on hand.

One member of the rider group, Jerome Smith, said the beatings lasted for 10 minutes. He said they were knocked down and kicked. One of them, Thomas Valentine, was thrown bodily from the terminal, said Smith.

Police Chief George Guy said he received reports of violence. He had not posted policemen at the station for fear of violating a Federal injunction against city officials enforcing segregation there.

A few minutes earlier, Johamn W. Rush, 19, Jackson free-lance photographer, who said he was making film for CBS, was chased and beaten by some of the whites.

**FBI Agents Watch**

Rush said he suffered bruises and scratches but wasn't seriously hurt. He said several FBI agents witnesed the incident.

Rush said he would confer with attorneys for CBS before pressing any charges. He praised policemen and said they offered ot give him an escort anywhere in the city.

He said several local newsmen and an NBC cameraman were at the terminal but they were unharmed.

# Five Beaten At Bus Terminal In Mississippi

McCOMB, Miss. — (UPI) — Five Negroes were beaten Wednesday by a group of white men at the McComb bus terminal which was recently ordered desegregated by two federal judges.

Three boys and two girls were dragged from the terminal's white waiting room after sitting at the lunch counter. The violence occurred shortly after a television photographer was beaten.

About 40 white men were waiting when the Negro group, who arrived here earlier Wednesday from New Orleans, turned up at the terminal.

They took seats at the lunch counter over objections of Aubrey McGee, who operates the terminal cafe and were immediately grabbed by the whites.

No policemen were on hand.

One member of the group, Jerome Smith, said the beatings lasted for 10 minutes. He said they were knocked down and kicked. One of them, Thomas Valentine was thrown bodily from the terminal, said Smith.

Police chief George Guy said he did not post policemen at the station for fear of violating a federal injunction against city officials enforcing segregation there.

Shortly before the fracas, Johann W. Bush, 19, of Jackson, a photographer making film for the Columbia Broadcasting System, was chased and beaten by a group of the whites.

The Negro youths attempted to integrate the terminal earlier in the day but found that both the white and Negro waiting rooms were locked.

Terminal officials said the doors were locked because of a gas leak inside. But whites, anticipating their return, gathered at the terminal.

Rush told United Press International that a muscular white man in the group offered to pose for him with the crowd.

Rush said he shot several pictures and the man, about 45, grabbed him by the collar and started swinging.

"I knew it was time to leave then and I ran down the street, turning occasionally to shoot pictures," the cameraman said.

"One young fellow who looked to be about 19 grabbed me, knocked me down and started beating me in the face," he said. He suffered cuts and bruises, but apparently was not seriously hurt.

In Jackson, Miss. Trials

# 'Freedom Riders,' Lawyers Hit All-White Jury Set-up

JACKSON, Miss.—Attorneys for "freedom riders" questioned a parade of witnesses in an attempt to prove that a Negro could not get a fair trial under Mississippi's predominantly white jury system.

Before selection of a jury could begin, defense attorney William A. Kunstler of New York asked that the 60-man group from which the jury would be chosen, be declared ineligible to hear the case because only two Negroes were in the group.

To back his charges that Negroes were allowed token jury duty here, Kunstler called eight white lawyers, 10 Negro voters and county officials and election commissioners.

**THE LAWYERS** stated that they had never seen a Negro serve on a trial jury in cases they handled, but said they frequently serve on grand juries.

Fourteen Negroes testified they had registered to vote — and thus were eligible for jury duty —for 12 to 40 years and had never been called for jury service.

Two other Negroes said they had been called on a venire for jury duty but had never sat in a case.

■

**FOUR HINDS COUNTY** supervisors testified it is their duty to prepare jury rolls. Each said names are selected purely at random from a list of qualified voters.

"Does race, creed or color play any part in drawing up this list?" each was asked. "No," they answered.

# "Freedom Riders" To Base Appeals On 2 Law Points

By HERB HERBERS

JACKSON, Miss. — (UPI) — Attorneys for 187 convicted "freedom riders" scheduled for court appearances Monday will base their arguments for appeal on two points of law.

The first is a U. S. Supreme Court decision on a Richmond, Va. case closely paralleling the Jackson arrests; the second is a direct attack on the breach of the peace statutes under which almost 300 riders were arrested here since May 24.

The Richmond case was decided by the high court last winter. A Negro law student, Bruce Boynton, staged a sit-in at a white restaurant in a Richmond bus terminal. He refused police orders to move on and was arrested under a state breach of the peace law.

**OVERTURNED CONVICTION**

The Supreme Court of Virginia upheld the conviction on grounds the arrest constituted proper use of police authority. But on appeal the U. S. Supreme Court overturned the conviction holding that the breach of the peace law — which was sound in itself — was used to maintain segregation in interstate travel facilities.

All of the Jackson riders were arrested for breach of the peace after they refused police orders to move from segregated terminals.

There is a difference in the breach of the peace laws used in the two states. The New York attorneys who are representing the riders-William Kunstler of the American Civil Liberties Union and Carl Richler of the Congress of Racial Equality — say they will ask that Mississippi's laws be struck down as well as the city's use of them.

**DELEGATED AUTHORITY**

They will contend that the legislature delegated too much authority to the police and that it enacted the laws specifically to preserve segregation.

There are two laws involved, one for single arrests and another for group arrests. They were enacted in the spring of 1960 when sit-in demonstrations were rampant in other Southern states. They were carefully drawn by some of the best legal minds in the state Capitol and were enacted swiftly and overwhelmingly without debate.

# "Freedom Rider" Appeals Dismissed

JACKSON, Miss.—(UPI)—A federal judge threw out five "freedom rider" appeal cases Saturday contending his court had no jurisdiction in the matter.

U. S. District Judge Harold Cox said the five riders—three whites and two Negroes—"hearalded their arrival in Jackson from other states for "provocative" purposes.

"Their status as interstate pasengers is extremely doubtful. Their destination was Jackson but their objective was trouble," he said.

Cox handed down the opinion in granting a state motion to return the cases to county court. He said it was an "inescapable conclusion" that the five rider cases had "no jurisdiction" in his court and that they were "improperly removed here."

New York attorney William Kuntsler, counselor for the riders, sought to have the cases removed from Hinds County court. He said a federal civil rights act allows such transfers to be made when persons are arrested on state laws designated to preserve segregation.

38a 1961

# 3 Freedom Riders in 'lynch' jail

(Special to the AFRO)

POPLARVILLE, Miss. — The Justice Department has alerted the FBI to keep a watchful eye on the infamous jail here where Mack Charles Parker was abducted and lynched two years ago.

In the jail now are three Freedom Riders: Misses Alice Thompson, 21, and Patricia Smith, 18, and Frank Nelson, 23, a white engineer from New York.

With three other riders, they were en route from Mobile, Ala. to New Orleans where the two young women live. They were checking to see if the Nov. 1 order of the Interstate Commerce Commission was being obeyed.

Before boarding the bus in Mobile, they received service in the terminal. In the group were Misses Doratha Smith, 18; Jean Thompson, 19, and Betty Daniels, 21, also of New Orleans.

• • •

IN HATTIESBURG, Miss., two of them entered the main cafeteria and seated themselves while the other three went into the restroom. Police ordered the two in the restaurant out and, when the other three came from the restroom, escorted all five to the bus - loading area.

Mr. Nelson was in the main waiting room. He joined them outside.

In Poplarville, Misses Thompson and Smith went into the main cafeteria, ordered soft drinks and were served. There was no incident until they got ready to leave. Then, police placed them under arrest.

Mr. Nelson got off the bus and he was arrested too. All were taken to the Poplarville jail. The others continued to New Orleans, 90 miles away, where they reported the matter.

Trial for the three who were jailed was set for Monday.

• • •

ON THE following Monday, the first of two Justice Department suits against Mississippi bus jimcrow will open in Greenville. A second will be held in Jackson the following day.

A three - judge federal court in Greenville will hear the Justice Department motions to invalidate Mississippi laws requiring jimcrow facilities for bus passengers.

Judge Elbert P. Tuttle, Atlanta, will be chief judge. With him will be Judges Richard T. Rives, Montgomery, Ala., and Claude Clayton, Tupelo, Miss.

One of the defendants is Mississippi Judge Arthur Clark who ordered the Greyhound Bus Terminal in Greenwood not to remove jimcrow signs although the ICC had ordered them removed.

Other defendants are all county and district attorneys the state attorney general and the State of Mississippi. The suit aims at halting efforts by any or all of them to keep segregation.

The second suit, in Jackson, is against the City of McComb. When the local bus and train stations took down the "white" and "colored" signs in accordance with the ICC order, the city put signs up outside on the sidewalk.

The Justice Department wants those sidewalk signs removed.

• • •

A BOYCOTT OF city buses in Jackson was discussed late Saturday after Jessie Divens, 12, was arrested for refusing to sit in the back of the bus.

The youngster is one of 102 who were expelled from Burgland School in McComb for protesting the expulsion of sitdown leaders.

Now living in Jackson and attending Christ Mission and Industrial College, she was en route from her home in Jackson to school by city bus. The driver told a white man to tell her to move from a front seat to a rear one. She refused.

She still refused when told to move by a policeman. The officer took her to jail. Later that day, she had a hearing before Juvenile Court Judge M. Carter.

He asked her, informally, if she would in the future move when told. She replied: "No, I would not move."

He set her trial for Friday after telling her that if she refused to obey Mississippi's jimcrow laws, she would be sent to reform school.

She was released in the custody of the Rev. E. R. Houghton. Reaction was immediate and active to the extent of a boycott being seriously considered.

• • •

ALTHOUGH Mississippi terminal managers trying to comply with the ICC met some resistance, it took Birmingham, Ala. to plumb the depth of idiocy.

For the fourth time, Ralph R. Sizemore was arrested for serving colored bus passengers. Also arrested were two waitresses in the cafeteria. On the first two arrests, Mr. Sizemore received $25 fines and 30 - day suspended jail sentences.

He is appealing the conviction. The local U.S. attorney, Macon Weaver, agreed not to file for an injunction against the arrest of bus station employees for complying with federal regulations.

Eugene (Bull) Conner, police commissioner, said however that he would stop arrests only if the bus station stopped serving colored persons — at least until the matter is finally determined in court.

• • •

ALSO IN Birmingham, Judge Wallace Gibson fined the Rev. Fred L. Shuttlesworth $500 and sentenced him to three months in jail on a charge of conspiracy to commit a breach of the peace. The minister has appealed.

The charge grew out of the Freedom Rides earlier this year when Alabamans bombed a bus, mobbed Freedom Riders and threatened to lock them up.

The Rev. Mr. Shuttlesworth known nationally as an integration leader, was instrumental in feeding and housing the young Freedom Riders while they were in Birmingham. He also relayed to them funds sent from the New York office of CORE.

He told the court that he was not a CORE member and had no part in planning the rides.

• • •

ANOTHER JUDGE, U.S. District Judge Seybourn H. Lynn, dismissed a $9 million damage suit filed against the Greyhound Bus Company by the Rev. Mr. Shuttlesworth.

The case grew out of the arrest of the minister's three children when they refused to move to the back of the bus while traveling from Chattanooga, Tenn.

The arrests were made in Gadsden, Ala.

Gadsden Police Commissioner Mark Mashburn said that seating had nothing to do with the arrests but that the children "were making a deliberate and intentional effort to create a situation that would evoke a breach of the peace and cause a serious distrubance."

• • •

IN SELMA, ALA., Ralph T. Fertig, 31 - year - old white Chicagoan, pleaded guilty to a Freedom Ride incident and paid a $200 fine and court costs.

Sheriff Jim Clark arrested Mr. Fertig after a white woman accused him of trying to sit on her lap. The woman was described as a cripple who was occupying two seats on the bus.

• • •

IN SHREVEPORT, La., a surprised judge took under advisement the case of six youngsters arrested and charged with vagrancy. The six students were taken to jail as they left a church meeting where the successful boycott of the state fair that day was discussed.

Their attorney, Jessie Stone, attacked the Constitutionality of the state statute which labels anyone a vagrant who is not employed.

He surprised acting Judge Eugene Middleton by citing the 13th Amendment against involuntary servitude.

Mr. Stone says he is prepared to go all the way to the U.S. Supreme Court if necessary.

The NAACP Legal Defense and Education Fund has taken over the reins of defense for the 316 Freedom Riders jailed in Jackson, Miss. Already supporting the defense were CORE and the Student Non - Violent Coordinating Committee.

# Freedom Rider relates jail experiences

By STEVE W. DUNCAN
NEWARK

D-Day for Newell Weber of East Orange was June 6, 1961.

That was the day the photographer and former engineer and six fellow Freedom Riders arrived at the Jackson, Miss., Trailways bus terminal from New Orleans.

Like Allied troops who landed on the beaches of France 17 years ago on that date, the mission of this band was to strike a blow for freedom.

• • •

SHORTLY AFTER the non - violent assault on the bastion of segregation, the seven were convicted by Judge James L. Spencer of breach of the peace, fined $200 each and given four-month prison terms, two months of which were suspended.

Mr. Weber, 52, of 279 4th Ave., East Orange, and Terry Sullivan of Chicago chose not to dignify Mississippi justice by posting bail or paying fines. They served their prison terms and worked out their fines at the rate of three dollars per day.

On their release from prison on Oct. 23 this pair became the first Freedom Riders to complete their sentences in a Mississippi prison.

Mr. Weber, a soft - spoken greying man, said ten Freedom Riders are presently in the Hines County Jail — six whites and four colored persons. Among them is a New Jerseyan, Robert Rogers, an English instructor at Douglass College in New Brunswick.

He noted that the lone white woman among the three female Freedom Riders is expected to serve out her full term and will be eligible for release by Christmas.

• • •

MR. WEBER spent nine days in the Hines County Jail and 130 days on the Parchman Prison Farm.

"In the State Penitentiary we spent most of the time in the maximum security unit," said Mr. Weber. "It was claimed that it was for our protection. Actually it was an attempt at harassment."

Mr. Weber said he never lost confidence during the twenty weeks of confinement. "I was pretty well conditioned for this sort of thing."

He admitted, however, that "of course we all missed books."

* * *

**FREEDOM RIDERS** were segregated by Mississippi authorities by sex and color, Mr. Weber said.

**He said the "mild harassments" of Freedom Riders included such things as the occasional removal of mattresses, towels and sheets, openly hostile treatment by white guards and restrictions on the number of letters they were allowed to write or receive.**

Once, he said, 44 colored Freedom Riders were placed in two 6-by-6 solitary confinement cells for a period as punishment for singing. **Some, he stated, became** hysterical and others lost consciousness.

"It was a demoralizing experience," Mr. Weber noted.

On July 11 Mr. Weber said he and other white prisoners were transferred to First Offenders Camp No. 11 where they remained till Aug. 18.

He described conditions there as better than in the previous confine. For instance, he said, they were permitted to shower daily instead of once a week.

* * *

**THE NEW JERSEY** Freedom Rider described Parchman as a huge 21,600-acre farm whose major crops are cotton, corn sorghum, peaches and vegetables. They also raise meat and dairy cattle, hogs and poultry.

**The prisoners, according to Mr. Weber, received meat —mostly pork—on an average of three days per week. "Once — on the 4th of July —we received chicken."**

Freedom Riders also received daily quantities of milk, which was denied regular prisoners.

Mr. Weber noted a dietary deficiency in most of the meals, and especially the lack of vitamin C. During the last two months in prison, he said, the inmates received no fruit at all.

He stated that while the colored trustys in the prison showed no open hostility toward the Freedom Riders, the white guards were another matter. The guards "let us know they hated our guts," he said.

**"The treatment was at no time excessively abusive," said Mr. Weber. "The mild harassment was continuous."**

Mr. Weber said that on his release from prison he received a bundle of 40 letters sent to him and some books. He suspects that while some of the letters addressed to him were returned to the senders others were destroyed.

* * *

**IN ASSESSING** the Freedom Rider movement, Mr. Weber said he felt the Mother's Day incident in Birmingham in which a number of riders were brutally beaten "did arouse the American public as few incidents have in the struggle for civil rights."

# BUS MIX SUITS HEARINGS SET

## At Greenville Nov. 20, Jackson Nov. 21

JACKSON, Miss. (AP) — Two justice department suits against Mississippi segregation will go before three-judge federal courts this month.

Judge Elbert P. Tuttle of Atlanta, Ga., chief judge of the US fifth circuit court of appeals at New Orleans, set one hearing for Greenville Nov. 20, and the other for Jackson Nov. 21.

### STATE LAWS WINS

The Greenville suit asks the federal court to knock out state laws requiring segregated facilities for intrastate passengers, to stop Mississippi officials from enforcing segregation, to ban segregation signs at transportation terminals, and to forbid racial discrimination against interstate passengers.

Tuttle named himself, appellante Judge Richard T. Rives of Montgomery, Ala., and district Judge Claude Clayton of Tupelo, in whose district the suit was filed, to hear the case.

Named as defendants were circuit Judge Arthur Clark of Indianola, all county attorneys and district attorneys, the state attorney general and the state of Mississippi.

Judge Clark issued an order Oct. 27 in his state court forbidding the Greyhound bus terminal in Greenwood to remove segregation signs in compliance with an interstate commerce commission ban on terminal segregation.

Appointed to hear the Jackson case were Tuttle, Rives and district Judge Sidney Mize of Gulfport, in whose district that case was filed.

### SIDEWALK SIGNS

The Jackson suit asks an order outlawing sidewalk segregation signs placed by the city of McComb near the Greyhound bus and Illinois Central railroad terminals. The petition, which named McComb Mayor C. H. Douglas and Police Chief George Guy as defendants charged the signs interfere with the carriers.

The petition also asked the court to forbid any encouragement of segregation.

In some Mississippi cities, when the ICC ordered an end to segregated terminal facilities, policemen were stationed to direct passengers to separate waiting rooms.

Some other cities installed their own segregation signs when the bus and train stations removed theirs.

# All-White Jury Setup Charged In Jackson Freedom Ride Case

P, A8 The Washington Post. Wed. 8-23-61

JACKSON, Miss., Aug. 22 (UPI)—Attorneys for a young Negro Freedom Rider called a parade of witnesses today in an attempt to show he could not receive a fair trial under Mississippi's predominantly white jury system.

Henry J. Thomas, 19, of St. Augustine, Fla., is the first of about 300 riders convicted in Police Court for breach of the peace to go on trial in appeal proceedings in Hinds County Court.

Before selection of a jury could get under way, defense attorney William A. Kunstler of New York asked that the 60-man venire, from which the jury would be selected, be declared ineligible to hear the case because only two of its members are Negroes.

To support his charges that Negroes are allowed only token jury duty here, Kunstler called eight white lawyers, 10 Negro voters and County officials and election commissioners.

The lawyers testified that they had never seen a Negro serve on a trial jury in cases they handled, but said they frequently serve on grand juries and are called on venires from which trial juries are chosen.

Fourteen Negroes testified they had been registered to vote—and were thus eligible for jury duty—for 12 to 40 years and had never been called to jury service. One was S. W. Miller, former State Republican chairman.

Two other Negroes said they had been called on a venire for jury duty but had never sat in a case.

Four Hinds County Supervisors—L. J. Beasley, Tom Virden, Shelby Hubbard and Dan Ferguson—testified it is their duty to prepare jury rolls. Each said names are selected purely at random from the list of qualified voters.

"Does race, creed or color play any part in drawing up this list?" each was asked under cross examination. "No," they replied.

Under cross-examination Julian P. Alexander, district attorney from 1950 to 1956, testified there was a mutual agreement by attorneys for both defense and State in cases he tried that Negroes would be excluded without either side losing its quota of challenges.

Forrest Jackson, long-time defense attorney, added that when the defendant was a Negro it still was the practice to dismiss prospective Negro jurors.

## MOTION KILLED IN RIDER TRIAL

### Judge Overrules Request for New Jury

Wed. 8-23-61

JACKSON, Miss. (AP)—Judge Russel Moore Tuesday overruled a motion to throw out the jury list in the first "freedom rider" trial in county court, saying the defense failed to prove discrimination in selecting jurors.

Moore said several attorneys testified Negroes were called to serve on petit juries, but that most of them were excused, challenged or dismissed regardless of the attorneys.

"Some of the members of the colored race," the judge said, "testified they had not been called to serve on a jury. The court does not find this to be uncommon among the Caucasian race."

Three supervisors said the selection was made without regard to creed or color."

Defense attorney William Kunstler and Carl Rachlin sought to quash the venire on grounds it excluded Negroes systematically.

Kunstler, of New York, called a series of Negro voters and white attorneys to the stand to back his claim that jury lists included no Negroes or so few they could by systematically struck from the jury by lawyers.

The legal maneuvering preliminary to the trial of rider Henry Thomas, 19-year-old St. Augustine, Fla., Negro, occupied the first day of proceedings in Judge Russel Moore's Hinds county court. Moore dismissed prospective jurors until Wednesday.

Hinds county supervisor L. J Beasley testified he picked one jury roll from his district each April containing at least 300 names chosen at random alphabetically and submitted to the circuit clerk for inclusion in the new jury list with those from other districts.

He said the names were picked without regard to race and there was no stipulation of race on his roll.

The prospective jury list included 51 whites and two Negroes. Kunstler noted that Hinds county had 31,548 whites and 16,139 Negro males of voting age. Only male voters are eligible for jury duty in Mississippi.

The Thomas trial is the first of 190 appeals trials scheduled in Moore's court. All were arrested on breach of peace charges following failure to move as ordered by officers during attempts to desegregate transportation facilities.

All were convicted by a Jackson city court judge and appealed their cases to county court, where such cases are heard by juries.

Negro witnesses who testified they have never been called for jury duty included Dr. A. H. McCoy, 60-year-old dentist registered 30 years; the Rev. R. L. T. Smith, 57-year-old minister registered 36 years; and M. J. Lyells, 57-year-old high school teacher registered 14 years.

Among the lawyers called and asked whether they knew of Negroes who had served on trial juries in criminal cases were former Dist. Atty. Julian Alexander, who testified both sides in a case usually got together and agreed to reject Negroes without being charged with a challenge.

In cases such as the Thamas trial, each side may reject six prospective jurors without showing reason for the rejection.

Dist. Atty. Bill Waller and other attorneys testified they knew of no criminal trials with Negroes on the jury.

The prosecution had objected to Kunstler's questions on grounds court records would show whether Negroes were used, and the test was whether Negroes had been included on the list of prospective jurors rather than whether they had served.

Moore first sustained the objection, but later reversed himself.

Kunstler withdrew his motion for a change in trial site, telling the court he made the withdrawal because "I'm afraid they might move it to a segregation stronghold like Smith county."

The American Civil Liberties Union lawyer was unsuccessful in getting a court ruling to declare Jackson papers and news media in contempt of court for publishing editorials and articles unfavorable to the riders. As an alternative, Kunstler had asked an order to prohibit the publication of anything but facts.

Prosecutor Jack Travis said Jackson newspapers were well known for their factual reporting and the motives would violate freedom of the press.

# 10 Negroes Sentenced in Jackson

The Washington Post

JACKSON, Miss., Aug. 21 (AP)—City Judge James Spencer today convicted 10 Negroes on breach of peace charges after sit-in incidents at the city zoo.

Spencer gave the 10 $200 fines and 4-month jail terms. Jack Young, Negro attorney for the group, said the cases would be appealed to Hinds County Court.

Police Capt. R. L. Ray, the only witness, testified all 10 had refused to move on as ordered by officers and he felt their presence "under the circumstances," would create a breach of the peace.

Ray said they were arrested not because they were Negroes, but because "they went out to cause trouble."

In handing down his decision, Spencer told the defendants that whites and Negroes had used zoo facilities for years without incident.

"Here in the midst of tension created we suddenly find several groups going to this facility and engaging in the acts about which the officers testified."

Seven of those convicted were students.

Meanwhile, two Roman Catholic priests planned to test segregation rules at transportation facilities in Jackson.

They are the first Roman Catholic clergy to join in Freedom Ride activities sponsored by the Congress of Racial Equality.

The two are the Rev. Richard Wagner, 29, chaplain at Xavier University in New Orleans and a teacher at St Augustine's high school there and the Rev. Philip Berrigan 37, also a St. Augustine's teacher.

About 50 other clergymen either Jewish or Protestant have taken part in Freedom Ride demonstrations. About 20 of them have gone to jail for it, among approximately 375 persons arrested in such cases this year.

# RIDER CASE DRAGS INTO THIRD DAY

## Defense Contends Cordon Prevented Breach Of Peace

By PAT FLYNN
Daily News Staff Writer

Mississippi's first "freedom rider" jury trial moved into its third day this morning after judge Russel Moore adjourned the second day's proceedings at 10:55 last night.

The unusual night session was carried on several hours after the defense had asked for an adjournment, but was finally halted after it became obvious that the testimony of the state was going to run past midnight.

The three-day trial of Henry J. Thomas, 19-year-old Negro field secretary for CORE, has set the crowded Hinds County Court docket behind five cases from its original schedule of two "rider" cases per day. The defense is expected to ask for a continuance of the remaining trials after the first case is completed.

The first witness was brought to the stand yesterday afternoon, after the first day of the case had been entirely taken up with a motion by the defense to quash the venire on the grounds that Negroes were "systematically excluded" from the jury and the morning session yesterday concerned solely with selecting that jury.

State prosecutor Jack Travis produced a dozen witnesses yesterday who testified to conditions on or before May 24, when Thomas was arrested on a breach of the peace charge at the Trailways bus station.

**ALABAMIANS TESTIFY**

Four of the witnesses were Alabama law officials who testified to the violence that accompanied the "riders" through their state. Also testifying yesterday afternoon and last night were Jackson police Captain Ralph Hargrove, State Highway Patrol investigator James E. Fowler, Chamber of Commerce president Robert Hearin, and news reporters Wallace Dabbs, Ed McHale and W. C. Shoemaker.

The state is expected to introduce four more witnesses this morning before resting its case.

In his opening statement to the jury Travis said the state would prove that the defendant came to Mississippi "for one purpose—to cause trouble, to create violence." He said the "most elaborate precautions were taken by the state to ensure peace," including the arrest of the defendant and his companions. He also said Jackson police had "no alternative" but to arrest the freedom riders.

The opening statement for the defense, made by Carl Rachlin, cheif counsel for CORE, said Travis was "inaccurate in his assumptions." He contended the situation the day of Thomas' arrest was completely in the control of the police at all times and there was no danger of a race riot ensuing. He said the arrests were planned beforehand.

"The only question you have to decide," he advised the jury, "is whether this defendant could possibly, under the circumstances, have committed a breach of the peace."

The state's first witness, Corp. Ell Cowling of the Alabama Highway Patrol, testified that he had been with the defendant and his fellow freedom riders when they were aboard the Greyhound bus which was burned at Anniston, Ala. May 14.

He said he had gone to Atlanta May 12 on assignment to escort the freedom riders through Alabama. He was not identified to them at that time, he said.

As the bus left Anniston, he said, two people lay in front of the bus and had to be removed by police.

"Were they arrested?" asked the defense.

Cowling replied, "They were not."

"Is that legal?" asked defense attorney William Kunstler.

"I don't know the city statutes of Anniston," retorted Cowling. "I know I wouldn't lie down in front of a Greyhound bus."

**BUS STOPPED**

Cowling further testified that the bus stopped about four miles outside Anniston because the tires had "gone flat" and the crowd which had followed the bus outside town grew unruly.

He said a smoke bomb was thrown inside the bus, the bus caught fire and all the occupants were taken to the hospital at Anniston for treatment. The FBI entered the case here, he said.

On cross-examination Cowling admitted he had not seen the defendant or any of the freedom riders do anything to provoke the riot.

Assistant police chief W. M. Stanle yof Montgomery testified that his city was under martial law by order of Gov. John Patterson on the day the defendant left Montgomery headed for Jackson. He, too, admitted the freedom riders had done nothing to provoke the riot which occured at the Montgomery bus station when they arrived, but said riot was definitely occasioned by their presence.

Two witnesses expected to be put on the stand by the state this morning were news reporter Bill Coppenbarger and Jackson police captain John L. Ray.

Jurors for the case include Harry Geotis, employee of Dixie Highway Express; T. L. McFarland, service supervisor for Mississippi Valley Gas Company; Golden E. Branch, retired lieutenant colonel with the U. S. Air Force; Chester Null, post office employee; H. P. Burt, draftsman for Michael Baker, Inc.; Samuel Bell, a freight company executive; Paul Sebren, self-employed contractor; Albert Armstrong, molder operator for Knox Glass Co.; D. L. Weeks, department manager for Sears, Roebuck and Co.; J. B. Thompson, Jr., partner in Jackson Paper Co.; Charles A. Jackson, partner in the firm Quick Roof, Inc.; and John L. Bell, clerk in the laboratory division of the State Highway Department.

After using all six of its preemptory challenges, the defense tried to have Jackson excused by the court since Al Binder, attorney for the state, had been employed to draw up partnership papers when Jackson joined Quick Roof last February. Judge Russel Moore ruled that sufficient evidence of a relationship between Jackson and Binder had not been established.

The defense then moved that Bell be removed for cause as a state employee since state officials would be testifying. Moore overruled the motion.

Kuntsler asked it be written into the record that the jury was composed entirely of white men.

Neither of the two Negro veniremen were called up.

One man was excused by the court when he answered a question by state attorney Jack Travis with the statement that he would accept the testimony of a police officer over that of a private citizen if the two testimonies conflicted.

Defense attorney Carl Rachlin asked that all the jury selection proceedings be included in the record due to the "nature of the case and the importance it has obviously assumed." Judge Russel Moore granted the request, although he stated he had no precedence for such a request being granted.

# Venire Attack By Rider Fails

## Negro Exclusion Claim Rejected

JACKSON, Miss., Aug. 22 (UPI)—The first of several legal moves on behalf of "freedom riders" going on trial here was rejected today when a judge ruled that Negroes have not been systematically excluded from juries in Hinds County.

Attorneys for Negro Henry J. Thomas called 29 witnesses before County Judge Russell Moore in an attempt to show he could not receive a fair trial under Mississippi's predominantly white jury system.

Defense Atty. William A. Kunstler of New York asked that the 60-man venire, from which the jury which will hear Thomas' case is to be selected, be declared ineligible to sit in the trial because only two of its members are Negroes.

Moore ended the six-hour hearing on Kunstler's motion by declaring that the defense had "failed to show by any substantial evidence that there has been any systematic exclusion or discrimination in the selection of jurors."

**Selection Begins Today**

Selection of the jury to hear the breach of the peace case against Thomas, a 19-year-old rider from Florida, will begin at 8:30 a.m. tomorrow. The process might be as long as the hearing on the motion to quash the venire, since Kunstler has indicated he will be reluctant to have staunch segregationists hearing the case.

Trying to prove his charge that Negroes are allowed only token jury duty here, Kunstler called eight local white attorneys, 16 Negro voters, four elected county officials and a deputy circuit clerk.

The lawyers testified that they had never seen a Negro serve on a trial jury in cases they handled, though Negroes often served on grand juries and were called on venires from which trial juries are chosen.

Fourteen Negroes testified that they had been registered to vote—and thus eligible for jury duty—for 12 to 40 years and had never been called to jury service. One was S. W. Miller, former state Republican chairman when the "Black and Tan" faction enjoyed national recognition. Two other Negroes said they had been called on a venire for jury duty but never had sat in a case.

**Statements Submitted**

In an effort to reduce the effectiveness of the Negroes' testimony, the state obtained statements from 12 long-time white voters who have been subpenaed to testify later. The statements, introduced as evidence, said they never had been called for jury service.

Four county supervisors, the elected officials who are in charge of the county government, testified "race, creed or color" had nothing to do with their compiling of prospective jurors.

They testified they chose names at random from lists of voters. They said the lists have no designation of race.

Deputy Circuit Clerk Ben Lowry testified that the county kept records of voters listing their race, but he said the supervisors chose prospective jurors from a list not mentioning race.

Judge Moore said the testimony by the lawyers indicated that Negroes had been dismissed or excused from jury service by attorneys rather than by county officials. He called attention to one of the lawyers' testimony which said a Chicago Negro lawyer handling the Robert Lee Goldsby murder case had opposed the presence of a Negro on Goldsby's jury.

Regarding the Negroes' testimony that they never had performed jury service, Moore said, "The court does not find this to be an uncommon thing among members of the Caucasian race."

Thomas, dressed in an ivy league corduroy suit and vest, is the first of 300 riders convicted in police court for breach of the peace to go on trial in appeal proceedings in Hinds County Court.

38a 1961

MISSISSIPPI

AUGUST

JACKSON- FREEDOM RIDERS

'NO LONGER NEEDED'

Montgomery Advertiser

# City Drops Court Move To Ban 'Riders' Here

8-1 Tues. 8-15-61

Montgomery, Ala.

A move to halt "Freedom Rides" into Alabama has been dropped in the local federal court.

The action was dismissed at the request of Calvin Whitesell, attorney for city officials and police during a hearing which saw them and Ku Klux Klan leaders enjoined from attacking integrated riders or allowing mob violence against them.

It was Whitesell who offered the motion during the hearing to also enjoin the Congress of Racial Equality (CORE) and other integrationist groups and individuals engaged in challenging bus and bus station segregation.

But Whitesell, in asking the injunction request be dropped, said that such action is now no longer needed.

He observed that, "the temporary restraining order issued by this court on June 2, 1961, curbed for 10 days the activities of these parties, thus preventing further violence. . ."

Since then, he continued, U. S. Atty. Gen. Robert Kennedy has urged a "cooling-off" period in the bus segregation troubles.

Whitesell further asserted that "public disapproval of the activities of these parties (CORE, et al.) has been widespread throughout the United States."

"All these factors," he said, "have caused these concentrated activities to dwindle to the point that extraordinary relief such as a preliminary injunction in not needed at this time."

U. S. District Judge Frank M. Johnson Jr. granted Whitesell's motion in an order issued Monday.

Whitesell had been appointed a "friend of the court" by Johnson to present the case against CORE after U. S. Justice Department attorneys asked to be relieved of the responsibility.

The federal judge had previously granted Whitesell's motion for a temporary restraining order against the "Freedom Ride" sponsors. This remained in effect for 10 days, then expired.

The preliminary injunction was sought at the same time. At a hearing last month, Johnson heard arguments on whether the injunction should be granted, then instructed both sides to submit briefs by Aug. 22.

## Two More Riders Withdraw Appeals

The Commercial Appeal 8-31-61

### Rather Return To Jail Than Pay Fines

Tues. 8-31-61

JACKSON, Miss., Aug. 30. — (UPI)—Two more Negro self-styled "Freedom Riders" withdrew their appeals from Hinds County Court Wednesday and chose to return to jail rather than pay their fines.

Doris J. Castle, 18, and Jerome M. Smith, 22, both of New Orleans, were the third and fourth riders to withdraw their appeals. They were fined $200 each for breach of the peace last May 26 and 27 respectively.

An official of the Congress of Racial Equality (C.O.R.E.) in New York said a "significant number" of riders will drop their appeals and return to jail to serve out their fines. However, he said he would not "exactly call it a pattern."

Miss Castle and Smith each served one day in jail following their convictions and were released under $500 appeal bonds. Each must serve 91 1-3 days in jail.

Two other riders withdrew their appeals Monday. The first two to come up for appeal, however, stood trial in county court and were convicted by juries.

About 186 riders are out on appeal bond and their cases are scheduled for trial during the next several months.

## Freedom Riders Refused Service In Missouri

The Call 8-31-61

WARRENTON, Mo. — (UPI) — A group of "Freedom Riders" tested a report of racial segrega- at the bus terminal here Saturday, Aug. 5, and were refused service at the terminal dining room.

The team, made up of two observers and three participants, drove to Warrenton to purchase bus tickets to East St. Louis. They entered the dining room and asked for service. Three hours later they had not been served.

Charles R. Oldham, national chairman of the Committee on Racial Equality (CORE) said the group plans to send a larger team to Warrenton next week-end.

He identified the participants as Miss Eleanor McCraty, 21, a student at Washington university in St. Louis; Robert Hollis, 35, a construction worker in St. Louis; and Herman Thompson, 31, a teacher in the St. Louis city school system.

The observers were Mrs. Francis Weinhold, 33, St. Louis, a white woman, and Miss Vera Williams, 27, a Negro.

# Freedom Riders Ask For Protection During Trial

The Call 8-31-61

NEW YORK. — (UPI) — The Congress of Racial Equality (CORE) Saturday asked U. S. Attorney General Robert Kennedy and President Kennedy to provide U. S. marshals for protection August 14, when at least 186 so-called "Freedom Riders" will be in Jackson, Miss., to appeal their breach of peace convictions.

Tues. 8-31-61

The appeal was made in telegrams sent by James Farmer, national director of CORE.

Farmer said that an attorney for CORE had sought to have the appeals spaced out through "an orderly and peaceful series of trials" but Jackson Prosecuting Attorney Jack Travis turned this down.

". . . Travis has refused such a procedure and has ordered all defendants to be present though it will be physically impossible to try them all then, or even in the next few months," Farmer said in his telegram.

Kansas City, Mo.

Farmer said that CORE representatives in Jackson would "make every effort to see that our conduct is completely non-violent," but that "we cannot guarantee the conduct of hoodlum elements."

The CORE leader said there had been a total of 305 arrests, about half white and half Negro, of persons testing Jackson's compliance with desegregation laws.

The 186 who plan to appeal, however, are those who are out of jail already. Those in jail, he said, must post bond before they can appeal their arrests. Some of those still in jail may have been able to post bond and will join the others by Aug. 14, he said.

Farmer is one of those who will appeal, having served a 40-day sentence for breach of peace.

He said the Freedom Riders who will appeal their convictions will come to Jackson on Aug. 13 by bus from New Orleans, Nashville and Atlanta.

The CORE director said the Freedom Riders planned to arrive a day early because of a mass rally, at which he will be main speaker, will be held the night of Aug. 13 in Jackson.

A major problem facing the Freedom Riders, outside of the threat of possible violence against them, is securing places to stay during the period they will be in Jackson, since hotels there are segregated, he said.

## 188 Mixers Plead Innocent In Appeal Parade At Jackson

Montgomery Advertiser 8-31-61

Tues. 8-15-61

JACKSON, Miss. (AP) — Convicted "Freedom Riders" filed by twos before Hinds County Judge Russell Moore Monday and pleaded innocent to breach of peace charges, setting the stage for a long series of appeals trials.

Attorneys went through all the formalities on the first case, then streamlined procedures for the rest of the 188 "Riders" who almost filled the circuit court room where proceedings were held.

City Prosecutor Jack Travis read the indictment against Henry Thomas of St. Augustine, Fla., and the 19-year-old Howard University Negro student made his formal plea of "not guilty."

The affidavit of Police Capt. J. L. Ray against Thomas charged him with failing to move along in the Trailways Bus Terminal here as ordered by officers. Thomas was among the first "Riders" who arrived May 24.

Montgomery, Ala.

**CASE SET JAN. 17**

Judge Moore set Thomas' trial for 9 a.m. Aug. 22. The last of the trials was set for Jan. 17. All but nine of the 197 names called answered.

Under procedure accepted by both sides, two trials will be held daily five days each week until all cases are finished. The first date originally was set for Aug. 21, but it was delayed one day at the request of Carl Rachlin of New York, general counsel for the ride-sponsoring Congress of Racial Equality.

It took an hour to call 108 names and all but six defendants answered the call. Travis skipped reading the affidavit and the plea of innocent was entered automatically for the defendants who followed Thomas.

Only once was the routine broken during the first hour, when Rabbi Allan Levine of Bradford, Pa., asked to have his trial date changed from a Friday. It was moved to a Monday.

There were no demonstrations or incidents. Police kept a two-block area around the courthouse cleared of onlookers and Judge Moore banned demonstrations, smoking and loud talking in his courtroom.

The "Riders", mostly housed at Tougaloo Southern Christian (Negro) College just north of Jackson, arrived by special buses at the county courthouse just before the procedings began. They filed into the building and up the stairs to the courtroom on the second floor in a matter-of-fact manner.

Under the rules of Moore's court, all 197 "Riders" who had posted $500 appeal bonds were required to appear personally or forfeit their bonds.

# Hinds Seeking Help To Finance 'Riders'

By BOB PITTMAN
Daily News Staff Writer

Hinds County will ask the Legislature in January to share the "freedom rider" financial burden.

Sheriff Bob Gilfoy has told Gov. Ross Barnett the county, hard hit by invasion of almost 300 "freedom riders," faces serious financial problems unless the state offers assistance.

The sheriff has suggested that the Legislature set up a $100,000 fund to help pay "freedom rider" costs.

Gov. Barnett said yesterday he will suport such legislation.

Gilfoy declined to estimate the "freedom rider" cost to the country but others have predicted the expense will reach a half million dollars.

The board of supervisors has estimated that county court trials alone will total more than $100,000.

The county court is hearing appeals of breach of peace convictions handed down in city court.

Expenses to the county include jury trials, witness fees and other court costs, housing, food, numerous trips to the Parchman State Penitentiary and other items.

The sheriff told Gov. Barnett the board of supervisors would submit itemized statements before drawing money from any fund set up by the Legislature.

The governor said the matter will not be presented to a special session planned for October but will be brought up in January.

The October session, he reemphasized, will be limited to measures clearing the way for a $125 million Standard Oil of Kentucky refinery in Jackson County.

Gilfoy pointed out that county assessment rolls have been established and Hinds County is unable to raise additional funds.

If the supervisors believe the fund will be appropriated by lawmakers, he said, they may borrow money in advance of the January session.

Gilfoy's report of the county's financial condition went to the governor in a letter.

Earlier this summer Hinds county Rep. Russell Davis recommended that the Legislature assist the county.

In a three-day special session last week Rep. B. S. Waddell of Copiah County told members of the House he believes the state should share the "freedom rider" cost with Hinds County.

Meanwhile, the board of supervisors today approved a doubling of the county court budget for fiscal 1961-62 to ease the court's burden.

The court's fiscal year begin September 1. The county court budget was increased from $50,000 to $100,000 for the year.

## Money Is Needed For Rider Trials

JACKSON, Miss., Aug. 30. — (UPI)—Hinds County faces serious financial problems because of the self-styled "freedom riders" unless the state offers some aid, Sheriff Bob Gilfoy said Wednesday.

Sheriff Gilfoy proposed the Legislature set up a $100,000 fund to absorb some of the cost of trying and housing the riders in county jail.

Gov. Ross Barnett said he would go along with such legislation.

Officials have estimated the riders' expense will reach $500,000 and that their trials alone will cost $100,000.

# Freedom Rider Loses In First Appeal Trial

JACKSON, Miss., Aug. 25 (AP).—A 12-man, all-white jury yesterday convicted Henry Thomas, 19, of St. Augustine, Fla., on a breach of peace charge in the first appeal trial of a convicted "Freedom Rider."

The jury deliberated 45 minutes.

Mr. Thomas, a Negro and student at Howard University in Washington, had appealed his earlier conviction in city court.

"Turn him loose . . . and blood will flow and there will be violence," said Hinds County Prosecutor Jack Travis in his final argument.

Defense Counsel William Kunstler countered: "What Travis is telling you is that if any person, including yourselves, fails to move on, regardless of whether he has committed an offense, blood will flow in the street."

Mr. Kunstler, the American Civil Liberties Union attorney from New York, who plans to defend all 190 integrationist riders who are appealing their convictions, said he would appeal the Thomas case—all the way to the United States Supreme Court if necessary.

Mr. Thomas was given a $200 fine and a four-month jail term by County Judge Russel Moore. The penalty was stiffer than the original city court sentence of $200 and a 60-day suspended jail term.

The teen-ager came to Jackson last May 24 as one of the first of nearly 300 Freedom Riders to attempt to desegregate bus, train and airline terminal facilities.

Today, Judge Moore will begin the appeal trial of Julia Aaron, a 19-year-old New Orleans Negro, who was also arrested on the first day.

# Freedom Ride Rioter To Go Back For Trial

ATLANTA. — (ANP) — Gov. S. Ernest Vandiver decided last week to turn over to Alabama authorities, a Rome Ga., man charged with intent to murder during the Birmingham "Freedom Ride" riot.

The governor said he could find "no reasonable basis" for denying Alabama's request for custody of Herschel W. Acker, a Rome pulpwood plant worker.

Birmingham News photographer, Bud Gordon, a witness at Acker's extradition hearing identified the Rome man as one of a group beating a photographer at the Trailways bus terminal in Birmingham last May 14.

Four law enforcement officers at the hearing all testified they had heard Acker admit at the Rome police station that he had been in Birmingham on the day of the riot.

At the hearing Thursday, Acker, through his attorney, denied that he had been in Birmingham on May 14.

The indictment charges Acker with assault on a Negro man who was not taking part in the freedom rides but was merely a bystander at the station.

38a 1961

AUGUST

JACKSON- FREEDOM RIDERS

MISSISSIPPI

# Freedom Riders Map Miss. 'Homecoming'

JACKSON, Miss. — Monday will be "homecoming day" for more than 175 Freedom Riders who were arrested then released on bond for testing segregated waiting room facilities in bus, railway and airport terminals in this city. Since the Freedom Rides began on May 24, approximately 300 persons have been arrested. Of this number, 294 have been convicted and given $200 fines and jail terms.

Approximately 175 of the convicted riders have appealed and have gained their freedom by posting $500 appeal bonds. However, under Mississippi law, persons who appeal must appear in court the first day of the new term or automatically forfeit their bonds. Monday, Aug. 14, is the first day of the next term.

## BULLETIN

NEW YORK -- CORE National Director James Farmer has asked Attorney General Robert Kennedy for federal marshals to protect hundreds of Freedom Riders, attorneys and world press in Jackson, Miss., for the trial of 186 Freedom Riders beginning next Monday.

BREAK BARRIERS -- Two Freedom Riders who defied segregation barriers and were served in the bus depot in Jackson, Miss., last week, and in both the white and Negro lunchrooms in the New Orleans Union Passenger Terminal Station on Monday, are shown following a picketing stint on Canal street. Earl C. Bohannon, Jr., 21, is from Chicago; Mrs. Norma Wagner, a 33-year-old blind white woman, is from Rochester, New York. Police were present in both terminals at the time but no arrests were made. (PHOTO BY PORTER)

CORE MEMBERS ARRESTED -- New Orleans policemen arrested seven members of the Congress of Racial Equality in the Calliope Project area as they distributed handbills Tuesday afternoon. The handbills were advertising an "Evening With Freedom Riders" at Union Bethel A.M.E. Church, 2321 Thalia Street, Thursday at 8 p.m. The five white CORE members arrested were Norma Wagner, Rochester, New York; John Dolan, Louise Ingraham, Marion Kendall, and Paul Sims; the other CORE members arrested were Julia Aaron, New Orleans, and Earl C. Bohannon, Jr., Chicago. (PHOTO BY PORTER)

FINAL BRIEFING — Prior to their trial in Jackson, Miss., Freedom Riders gather in chapel at Tougaloo Southern Christian College for final briefing by sponsors. Here they applaud speaker.

# Riders join vote drive; one jailed

By FRANK HUNT
AFRO Staff Correspondent

JACKSON, Miss. — About 15 percent of the Freedom Riders who left here following their arraignments Monday did not return to their original points of departure but headed for other hot spots in the South.

Twelve riders got off the chartered bus in Nashville to join the picketing now going on there and nine others headed for Monroe County, N.C. to participate in a voter registration drive.

Several stayed in Jackson to work with the local movement, and yet another group went to Pike County, Miss., to lead a voter registration drive.

**IN CONNECTION** with the Pike County movement, a student non-violent leader, who took four people to register to vote in Amit County, was arrested on his return trip on a charge of "interfering with the duties of a police officer."

Robert Moses, field secretary for the Student Non-Violent Coordinating Committee, which is sponsoring the Pike County drive, indicated he would stay in jail rather than pay a fine.

The arrest on Wednesday was the first since the project got under way in mid-July.

A spokesman for the group also reported that a man was shot at when he left the Voters Registration Office last week. Police have been unable to find the sniper.

**ACCORDING TO** Marion Barry Jr., also a field secretary for the committee, the group's goal is to get some 3,000 voters registered by next June.

"There are only a few hundred voters on the books in the county now, while the potential vote is easily two or three thousand," Barry said.

The project is being undertaken in three stages.

The first phase is the setting up of classes to teach potential voters how to pass the poll examination in all Mississippi counties.

The organization has copies of the registration exam and the students are drilled thoroughly in exactly how the examination will be given.

The second phase is taking the newly-educated citizen to register. If he fails the exam, he is drilled again, and repeats the examination until he passes.

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**ABOUT THREE** out of the four of the prospects tutored so far have passed the exam, Barry reported. The project has been underway since mid-July.

The third phase involves recruiting teachers to instruct more voters.

The Freedom Riders reunion here at the command of Mississippi authorities, was the sounding board needed for that phase.

Barry said the SNCC would also be on the lookout for discriminatory practices in registration.

"Federal registration agents have been informed as to our program and they are standing by for such reports," he said.

(More stories on Page 3)

# Riders' lawyers set for trial

By FRANK HUNT
AFRO Staff Correspondent

JACKSON, Miss.—A flock of witnesses for both sides are expected to be summoned to appear at the first Freedom Riders appeal trial set Tuesday in Hinds County Court.

Lawyers for the Riders, William Kunstler and Jack Young, predict that the first two trials, given two days by the court, will probably last a week or more.

By Saturday the defense attorneys had summoned two dozen witnesses. They included Hinds County Board of Supervisors, the chancery clerk, 10 local lawyers as well as W. J. Simmons, head of the local Whites Citizens Council.

**THE STATE'S** witnesses include policemen, several newsmen, and chamber of commerce officials. They are expected to testify that the situation in Jackson was so tense that a breach of the peace would have resulted had the Riders not been arrested.

Set for trial Tuesday are the cases of Henry J. Thomas, a CORE field secretary from St. Augustine, Fla., and Judith Aaron from New Orleans.

Kunstler said his defense is based on the contention that the arrests were "attempts by the state to enforce its outright segregated statutes."

He said an initial move would be to squash the jury on the grounds that they are prejudiced against his integrationist clients.

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**HE SAID** he plans to ask jury members direct questions designed to reveal their stand on the case. Simmons will be called upon to testify as to the purpose of the council to counter the anticipated contention that mem-

bership in the council does not necessarily indicate adverse feelings toward colored people.

There was early speculation that Mississippi Governor Ross Barnett may be called upon by the defense to testify as to the laws of the state and the situation surrounding the arrested persons.

Lawyers are expected to testify that there has never been a colored juror in Mississippi. Kunstler said he already has 15 qualified colored residents who can be selected for jury duty should it come to that.

# 180 Freedom Riders Show Up for Appeal

JACKSON, Miss., Aug. 14 (AP).—More than 180 convicted Freedom Riders, rallied by hym-singing sympathizers, appear in Hinds County Court today for appeal trials.

County Judge Russel Moore convenes court at 2 p.m. (CST), and under a year-old rule all 192 riders who posted appeal bonds after their breach of peace convictions were required to appear or forfeit their $500 bonds.

But at least five of the segregation-defying riders earlier announced their intention of not appearing. Their attorney petitioned Federal Court to receive the five cases, and they were automatically transferred to United States district court.

Officials of the ride-sponsoring Congress on Racial Equality said at least 180 of the riders were in Jackson last night.

**Two More Arrested**

The convicted riders returned to this Mississippi Capital City of 70,000 in the same methods they had used to travel here earlier. But this time, they refused to enter any segregated facilities.

The total number of arrested Freedom Riders swelled to 307 yesterday, however, as two more persons tested segregation barriers in a bus terminal here. They were arrested by Jackson police as quickly as the earlier riders.

Jailed were Pauline Simes, 22, a white New York resident, and George Raymond, jr., 18-year-old New Orleans Negro.

Police planned to block off a two-block area around the courthouse before trials began and promised a quick trip in the paddywagon for any demonstrators. Several months ago, a hand-clapping crowd of Negroes was dispersed by trained dogs when they gathered outside city court for the trials of Negro students who attempted to desegrate a for-white-only public library.

**Rally Draws Crowd**

Last night more than 1,500 persons, including the Freedom Riders, attended a rally called to give moral support to the integrationists.

The audience, which ranged from 80-year-old women to a 5-year-old boy, clapped, sang and shouted as officials of CORE, the National Association for the Advancement of Colored People and the Southern Christian Leadership Conference spoke.

Time and again, the crowd interrupted speakers with the chant: "Oh, Jesus help us."

"Segregation is catching hell," said the Rev. Wyatt Tee Walker of Montgomery, Ala., SCLC executive director.

The Negro minister said his people used to sing "Old Black Joe," but now we sing:

"I'm coming, I'm coming,

"And my head ain't bending low.

"I'm coming, I'm coming,

"I'm America's new Black Joe."

Another speaker, the Rev. C. T. Vivian, a Negro methodist minister from Nashville, Tenn., said:

"We want more than integration. We want a community of love—whether they be black, white, yellow, pink or polka dot."

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# Judge Rejects Exclusion Plea

## Attorney For 'Freedom Rider' Tries To Show Juries Are Stacked

By United Press International

JACKSON, Miss., Aug. 22. — The first of several legal moves on behalf of the so-called "freedom riders" going on trial here was rejected Tuesday when a judge ruled that Negroes have not been systematically excluded from juries in Hinds County.

Attorneys for Negro eHnry J. Thomas called 29 witneses before County Judge Russell Moore in an attempt to show he could not receive a fair trial under Mississippi's predominantly white jury system.

Defense Attorney William A. Kunstler of New York asked that the 60-man panel from which the jury which will hear Thomas' case is to be selected be declared ineligible because only two of its members are Negroes.

Judge Moore ended the six-hour hearing on Kunstler's motion by declaring that the defense had "failed to show by any substantial evidence that there has been any systematic exclusion or discrimination in the selection of juriors."

**Jury Selection Today**

Selection of the jury to hear the breach of the peace case against Thomas will begin at 9:30 a.m. Wednesday.

Fourteen Negroes testified they had been registered to vote —and thus eligible for jury duty—for 12 to 40 years and had never been called to jury service.

The state then secured statements from 12 long-time white voters who have been subpenaed to testify later. The statements, introduced as evidence, said they too, had never been called for jury service.

Four county supervisors, the elected officials who are in charge of the county government, testified "race, creed or color" had nothing to do with their compiling of prospective jurors.

**No Race Listing**

They testified they chose names at random from lists of voters. They said the lists have no designation of race.

Regarding the Negroes' testimony that they had never performed jury service, Judge Moore said, "the court does not find this to be an uncommon thing among members of the Caucasian race."

Thomas is the first of 300 riders convicted in police court for breach of the peace to go on trial in appeal proceeding in Hinds County court.

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MISSISSIPPI

AUGUST
JACKSON-FREEDOM RIDERS TRIAL
(JUDGE REJECTS EXCLUSION PLEA)

AUGUST
JACKSON-FREEDOM RIDERS
MISS JULIA AARON - WILL SERVE 6 MOS. HARD LABOR

# Will serve 6 months hard labor

By FRANK HUNT
AFRO Staff Correspondent

JACKSON, Miss. — A 26-year-old New Orleans coed went to jail for the second time here Saturday rather than post the $2,000 bond demanded by County Court Judge Russell Moore.

Julia Aaron, second Freedom Rider to be convicted on appeal trial, left the court in the custody of Sheriff J. L. Gilfoy to serve six months at hard labor in Parchman State Penitentiary.

The first Freedom Rider to be convicted on appeal, 19-year-old Henry Thomas, a Howard University student, was released under $2,000 bond pending appeal "all the way to the Supreme Court, if necessary."

* * *

MISS AARON'S decision to go to jail came as a surprise to everybody and may have set the stage for a mass return to Mississippi jails by the more than 250 riders released on appeal bond.

"I think Mississippi justice is deteriorating the moral fibre of America, and I don't intend to dance to their tune," she said.

"They probably think that raising the bond will bankrupt CORE, and create dissension among the riders. By going back to jail, we can show them that we don't fear the worse and can strip them of their petty legal weapons," she asserted.

* * *

SHE SHOOK HANDS with defense attorneys and friends and smiled. Her head was held high and her steps determined and firm as she was escorted from the courtroom.

The less than 5 hour trial was a far cry from the prolonged three day first riders hearing. Only five witnesses testified, as compared to the 24 in the first cases. The defense again rested its case at the conclusion of the state's presentation. The all-white jury returned the guilty verdict in less than 15 minutes.

In an impassioned speech, city prosecutor Jack Travis called the Freedom Riders "rabble rousers," "outside agitators" and "riff-raff." He said that the jury had no other alternative than to convict the defendant or else "Blood will be running in the streets of Jackson."

The defendant was represented by local lawyers Jack H. Young, and Carsie Hall.

DEFENSE ARGUMENTS followed generally the pattern in the first trial.

"The state is saying in effect that if somebody throws a brick through your car window you ought not have had your car there. How stupid can you get?" Young asked the jury.

He told the jury that they would have to live with their consciences if they found the defendant guilty.

Two colored prospective jurors were the first to be eliminated by the state by preemptory challenges which do not require a reason. They were Manzie Reese, a maintenance man employed by the University of Mississippi Hospital and Earl Jointon, a barber.

Julia Aaron was arrested May 24 on the first day of the Freedom Rides in this city.

She served six days in Hinds County jail under breach of the peace charges and was released on the usual $500 appeal bond to appear for a trial in New Orleans, where she had been arrested for picketing. The New Orleans trial has been postponed indefinitely.

* * *

A STUDENT at Southern University, she is an active leader in the New Orleans CORE Chapter, where she was arrested again two weeks before her Hinds County appeal trial for distributing handbills. Those charges were dropped.

"She's wonderful, she really is," Tom Gaither, CORE field secretary, said of Miss Aaron.

"I think her decision to stay in jail effectively dramatizes the nature of our fight and the tremendous faith that the Freedom Riders have in this method of protest."

Gaither said such a decision would be left up to individual Riders. "We are obligated to post bond and we'll get the money from somewhere," he said.

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IF THE $2000 Bond was posted for all of the riders convicted here on their circuit court appeals, it could cost CORE more than $275,000 in addition to the approximately $110,000 already posted.

Freedom Riders to be tried this week include John Moody, from Philadelphia, and Matthew Walker, Nashville, Tenn., Monday; Doris Castle and Jerome Smith, both currently in jail in their native New Orleans, but will come out on bond for their Tuesday trial here; and Peter Ackenberg from York, Pa., and Elizabeth Adler, from Brooklyn New York, whose cases are set for Wednesday.

The court will then recess until Sept. 6, according to the original schedule.

Two other cases crowded out by last week's two prolonged trials were reset for Jan. 21. It is expected that future trials will be brief and anti-climactic with both sides facilitating speed.

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FUTURE TRIALS may be handled by attorneys from all over the country. A CORE spokesman said that a great many well-known lawyers had offered to come in and fight the cases free of charge.

If so, the coming 190 trials may be contested as bitterly as was the first, some speculate.

Mississippi's latest tactic to freeze freedom riders, by requiring property bonds, failed miserably Friday as defense lawyers found a recently passed law allowing cash bonds to be used.

Henry J. Thomas, first convicted Freedom Rider paid the $2,000 bond last Friday after Judge Russell Moore had demanded that property bonds must be used or Thomas would have to go back to jail. The judge had said he found no statutory authority allowing the use of cash bonds under Mississippi law.

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THOMAS, A CORE field secretary, had decided to accept the judge's ultimatum and serve out his time in jail, but was prevailed upon by co-workers that he could do more for the movement outside jail.

He was convicted in a three - day trial that was probably the hardest fought misdemeanor case in the history of Mississippi jurisprudence. Judge Moore ran his court with the rigidity of a capital punishment case. Attorneys for both sides seemed determined to make the pilot case a lengthy record for appeal purposes.

A reporter from Rotterdam, Holland left the courtroom during the second riders' appeal trial here when the judge called him to the bench for sitting in a section occupied by colored persons.

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"IT IS the ruling of the court that the trial be segregated. Colored people sit in one section and whites sit in another. You can either stay or leave. but you've got to abide by the rules," Judge Russell Moore told the blond, fairheaded, blue-eyed Dutchman.

In heavily accented tones, the reporter, who said his name was Hugh Brandt Costius, told the judge, "I rather leave because I don't like a court where I can't sit with whom I choose."

* * *

CITY PROSECUTOR Jack Travis had told the jury in seven minutes of closing argument that they were the third link in the law enforcement chain.

The police department is the first . . . They have done their duty, the prosecutor is the second link, and you are the third link.

"If you want your property, your person, your family, protected from violence, from any person, subversive, riff-raff, then you must not turn him loose. . . The third links break the chain, no law enforcement, no police protection."

He said if a policeman does not have the authority to order a crowd to move one, it has nothing.

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DEFENSE ATTORNEY Kunstler, who spoke for 15 minutes, said that Travis said essentially that "if any of the jury fails to move on when told to do so by a police officer, that person is subject to arrest.

"We say that a defendant should not be subjected to arrest merely because a policeman tells him to move on, whether he has committed an act of violence or not.

"The witnesses all testified that the defendant committed no such act.

"We can't go on what others did, or what Capt. Ray thought they did," he said.

"If you search your hearts and consciences to find out what he was arrested for, then you will find a different problem," Kunstler told the jury.

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HE AGREED with Travis that it "is an extremely important case" and added that if the jury found the defendant innocent, they would have "done a lot to strip this matter of its undertones."

Instructions to the jury, three by the prosecutors and 28 from the defense, were clearly contradictory to the confusion of reporters, courtroom spectators, and presumably the jury.

Defense instructions implied that the defendant could not be found guilty unless it was proven that he himself had committed some act which broke the peace.

State instructions said that the defendant could be found guilty of the charge if his presence in a place of public accommodation occasioned a breach of the peace.

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USUALLY JURY instructions are approved by the judge to place the case in its proper legal context.

In a surprise move Friday the defense rested its case, without bringing up any of the remaining 30 witnesses it had subpoenaed.

Attorney William Kunstler said that the defense's case had been proven for them by the testimony of states witnesses. The state finished its case at 1:30. Five minutes later Kunstler moved swiftly for a directed verdict, tried to introduce several sections of the state code dealing with segregation, and tried to read to the jury a Supreme Court decision of 1960 prohibiting segregation in interstate travel facilities.

Judge Moore as swiftly denied all three requests. The jury stayed out for 45 minutes before returning with the guilty verdict. There were about 40 courtroom spectators in the courtroom at the time, more than at any other time during the three - day trial. About half were colored.

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THE STATE called up four more witnesses Thursday morning, a newsman and two police officials.

Jackson Police Captain John Ray, who was in charge of the arrests of the Riders, testified that he arrested them not for entering a white waiting room, but because they refused to move on when told.

He said police had ordered many people to move on and until the defendant and his group refused, all had moved without question.

Ray was held on the stand 2½ hours by detailed examination of both attorneys.

Both sides were stymied as the trial got underway Wednesday afternoon by objections sustained against the use of racial terms, and reference to Freedom Riders and to the group rather than the defendant, Henry Thomas.

This is not a racial case but a breach-of-the-peace case, Judge Russell Moore said. He had to say it again many times during the trial.

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**FREEDOM RIDER** Attorney William Kunstler took exception to the ruling early in the hearing, after being stalled in his examination of the jury by a barrage of objections from City Prosector Jack Travis to his reference to a colored person's rights.

"I think it is impossible to overlook the fact that this is one of several cases that have been publicized all over the world and at this point it is impossible to separate these facts from the influence of others," Kunstler argued.

"If you want a fair and impartial trial you'll get it as long as this is a breach-of-the-peace case," the judge returned.

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**IT BECAME** obvious as the state presented its case that it was bearing the brunt of the limitation when Judge Moore took under advisement a defense motion to disregard the testimony of four Alabama witnesses.

This testimony eventually rambled geographically from Atlanta, Ga.; Montgomery, Anniston and Birmingham, Ala., to Jackson, and, in subject, from the Freedom Riders to CORE.

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**THE DRAMATIC** story of the Freedom Riders unfolded in deadpan, sometimes surly tones.

Kunstler later withdrew his motion to strike the Alabama testimony from the records. He told the AFRO afterwards that the State's witnesses proved to be extremely helpful in proving his case.

The State is charging that the Riders came here with the express purpose of breaking the peace and causing trouble .... to create a disturbance, that what they wanted was violence, nothing else Travis said in his opening statement to the jury.

He said if not for the heroic actions of Mississippi State police the Freedom Riders could have been killed.

Attorneys for the Riders, Carl Rachlin, chief counsel for the Congress On Racial Equality, and Kunstler, American Civil Liberties Union lawyer, maintain that the Riders came to test transportation laws.

* * *

**"WE THINK** that the facts will show that this defendant committed no other act, than to walk into a Continental bus terminal and refused to move on," Rachlin said in opening argument.

The defendant in the case is 19-year-old Henry Thomas, a Howard University student from St. Augustine, Fla. Thomas, appointed a CORE field secretary since his release from Parchman State Penitentiary July 5, was arrested in the Trailway bus terminal here May 24 with the first group of Riders to invade Jackson.

He was released on a $500 appeal bond.

The basic arguments in the case do not clash head-on, since one side considers it a civil rights case and the other a criminal case. Thus the testimony of state witnesses has tended to support both contentions to the frustration of the prosecutors.

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**FOUR ALABAMA** police officials testified that a tense and disturbed siutation resulting in violence was occasioned by the Freedom Riders passing through the state.

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**BUT THEY** also testified that the Riders themselves committed no acts of violence, broke no laws and did nothing to provoke violence.

"What is a Freedom Rider?" County Prosecutor Paul Alexander asked W. M. Stanley, Montgomery, Ala. assistant chief of police.

"I suppose it is used to describe those people who ride buses for the purpose of integrating its facilities," Stanley replied.

Asked why was he interested in the Freedom Riders in Alabama, Alabama State investigator Sgt. L. M. Cook, who said his duties involved investigating un-American groups, said, "Well, the members of the board are listed on the letterhead. Some of those men are known Communists."

Strong defense objections were sustained.

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**GWIN COLE,** assistant director of the Bureau of Identification for the Mississippi Highway Patrol, testified that the Riders did nothing illegal or disorderly in transit or at the Jackson terminal.

Mr. Cole was in charge of escorting the Riders from the Alabama border into the city.

He also testified that the situation along the route was tense, but upon cross examination he could only specify having talked with a filling station attendant to determine the situation.

**TWO JACKSON** businessbusinessmen, president of the First National Bank and an automobile dealer, said that people were excited and disturbed about the arrival of the Riders prior to their coming.

Both admitted that the concern was not fear of the violence commited by Riders but by citizens.

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**KUNSTLER PUSHED** two Jackson newsmen hard when their testimony did not agree with their stories.

Wallace Dabbs, reporter for the Clarion Ledger, admitted that his report that the Riders had been arrested upon entering the terminal was inaccurate. There was a 15-minute period after the entrance he said.

He said on cross examination that the police had the situation in control.

Ed Hale, State Times reporter, testified trat many of the people at the terminal were there out of curiosity, while others were there out of antagonism for the Freedom Riders.

Kunstler queried another newsman about the newspaper statement in which he wrote: "Meanwhile, police watched each incoming bus for more Riders to violate segregation laws."

The reporter refused to divulge the facts on which he based the story.

* * *

**THE ALL-WHITE** jury has listened attentively so far, laughing good humoredly at cracks made at the expense of Prosecutors Travis and Alexander. They are all men since women are not allowed to serve on jury duty in Mississippi.

Defense lawyers used up all six of their peremptory challenges to eliminate jury members and challenged two other jurors, but were overruled.

It took five hours to select the jury Wednesday.

Each member was questioned extensively about his background, his beliefs and his livelihood by both defense and prosecutors.

Kunstler requested that note be made of the fact that there were no colored persons on the jury for the record.

# Priests Get 4 Months In Jail For Integration Attempt

## Judge Spencer Rules Episcopalians Broke Both State, Church Laws When They Refused Request To Leave Bus Terminal

By The Associated Press

JACKSON, Miss., Sept. 15.—Municipal Judge James Spencer convicted 15 Episcopal clergymen—including New York Gov. Nelson Rockefeller's son-in-law—on breach of peace charges Friday after their efforts to desegregate the Trailways bus terminal.

Judge Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term.

Among those convicted was the Rev. Robert L. Pierson, 35, of New York City and Evanston, Ill., son-in-law of New York Gov. Nelson Rockefeller. The Rev. Mr. Pierson did not testify at the trial.

**Do Not Post Bond**

The clergymen made no move to post bond and sources close to them indicated it might be next week before most of them gained their freedom.

Before handing down sentence, Judge Spencer told the courtroom "I find my duty clear. I believe they violated the laws of Mississippi and the articles of religion of their faith."

In his closing arguments, Special Prosecutor Robert Nichols charged the clergymen violated an article of religion of the Protestant Episcopal Church when they ignored an order from Police Capt. J. L. Ray to move along.

He said one of the articles of religion admonished Episcopalians to obey civil authority.

**Lawyer Questions Law**

Defense Attorney Carl Rachlin of New York, chief counsel of the Congress of Racial Equality, contended the state breach of peace law was unconstitutional because it permitted an officer to make an arrest if he felt violence might erupt later. This, he said, made the officer a judge.

Mr. Nichols said if the officer "had to wait until violence occurred before the arrest would be constitutional, then there might have been two dead bodies — but they would have been constitutionally dead."

The 15 clergymen were arrested at the Trailways bus terminal Wednesday when they ignored a police order to move when it was issued by Captain Ray.

The arrests interrupted their "prayer pilgrimage" from New Orleans to Detroit, where the annual convention of the Protestant Episcopal Church will open Sunday. The tour was planned to study the racial question in Episcopal institutions en route.

# Ministers Arrested At Sit-In

JACKSON, Miss. — (UPI) — Police arrested 15 Episcopal ministers, including the son-in-law of New York Gov. Nelson Rockefeller, Wednesday when the biracial group attempted to enter a segregated restaurant at a bus station.

Officers rounded up the clergymen, from all parts of the nation, when ministers refused orders to "move on." Among the group was the Rev. Robert L. Pierson of Evanston, Ill., husband of Rockefeller's daughter, Ann.

**They were part of a 28-member group which arrived here from New Orleans Tuesday night on a "Prayer Pilgrimage" to protest racial segregation.**

The group spent the night at Tougaloo College, a Negro school near here.

The 28 ministers met in New Orleans Tuesday morning to make the "pilgrimage" to the national Episcopal convention which gets under way in Detroit Sunday. They planned to stop at points along the way for consultation with church and school leaders and demonstrations.

A spokesman for the group, the Rev. Malcolm Boyd, chaplain at Wayne State University in Detroit, said the clergymen were "witnessing or demonstrating for our church against racial discrimination."

# Ministers Pray, Sing In Jail

By Herald Wire Services

JACKSON, Miss. — The Rev. Robert L. Pierson, son-in-law of New York Gov. Nelson Rockefeller, and 14 other Episcopal priests prayed and sang hymns Thursday in their jail cells.

The ministers, arrested Wednesday for challenging segregation customs here, reported they were in "good spirits" and that officers were treating them courteously.

**The 12 white and three Negro ministers from several sections of the nation are scheduled to be tried today on breach of the peace charges, filed after they attempted to dine at a segregated bus station restaurant.**

Father Pierson, 35, of Evanston, Ill., said he had no complaints about his treatment in jail and the other ministers agreed.

Father Pierson, whose wife, Anne, is Rockefeller's daughter, was reported "quite embarrassed" about the publicity the integration attempt received as a result of his relationship with the governor. Most other ministers traveling with Father Pierson on an anti-segregation "prayer pilgrimate" did not know he was the governor's son-in-law.

In addition to Pierson, the priests arrested are:
The Rev. James Pleasant Breeden, 26, Boston, Mass.
The Rev. John Marvin Evans, 36, All Saints Church, Toledo, Ohio.
The Rev. Quinland Reeves Gordon, 44, Washington, D.C.
The Rev. Gilbert S. Avery III, 30, St. John's Episcopal Church, Roxbury, Mass.
The Rev. Myron B. Bloy Jr., 35, chaplain at Massachusetts Institute of Technology, Boston.
The Rev. John Crocker Jr., 37, Providence, R.I.
The Rev. James Walker Evans, 31, St. James Church, St. Clair, Mo.
The Rev. James Garrard Jones, 34, Chicago.
The Rev. John Burnett Morris, 31, Atlanta.
The Rev. Merrill Orne Yung, 31, Boston.
The Rev. Geoffrey Sedgewich Simpson, 29, South Pewaukee, Wis.
The Rev. Robert P. Taylor, 29, St. Leonard's House, Chicago.
The Rev. William Andrew Wendt, 41, Washington, D.C.
The Rev. Vernon P. Woodward, 27, Cincinnati.

# 15 Ministers Put In Jackson Jail

## Traveling Episcopal Priests Attempt To Test Bus Cafe Segregation

By United Press International

JACKSON, Miss., Sept. 13.—A bi-racial group of 15 Episcopal priests attempted to have lunch Wednesday in a segregated restaurant but dined instead at city jail.

The ministers, part of a group of clergymen from throughout the nation on an anti-segregation "pilgrimage," entered the Trailways bus terminal's white waiting room and headed toward the restaurant. They declined police orders to leave, maintaining they were hungry, and were arrested on breach of the peace charges.

Those arrested included the Rev. Robert L. Pierson, 35, of Evanston, Ill., son-in-law of New York Gov. Nelson Rockefeller. His wife, Ann, is the Governor's daughter.

**JACKSON-FREEDOM RIDERS CLERGYMEN**

Seven other members of the group were scheduled to leave, without challenging segregation, for the University of the South in Sewanee, Tenn., to continue the "pilgrimage." Five more planned to stay in Jackson, holding three prayer sessions daily and confering with local officials and residents about segregation.

There was no prior announcement of Wednesday's integration attempt and unlike most other so-called "Freedom Riders," the ministers were not met by a large contingent of police. However, two patrolmen were nearby and stopped the ministers as they reached the restaurant door.

**Stopped By Officers**

One of the patrolmen told them to move on and a priest replied, "We're hungry. We are interstate travelers." Another priest said the group would not leave until "after we have had some lunch."

A patrolman then called the nearby police station for Capt. J. L. Ray, who has been the arresting officer in most "Freedom Rider" incidents. He rushed to the station, issued new orders to "move on" and made the arrests.

The ministers, wearing clerical collars, were taken out of the terminal to a paddy wagon. One of them was reading the Bible aloud as the wagon pulled away.

Members of the group who did not take part in the integration attempt fired off a telegram to Atty. Gen. Robert Kennedy reporting the arrests and urging Kennedy to immediately "solve problems of interstate travel for Americans."

Those arrested were the Revs. Gilbert S. Avery III of Roxbury, Mass., Myron B. Bloy Jr. of Cambridge, Mass., James P. Breeden of Roxbury, John Crocker Jr. of Providence, R. I., James W. Evans of St. Clair, Mo., John M. Evans of Toledo, Ohio, Quinland R. Gordon of Washington, James G. Jones of Chicago.

John B. Morris of Atlanta, The Rev. Mr. Pierson of Evansston, Ill., Geoffrey S. Simpson of Pewaukee, Wis., Robert Page Taylor of Chicago, William A. Wendt of Washington, Vernon Powell Woodward of Cincinnati and Merrill O. Young of Boston.

**Met In New Orleans**

The crusading ministers met in New Orleans Tuesday morning to begin the "pilgrimage" to the national Episcopal convention, which opens Sunday in Detroit. They planned to stop along the way for consultation, prayer and demonstrations.

They spent Tuesday night here at Tougaloo College, a Negro church institution, after confering earlier in the day with the Rev. John Allin, new bishop coadjutor of the Mississipp Episcopal Diocese.

The Rev. Mr. Allin, presently serving as rector of a segregated church school at Vicksburg, said he "disagreed with their strategy and could see no value in it." Allin said he asked the traveling ministers to continue their trip in a "quiet and orderly manner." One of the group, the Rev. Malcolm Boyd of Detroit, said of the conference with the Rev. Mr. Allin, "We had our different opinions."

# Jailed Priests Hold High Mass

## Integration Group Will Be Tried At Jackson This Afternoon

By The Associated Press

JACKSON, Miss., Sept. 14.—Fifteen jailed Episcopal clergymen celebrated High Mass Thursday as they awaited trial on breach of peace charges following a desegregation attempt at the Trailways bus terminal here.

Mr. Pierson

The ministers, including New York Gov. Nelson Rockefeller's son-in-law, set up a portable altar in the Jackson City jail for the service.

The 13 white clergymen in jail and two others not jailed took part in the service while the three Negroes in another cell made the responses.

The services ... er City Prosecutor Jack Travis and defense lawyer Jack Young, a Jackson Negro, agreed to hold the trial of the 15 at 3 p.m. Friday.

Carl Rachlin of New York, general counsel of the Congress of Racial Equality, was expected to aid in the defense. C.O.R.E. sponsored the so-called "Freedom Rides" into Jackson this year.

The Rev. Robert L. Pierson of New York and Evanston, Ill., Gov. Rockefeller's son-in-law, was embarrassed by the attion given his connection with Rockefeller, reported the Rev. Jack Malpas of Baltimore, Md.

**Priests Hold Mass**

The Rev. Mr. Malpas and the Rev. Niel Hastie of Boston visited the jailed clergymen during their religious services.

"We arrived as they began the singing service of the Eucharist," the Rev. Mr. Malpas said. "We were a part of the congregation. It was a good service."

The Rev. Mr. Malpas said the jailed clergymen's "spirits" were good. They are receiving messages of encouragement from their families and friends. There was no discouragement among them."

He said also he and the Rev. Mr. Hastie had conferred with Chief of Detectives M. B. Pierce and received courteous treatmen. They were permitted to take sacraments to the three Negro priests following the Mass.

The Rev. Mr. Pierson received a telegram from the Rev. H. J. Gary of Southampson, N. Y., saying, "I wish I could share your imprisonment as I share your conviction. God bless you."

It was the first arrest for the Rev. Mr. Pierson, 35, his wife, Anne Rockefeller, is one of the New York governor's five children.

Governor Rockefeller said of the arrests: "I admire all of them. I admire their courage and dedication of these young people to the basic precepts on which this country was founded and their dedication to the cause of making a reality out of these precepts."

The New York governor was asked if he planned to intercede.

"I know he wouldn't expect any special treatment or want it," Governor Rockefeller replied.

The 15 were participating in a "prayer pilgrimage" which left New Orleans Tuesday. Twenty-three white and five Negro priests started the pilgrimage scheduled to end at the church's 60th general convention which opens Sunday in Detroit.

# Episcopal Ministers Arrested In Jackson Mississippi Station

JACKSON, Miss.—(UPI)—Police arrested 15 Episcopal ministers, including the son-in-law of New York Gov. Nelson Rockefeller, Wednesday when the bi-racial group attempted to enter a segregated restaurant at a bus station.

Officers rounded up the clergymen, from all parts of the nation, when ministers refused orders to "move on." Among the group was the Rev. Robert L. Pierson of Evanston, Ill., husband of Rockefeller's daughter, Ann.

They were part of a 28-member group which arrived here from New Orleans Tuesday night on a "prayer pilgrimage" to protest racial segregation.

The group spent the night at Tougaloo College near here.

Those arrested were the Revs. Gilbert S. Avery II, Roxbury, Mass.; Myron B. Bloy, Jr., Cambridge, Mass.; James P. Breeden, Roxbury, Mass.; John Crocker, Jr., Providence, R. I.; James W. Evans, St. Clair, Mo.; John M. Evans, Toledo, Ohio; Quinland R. Gordon, Washington, D. C.; James G. Jones, Chicago;

John B. Morris, Atlanta; Robert L. Pierson, Evanston, Ill.; Geoffrey Simpson, Pewaukee, Wis., Robert Page Taylor, Chicago; William A. Wendt, Washington, D. C.; Vernon Powell Woodward, Cincinnati, and Merrill O. Young, Boston.

The 28 ministers met in New Orleans Tuesday to make the "pilgrimage" to the national Episcopal convention which gets underway in Detroit Sunday. They planned to stop at points along the way for consultation with church and school leaders and demonstrations.

# 'Freedom Riders' Bare Beatings In New Orleans

By ADOLPH SLAUGHTER

JACKSON, Miss. — Three bruised and badly mauled Freedom Riders left Jackson, Miss, late Tuesday for New Orleans where they said they were unmercifully beaten by police there after they were forcefully taken from a Negro home Aug. 12.

The three, George Blevins, 21, of Los Angeles; John Dolan, Berkeley, Calif., and Frank A. Nelson, 23, of Brooklyn, N. Y., were among nine Riders who failed to appear Monday in Hinds County Court house here for arraignment.

The riders said they were en route to Jackson to appear along with 188 other Freedom Riders who were given court dates for "breach of the peace" trials scheduled to begin here Aug. 22 and continue through Jan. 18, 1962.

Blevins, an artist, suffered a wound on the back of his head requiring stitches. Dolan, a student at the Uniiversity of California, in Berkeley, was injured about the face, while Nelson, a New York civil engineer, had bruises about his back and body inflicted by continuous club and blackjack pounding he said.

**DESCRIBE ACTION**

The young men said New Orleans police entered the home of a Negro girl they were visiting. They had met her during their freedom ride. The police told members of the girls' family that they had been sent there because of a reported disturbance.

The officers left the young men said when they saw there was no disturbance, but returned a short while later and entered the home without first gaining permission. All three were then taken to a police station.

It was at the completion of the ride to a second precinct station that the beating began, the young men said.

In the patrol wagon which transported them was a fourth white man between the ages of 25 and 30 who said his name was Jimenez and who told the three riders that he was an avid segregationist.

As the wagon pulled into the station where the men were subsequently finger printed and photographed, Jimenez attacked them they said and the police yanked open the door, entered the wagon with clubs and blackjacks swinging.

**FLUNG INTO STREET**

Dolan said he was picked up bodily and flung from the wagon out into the street where he landed on his face. An officer, Dolan said, attempted to jump from the wagon on top of him, but missed and landed on the ground dislocating his gun from his holster.

The officer then screamed, Dolan said, "Look out, they are trying to escape, they are after my gun," whereupon all three were grabbed and beaten some more.

One officer was holding Frank and hitting him in the back, Dolan said, and then later they shoved Frank and George against a wall.

**ORDERED OUT OF TOWN**

"When we got inside the building Nelson said an officer told him that if they were not out of town within 24 hours he would shoot them.

Blevins, when he complained about the injury on his head, an officer grabbed his hair on the pretense of looking at the wound, but in the process dug his nails into the injury and split it further. It later required three stitches.

Dolan said an officer who questioned him took his foot and kept kicking him in the chest.

Dolan added that the officers kept asking him "how much is CORE paying you?"

The three said they were held in jail from Aug. 12 until Aug. 14 making them late for their appearance in Hinds County court.

The men were charged with aggravated assault, simple assault and simple escape. Their bonds were originally set at $4,500 each.

Attorneys from the law firm of Collins, Douglas and Elie, in New Orleans, represented them, and got their bonds lowered to $1,000 each.

AUGUST
JACKSON- FREEDOM RIDERS T R I A L
U.S. DISTRICT JUDGE HAROLD COX
JURISDICTION DENIED 5 'FREEDOM RIDER' APPEALS

# Negro Freedom Rider Loses Appeal Before All-White Mississippi Jury

JACKSON, Miss., Aug. 24 (UPI)—An all-white jury that listened to three days of testimony took 40 minutes today to convict Negro Henry Thomas, the first Freedom Rider to appeal his breach of peace conviction here.

Thomas was fined $200 and sentenced to four months in jail—the same penalty prescribed in police court, where he was originaly convicted. He was expected to be freed on $2000 bond.

Attorneys for the defendant, in a surprise move, rested their case today without calling any witnesses.

Thomas' lawyers will appeal the case to State Circuit Court. They are counting on overturning the breach of peace conviction in Federal court after taking it through the State tribunals.

The State produced 15 witnesses in an effort to show Thomas, a Howard University student. was guilty of conduct which provoked a breach of the peace. Twenty-five minutes after the State closed its case, the defense said it, too was resting.

During that 25-minute period, the defense tried to have read into the record a Supreme Court decision banning segregation in interstate travel facilities. The judge, who had said earlier that the high court ruling had no relation to this case, rejected the motion.

William A. Kunstler, an American Civil Liberties Union lawyer from New York. told the jury that the basic issue in the case was "whether a person should be arrested merely because a policeman ordered him to move on."

Kunstler said Thomas "broke no law. He was peaceful. There isn't one shred of evidence that the defendant was about to breach the peace."

City Prosecutor Jack Travis said the basic question was "whether we will have law enforcement or whether there will be a complete brakdown of law enforcement."

United Press International

**State Prosecutor Jack Travis, at left, confers with defense attorney William A. Kunstler, of New York, in a Jackson, Miss., courtroom during a break in the trial of Henry Thomas, 19, a Freedom Rider charged with breach of the peace. Thomas later was convicted.**

*JURISDICTION DENIED*

# Federal Judge Tosses Out 5 'Freedom Rider' Appeals

JACKSON, Miss. (UPI)—A federal judge threw out five "Freedom Rider" appeal cases Saturday contending his court had no jurisdiction in the matter.

U. S. District Judge Harold Cox said the five riders—three whites and two Negroes—"heralded their arrival in Jackson from other states for "provocative" purposes.

"Their status as interstate passengers is extremely doubtful. Their destination was Jackson but their objective was trouble," he said.

Cox handed down the opinion in granting a state motion to return the cases to county court.

He said it was an "inescapeable conclusion" that the five rider cases had "no jurisdiction" in his court and that they were "improperly removed here."

New York attorney William Kunstler, counselor for the riders, sought to have the cases removed from Hinds County court. He said a federal civil rights act allows such transfers to be made when persons are arrested on state laws designated to preserve segregation.

He referred to the breach of the peace statute on which the riders were convicted in police court.

However, Cox said "this statute is a pure and simple peace law enacted by the legislation in good faith to assure peace and tranquility among its people."

Cox said the riders "had no civil right to incite a riot or provoke mob violence. The arresting officer promptly and efficiently and very properly discharged his duty in arresting each of these criminals under such circumstances," he said.

"This court may not be regarded as haven for any such counterfeit citizens from other states deliberately seeking to cause trouble here. The record does not show that this statute destroys or abridges any civil right of either of these petitioners."

Kunstler had sought to get all rider trials out of the Hinds County court where the jury trials are presently in progress. Two riders have already been convicted in the appeal process.

The five riders, like the 192 arraigned in county court, were convicted after attempting to integrate facilities at Jackson's bus, train and airport terminals.

# Six New Riders Join Comrades

## White Group Is Arrested In Negro Waiting Room At Jackson Terminal

By United Press International

JACKSON, Miss., June 11.—Six white so-called "Freedom Riders," led by a blond coed, were arrested Sunday when they sought service at a lunch counter in the Negro waiting room of the Greyhound Bus Terminal.

The riders, four of them students at the University of Minnesota, came here from Nashville, where they stopped off for instructions on protest riding from the Nashville nonviolent movement.

Leading their invasion of the segregated waiting room was Claire O'Conner, a 22-year-old coed from St. Paul, Minn., and the only girl in the group. She and four other riders sat at the counter and were promptly arrested.

**No 'Metal Objects'**

The sixth one, Eugene John Uphoff, 19, of Minneapolis, walked in later, struggling to carry a guitar, and he, too, was arrested after conceding he was part of the group.

He told officers he brought the guitar to "while away" his time in jail and to "keep spirits up." But it was taken from him under a policy against allowing metal objects in the cells.

Officers said Miss O'Conner told them she felt "stifled" by segregation.

Officers said members of the group told them they answered a call for volunteers by the Congress of Racial Equality (CORE). They said six others from the university also agreed to make a "ride" but later changed their minds.

Their arrests brought to 110 the number of riders taken into custody on breach of the peace charges here since the anti-segregation movement was aimed at Jackson May 24.

About 85 were held in the city or Hinds County jails here and eight of them were reported to be on a "hunger strike" in protest to segregation.

**Labor Backing Protested**

Meanwhile, a Mississippi labor organization vigorously protested a $5,000 donation made to the so-called "Freedom Ride" campaign by the AFL-CIO.

W. H. Wood Jr., president of the Mississippi State Council of Carpenters, wrote AFL-CIO Vice President Walter Reuther protesting the organization's support of "misguided young people who are led by racial and social agitators."

"These funds were not entrusted to you and our other officers to be used to create and sponsor racial disorders, social upheaval and the destruction of everything sacred to the cause of peace and harmony among men of good will in any section of the country," the letter said.

"We are a peaceful and peaceloving people in Mississippi, but we will not be driven into nor tolerate any drastic change in our social order by fanatics and agitators who have no other desire than to stir up trouble."

# More 'Riders' Are Arrested In Jackson

## 110 Travelers So Far Taken Into Custody

Jackson, Miss., June 11 (AP)—Police arrested six more "Freedom Riders" here Sunday, swelling the number of travelers taken into custody in Jackson to 110.

There were no crowds and no violence.

A group of five white men and one white woman—all from Minnesota—got off a Greyhound bus from Nashville, Tenn., and walked into a Negro waiting room.

**Did Not Answer**

Police Capt. J. L. Ray told the group to move on. They made no reply.

"Did you understant that I said you'll have to move out of the station," Captain Ray asked. They looked at him but did not answer.

He placed the five under arrest. As police took their names, a sixth "rider" approached carrying a guitar case and handbag.

Ray asked him to move on, too. When he refused, police arrested him.

The Nashville Student Nonviolent Movement identified the riders as Miss Claire O'Conner of St. Paul, Minn., and Dave Morton, Robert Baum, Zev Aelony, Marvin Davidoun, and Gene Uphoff, all of Minneapolis.

# Lengthy Jail Terms Make Riders Glum

By W. C. Shoemaker
Daily News Staff Writer

Weekend arrests sent Jackson's "freedom riders" total to 110.

Twelve, including 11 whites, arrested in two groups Saturday and yesterday go on trial before Municipal Judge James Spencer this afternoon.

They are almost sure to receive the maximum penalty allowed for commiting a breach of the peace —$200 fines and four months jail sentences.

Six were arrested Saturday afternoon at the Greyhound bus station and six more were jailed when they refused police orders to leave the Greyhound station yesterday afternoon.

Saturday's group included one Negro and five whites while all those arrested yesterday were whites.

**MISLED BY CORE**

Some of those jailed yesterday complained they had been misled by the Congress of Racial Equality when they signed up for the troublemaking trip into Mississippi.

They said they had agreed to serve out in jail a $200 fine at the rate of $3 per day, but that CORE had told them nothing of the four months sentences which recent groups before them have been receiving.

Most said CORE bought their bus tickets and gave them a few dollars for food.

Yesterday's group was the 14th to invade Jackson and be arrested in three weeks. Arrests have come at both Trailways and Greyhound bus terminals, the Illinois Central Railroad depot and the Municipal Airport.

Early groups gathered in Montgomery for the ride to Jackson but 10 days ago switched to Nashville and New Orleans as an assembly point after a federal judge in Montgomery enjoined "freedom rides" through the area.

Those arrested yesterday included Robert M. Baum, 19, of Excelsior, Minn., student at the University of Minnesota; Allen Davidov, 29, of Minneapolis Minn., an art dealer; David Kerr Morton, 20, of Jackson, Wyoming, a free lance writer; Zev Aelong, 23, of St. Paul, Minn., University of Minnesota student; Claire O'Conner, white woman, 22, of St. Paul, University of Minnesota student; and Eugene John Uphoff, 19, student at the University of Minnesota.

Arrested Saturday were Leon Daniel Horne of Chicago, Tougaloo, Miss., native and Chicago junior college student and part-time waiter, the only Negro in the group; Stephen John Green, 21, of Rye, N. Y., student at Middlebury College, Vermont; Lowell A. Woods Jr., 34, of Chicago, reporter for the Crusader News; Katherine A. Pleune, 21, of Chicago, a mineograph operator; Leora Berman, 18, of Chicago, a student; and Richard P. Grisword, 34, of Brooklyn, N. Y., a social worker.

Complete information on the St. Louis CORE activities and its leaders was handed the Federal Bureau of Investigation.

Perhaps Bobby Kennedy should check with J. Edgar Hoover before blaming the Alabama riots on police authorities and the Ku Klux Klan.

Instead, the attorney general might concentrate on how best to protect the public from the trouble-hunting Freedom Riders.

Undoubtedly some fuzzy-minded liberal will launch a campaign to ransom the riders from their Mississippi bastile.

They could call it "Mint Juleps for Mississippi" and it ought to go over big in the South.

# Free Riders' Pattern Familiar To Reporter

By BERNIE WYNN
Political Writer, Arizona Republic, Phoenix, Arizona

Behind the Freedom Riders raising havoc in the South is a politically astute organization bent on inciting people to overthrow their own laws.

This column is well aware of the goals and tactics of the Congress of Racial Equality, having once been an undercover member of its St. Louis cell.

As a reporter for the Indianapolis Star, this writer was assigned to infiltrate an Indiana youth group suspected of being a front organization for Communists and fellow travelers.

Membership in this pinko organization led, as it ivariably does, to other fellow-traveling groups until the trail finally led to a "peacemakers training camp" at St. Louis.

Primarily the Peacemakers were working among youth groups in churches and colleges in an attempt to persuade them not to register for the military draft. This was during the Korean War.

Several of the Peacemakers also were active members of the Congress of Racial Equality, then bent on fomenting racial strife in St. Louis.

The St. Louis cell numbered 15 white men and women and a half dozen Negroes in their early 20s. Leaders of the cell were not from St. Louis. They had recently "drifted in" from New York, Chicago and Indianapolis.

Meeting in various homes and hotels, we were carefully briefed in CORE's technique of "passive resistance."

Our first assignment was to jam the food line of a downtown St. Louis cafeteria which did not serve Negroes.

With two Negroes in front, white men would enter the serving line during the busy lunch hour. When the Negroes were refused service, we would block the steam table and prevent others from being served.

If anyone started swinging, we were not to fight back, but immediately to demand police protection.

The first try was a failure. The manager simply closed the cafeteria. The second time we were taken to police headquarters, questioned and released.

Then we invaded a segregated swimming pool where police had to quell a near-riot. WE WERE ASSURED BY OUR LEADERS A RIOT WOULD BRING

# CORE SEEKING NEW IMPETUS

Jackson Daily News

March 21 61

Jackson Miss

By United Press International

Supporters of the "Freedom Rider" movement sought today on several fronts to breathe new life into the attack on deep South segregation laws involving interstate travelers.

A federal judge in Montgomery, Ala., was expected to rule on a motion asking that an order barring "Freedom rides" in the state be lifted.

Judge Frank M. Johnson Jr., who issued the original decree last month, will listen to arguments by anti-segregation organizations who claim "Freedom Riders" are merely exercising their constitutional rights and should not be barred from Alabama.

In Washington, the Congress of Racial Equality (CORE) scheduled a news conference to announce the itinerary of more riders who will leave the capital later this week for points in the South.

CORE spokesmen said a biracial group of about 30 riders would make the trip.

**CAREY SPEAKS OUT**

Electrical Workers Union president James B. Carey told a mass biracial rally in Washington Sunday business and industry were "the real and final enemies" of "Freedom Riders."

Carey, secretary-treasurer of the AFL-CIO Industrial Union Depart, urged "big business and industry lobbies" to stop supporting Alabama Gov. John Patterson and Gov. Ross Barnett of Mississippi.

He said organized labor, "with exceedingly tiny exceptions," backs the movement. But he told the rally "not one word of protest . . . has come from the National Association of Manufacturers or the U. S. Chamber of Commerce. . . ." Carey was referring to the rioting which occurred last month in Alabama and the mass arrests of riders in Mississippi.

Barnett said he was "too busy with other things" to comment on Carey's remarks and another in which the union leader said Barnett's career depended upon racial segregation.

"I had about 40 planks in my platform," Barnett said in Jackson, "segregation was just one of them."

# Mississippi Governor Fears More Incidents By Riders At Prison Farm

PARCHMAN, Miss. (AP) — Gov. Ross Barnett said Thursday 45 "freedom riders" transferred to the state penitentiary would have a good opportunity to create an incident if put to work in the cotton fields.

Barnett said he went to the prison farm to warn prison officials to guard against any incident that would cast a reflection on the state.

"I didn't tell them not to work them as hoe hands," the governor said, "But I told them the freedom riders were looking for trouble and encouraged them to keep the chance of it down."

Barnett said if the riders were placed in the field and refused to work or started running around it would put the guards in a bad light if they could do nothing to control them.

"They couldn't punish them," he said, "because that's just what they want."

**PRISON GARB**

The riders were garbed in prison stripes in the maximum security unit at Parchman after their transfer from Jackson jails.

The riders will stay in the stone and steel building until next week when a new first offender barracks is due to be completed. It will open up space for 400.

The transfer of 16 white men and 29 Negro men was made to relieve crowded conditions at the Hinds County and city jails.

Officers left behind 13 Negro women, 11 white women, two Negro men and seven white men. There were no plans now to transfer the women.

Some of the men were left behind because of a regulation requiring that transferral come no earlier than ifve days following conviction.

Under law, prisoners must work. However, recent rains left the fields too wet for immediate farm work.

The riders made the four-hour trip in three barred trucks. They loaded shortly after 2 a.m. under guard by armed deputies.

A few began singing freedom rider songs as they waited for the trucks to leave. But the singing died out quickly when the trucks began rolling on the 130-mile trip.

The sprawling prison farm is located in the agricultural delta area near the Mississippi River in northwest Mississippi.

When they arrived at Parchman, two white riders balked at leaving the truck and guards removed them from the vehicle. The same two refused to remove their clothing for a physical examination.

**BONDS POSTED**

Guards had to pull the clothing from their bodies. The civilian apparel was replaced with convict striped shirts and trousersm

The processing occupied most of the morning.

Nine hours before the convoy left, three of the riders decided to post $500 cash appeal bonds and gain their freedom.

They were: Gwendolyn Jenkins, 21. St. Louis, M[illegible] a Negro who arrived by air June 7; LeRoy Wright, 19, of Nashville Tenn., a Negro student at Fisk University who arrived by Trailways bus May 24; and Robert L. Heller, 19, of Rockville Centren N.Y., a white Tulane University student who arrived by Illinois Central train May 30.

The three brought to 29 the number released on bond. Four others have gained their freedom by paying their fines.

Since May 24, officers said 111 riders have been jailed in Jackson on breach of peace charges in attempts to desegregate bus train and air terminals.

The 110 convicted thus far received penalties ranging from a $200 fine and four months suspended sentence to the maximum $200 fine and four months in jail.

Although the 45 riders were transferred to the state penitentiary, they are still the responsibility of Hinds County

# 110 Riders Face Shift To Prison

## Hinds County OK's Transfer Of Agitators From Jail To Penitentiary

By United Press International

JACKSON, Miss., June 12.—Hinds County supervisors Monday authorized the transfer of self-styled "Freedom Riders" from the county jail to the state penitentiary.

They said the action was taken because the jail here "is overcrowded and without suitable facilities for the present county prisoners."

About 110 riders have poured into Jackson since May 24 in a campaign to "fill up the jails." All have been arrested while attempting to use segregated terminal facilities and later convicted on breach of the peace charges.

**Last To Arrive**

The last 12 to arrive—members of two groups which came in during the week end—were convicted late Monday afternoon in city court and received maximum sentences of four months in jail plus $200 fines. Earlier arrivals received only fines but most have refused to pay and 85 riders are still in custody.

The board of supervisors passed an order authorizing Sheriff J. R. Gilfoy to transfer the riders to custody of the State of Mississippi. Sheriff Gilfoy said he did not know when he would begin moving them or if all of them would be moved.

Those transferred will be put to work chopping cotton or performing other menial labor in penitentiary work camps in the Mississippi Delta. Prisoners may work off fines at the rate of $3 per day.

**Emergency Cited**

The board's order said "an emergency exists in Hinds County, Mississippi, with regard to suitable jail facilities." It said overcrowded conditions made Hinds County "unable with its own facilities to provide necessary housing and work as required by statute for its prisoners."

A survey was made, the order said, "and it is hereby determined that the most suitable additional jail facilities for the housing of Hinds County prisoners may be obtained from the State of Mississipip."

**12 Riders Convicted**

JACKSON, Miss., June 12 (AP)—Police here prepared today for fresh onslaughts by Freedom Riders.

Meanwhile, Municipal Judge James Spencer convicted twelve more Riders on breach-of-peace charges. They were arrested over the week-end. They brought to 110 the number convicted in more than three weeks.

The latest group drew maximum penalties of $200 fines and four months in jail.

Six Riders arrived Saturday. The others arrived yesterday. Both groups came on Greyhound buses.

At least fifty more Riders will move on Jackson this week, a C. O. R. E. official predicted.

There were these other racial developments today:

¶At Biloxi, Miss., a Federal Court hearing began in the first legal attempt to desegregate schools in Mississippi. James H. Meredith, a 28-year-old Negro veteran of the Air Force, seeks to attend the University of Mississippi.

¶Jacksonville, Fla., officials closed municipal swimming pools until further notice in an apparent effort to avoid additional integration attempts. Negroes tried to use the city pool yesterday and found it closed because of bad weather. George Robinson, Recreation Department director, said no decision had been reached as to when the pools would be reopened.

## Miss. Prison Is Made Ready

PARCHMAN, Miss. (AP) — Superintendent Fred Jones of the state penitentiary said Wednesday he expects "freedom riders" now in the Hinds county and Jackson jails to be transferred to the penitentiary Thursday.

Jones said he has cleared the maximum security unit and has room for all 80 riders now convicted.

Next week, he said, preparations should be completed at the new first offender camp to house 400 prisoners.

The Hinds county board of supervisors authorized transferral to the state penitentiary of riders when needed to relieve crowded conditions in jails and to provide work for them.

Under the law, prisoners work off their fines.

Since May 24, 111 riders have reached Jackson with the announced intention of challenging the state's segregation laws.

38a 1961

MISSISSIPPI

FREEDOM RIDERS- JACKSON
HUNGER STRIKE

# 'Riders' Stage Hunger Strike

## 41 In Jackson Jails Reject All Meals, Appeal To Robert Kennedy

The Commercial Appeal

By United Press International

JACKSON, Miss., June 1. — Forty-one jailed protest riders announced Thursday they were on a hunger strike to protest racial segregation. The riders rejected all meals Thursday.

"If they don't want to eat, that's their business," commented Police Chief W. D. Rayfield.

One of the white riders, Cornell University student Charles Haynie, said the strike would continue until Atty. Gen. Robert Kennedy sees to it that "racial restrictions" on travelers are eliminated.

Fri 6-2-61

Haynie called his wife in Ithaca, N. Y., and dictated a telegram for Kennedy announcing the strike. It was sent to the attorney general by Mrs. Haynie.

Memphis, Tenn.

**One Pays Fine**

Another white rider, Peter Stirling, 20, paid his fine for breach of the peace and was released to be married and to take his examinations at Cornell. Stirling paid $197, having received $3 credit for one day in jail.

Earlier, 10 of the 52 riders who have been arrested here were released under appeal bonds. Six white riders remained in city jail and 35 Negro riders, including seven women, remained at the Hinds County jail next door.

Stirling said the white group decided on a hunger strike "to impress upon Atty. Gen. Kennedy that he must do something."

In the county jail, Nashville minister James Lawson said the Negroes agreed to strike "as a reminder to ourselves of the task of reconciliation we have before us."

Three Jackson Negro ministers conducted services for the Negro riders Thursday morning.

Officers in both jails said some of the riders had been seen munching candy and other items since the strike began.

Mayor Allen Thompson said, "The food will be put up for them and if they don't eat, that is entirely up to them."

**May Fill Up Jails**

So far riders have come in three groups from Montgomery, Ala., one from Nashville and one from New Orleans. All have been arrested while attempting to use white facilities at [redacted] or train depots.

Mayor Thompson told a meeting of city department heads Thursday that riders plan to fill up the jails here. "When we reach the saturation point in our jails," the mayor said, "we will transfer these prisoners to other county jails or to Parchman (state penitentiary) where there is plenty of space."

At Virginia Union University for Negroes, student Charles Sherrod said plans for sending more riders to Jackson by bus have been postponed.

A committee of Cornell University students announced it planned to send 10 or 11 students to Mississippi Saturday and a group of four or five sometime next week.

38a 1961

MISSISSIPPI

DEC.
FREEDOM RIDERS
NAACP ASKS SUPREME COURT TO HALT ARRESTS

# High Court asked to halt arrests

WASHINGTON

The NAACP moved on Wednesday to ask the United States Supreme Court to step in and stop the prosecution by Mississippi of some 300 Freedom Riders who attempted to use bus and railway terminal facilities in Jackson, Miss.

Jack Greenberg, counsel of the NAACP Legal Defense and Educational Fund, on Wednesday morning delivered a plea for a "stay injunction" to Justice Hugo L. Black, Circuit Justice of the Fifth Circuit.

A Supreme Court spokesman said just what action Justice Black or the Supreme Court will take in the matter would be announced later.

This action by the NAACP stemmed from a Nov. 17 judgment of the three-judge United States District Court for the Southern District of Mississippi, which retained jurisdiction but failed to grant, dissolve, or deny an injunction against the city of Jackson, Miss., its mayor and agents.

* * *

are allowed to proceed unchecked, the NAACP contends, more than 300 citizens will suffer imprisonment and fines for "merely attempting to use common carriers and terminal waiting rooms and other facilities," in accordance with the law of the land.

The organization estimated that the total cash bond required for the cases still pending will be approximately $372,000.

In its brief, the organization told the high tribunal that, beginning about May 24, 1960, the Jackson, Miss., chief of police, and other police officers arrested, jailed and then formally charged more than 300 persons with violating state disorderly conduct and breach of the peace statutes enacted as late as 1960.

**THE NAACP** declared that none of the persons arrested and charged engaged in any conduct other than entering rail and bus terminals and refusing to leave when directed by state authorities.

It said those arrested were held for trial in the city court at Jackson, prosecuted within a day or two, found guilty and sentenced. Some were fined $200 each and given sentences ranging from 60 days to four months.

More than 300 of the persons arrested and convicted appealed their convictions and posted $500 bonds to assure their appearance. Two individuals dismissed their appeals and served out their fines and sentences.

The NAACP asserted that to date, more than 40 additional persons who pleaded not guilty have been convicted, fined $200 and sentenced to serve four months in jail by the Hinds County Court.

* * *

**IT IS SHOWN** that law enforcement officers refused to agree to delay those cases not yet tried, pending a review by the Circuit Court of Hinds County or the Supreme Court of Mississippi, to which an appeal would normally go.

The NAACP's brief points out that Jack H. Young, Jackson attorney, represents over 300 of the defendants, and that he is hard-pressed in meeting his daily schedules with the court.

"The enormous daily impact and burden inflicted on the plaintiff's cases, by virtue of a vexatious multiple prosecution program now being carried on, is manifest."

the NAACP said.

Besides Greenberg, others representing the Freedom Riders are Mrs. Constance Baker Motley and Derrick M. Nabrit, III both of New York, and R. Jess Brown, of Vicksburg, Miss. Attorney William R. Ming Jr., Chicago attorney, has been named a counsel for the appellants.

If granted, the motion for a stay injunction would restrain the following individuals and concerns: Attorney General of Mississippi, City of Jackson, Jackson Municipal Airport Authority and its leased restaurant; Continental Southern Lines, Inc.; Southern Greyhound Lines (a division of Greyhound corp.); Illonois Central Railroad, Inc., and Jackson City Lines, Inc.

# Judges may forbid Miss. to continue arrests of 'Riders'

The Ogo American p.3 Oct. 10-7-61
Baltimore Md.

JACKSON, Miss. — If the opinion of Richard T. Rives, chief judge of the 5th U.S. Circuit Court prevails, arrests of Freedom Riders and others who defy Mississippi segregation will be outlawed.

Saying that he spoke only for himself and that his opinion is not binding in his two fellow judges, Judge Rives says he is inclined to rule in favor of a suit to abolish all jim crow in bus, rail and air terminals in the state and on city bus lines.

He says also that city police should not be allowed to arrest persons who make orderly and peaceful attempts to break down segregation barriers. (So far, Jackson police have arrested 312 Freedom Riders.)

Associated with Judge Rives on the bench are District Judges Sidney Mize of Gulfport and Claude Clayton of Tupelo. Judge Rives has his headquarters in Montgomery, Ala.

* * *

THE SUIT was filed by NAACP attorneys on behalf of Samuel Bailey, Joseph Broadwater and Burnett Jacob, all of Jackson. It is a class action so the decision will have a sweeping effect.

Defendants are: the City of Jackson, State Attorney General Joe Patterson, Greyhound and Trailways bus companies, Illinois Central Railroad, Jackson City Lines, the Jackson Municipal Airport Authority and Cicero's Airport Restaurant.

Judge Rives said that if the three judges decide that the segregation laws are unconstitutional and that jimcrow signs should come down they can issue a preliminary injunction within ten days. The court is not definitely scheduled to rule, however, for another 20 days.

* * *

**DURING TESTIMONY** last week, the railroad and bus companies said they had no segregation policies and they merely obeyed state laws and city ordinances.

Junior O'Mara, lawyer for the bus companies, said company policy to let passengers seat themselves where they wish.

J. Will Young, attorney for the city bus line, urged that the court rule quickly on the issue. He said that in view of city segregation regulations, his bus line could be put out of action by a mass movement by colored persons to ride unsegregated.

* * *

**MAYOR ALLEN THOMPSON** testified that city policy calls for "separation of the races and not segregation ... to maintain the same peace and happiness that has existed over the past 100 years."

Attorney General Patterson said "The State does not attempt to supervise and regulate public transportation in Mississippi. The segregation laws reflect the attitude of the legislators at the time of their enactment."

Asked by the court about the popularity of segregation laws, Mr. Patterson said:

"The segregation laws have not been used since I don't know when. They are not in use."

Jackson City Police Capt. J. L. Ray said he arrested Freedom Riders after they refused to move on when told. He said their presence would provoke a breach of the peace.

City Police Chief W. D. Rayfield told the court: "I am convinced trouble would have occurred had we not arrested them."

He said he ordered that jimcrow signs be put up in train and bus stations "to direct the races to their respective rooms and to help police maintain law and order. I put them there under the segregation ordinance."

Should Judge Rives' two associates over-rule him, the case will probably be heard in the U.S. Supreme Court.

# Judge Studies Ban On 'Rides'

The Commercial Appeal p.27

## Temporary Order Extended —McComb Official Says Chaos Likely

Feb. 7, 1961

By United Press International

JACKSON, Miss., Dec. 7. — A selectman from the strife-torn city of McComb testified Thursday that more so-called "Freedom Rides" to the South Mississippi community would "result in chaos."

Memphis, Tenn.

Charles Gordon delivered the testimony in a Federal Court hearing on a request by state and city officials that pro-integration groups be enjoined from sponsoring further rides to the city.

Following the one-day hearing, United States District Judge Harold Cox of Jackson took the matter under advisement. Judge Cox extended a temporary restraining order against the rides until he reaches a decision.

**Order Ended Unrest**

Angry crowds of whites roamed the streets and at least a dozen persons were beaten last week during racial unrest brought on by the rides, but Mr. Gordon said the situation "cleared up tremendously" after the restraining order was granted Saturday by District Judge Sidney Mize of Biloxi.

In the hearing, Mr. Gordon and five other witnesses gave testimony regarding the rides, the violence, the Congress of Racial Equality and advance publicity of the integration attempts.

Charles Clark, a special attorney for the city of McComb, said such rides were designed to stir up violence and they should be stopped to protect the civil rights of the city's residents. "I think the Federal court system has forgotten that white people have civil rights," Mr. Clark told Judge Cox. "Apparently your skin has to be black for you to have civil rights."

Mr. Clark charged that the riders came to McComb "in hopes that somebody would jump on them and they would get their picture taken." He said the "whole affair was to make a whipping boy of McComb, creating incidents and advancing these groups' financial interests so they can sponsor further agitation."

Carl Rachlin, a New York attorney representing the Congress of Racial Equality, said that the riders were not violent at McComb and should not be blamed for the violence. "This is like accusing a turkey of murder on Thanksgiving because he gets his head chopped off," Rachlin told the judge.

The restraining order is scheduled to end at 4 p.m. Dec. 12, but Judge Cox said it would be extended until he could make a ruling on the injunction request. However, he can extend it no longer than Dec. 22.

McComb Mayor C. H. Douglas testified that last week's violence "hurt business" in the city but that conditions returned to normal following issuance of the restraining order.

**Restaurant Closed**

Aubrey McGee, operator of the Greyhound Terminal, testified he had closed his bus station restaurant "to keep down violence" and was suffering financially. "I got word that C.O.R.E. would be there again and figured the best thing I could do would be to shut her up," said McGee.

Police Chief George Guy testified he had to send for reinforcements in order to preserve the peace during a publicized integration attempt. But, he said, when Negroes showed up at the terminal without advance publicity Saturday "there was hardly enough people there to start a good crap game."

State and city attorneys said the requested injunction would not prevent integration of the terminal.

# Faces Charges For Recruiting Sit-Ins

The Call p.1

JACKSON, Miss. (UPI) — Diane Nash, 23-year-old Nashville, Tenn., integration leader, was scheduled for trial this week on charges of contributing to the delinquency of minors by recruiting juveniles for anti-segregation demonstrations.

Oct. 13, 1961

Kansas City Mo.

Four such charges were filed against her in July. She was arrested this weekend after returning here to open an office of the Student Non-Violent Movement.

38a 1961

ISSISSIPPI

DEC.
MISSISSIPPI FREEDOM RIDERS
FEDERAL GOVERNMENT ASKED SUPREME
COURT TO HALT ACTION IN MISSISSIPPI
COURTS UNTIL THE HIGH TRIBUNAL RULES
ON THE ISSUES INVOLVED.

# Federals Ask Tribunal Halt Trial Of 'Riders'

Montgomery Advertiser p. 1
Fri 12-15-61

WASHINGTON (AP) — The Federal government asked the Supreme Court Thursday night to halt action in Mississippi state courts in about 300 "Freedom Rider" cases until the high tribunal rules on the issues involved.

Montgomery Ala.

The brief was signed by Archibald Cox, solicitor general, and Burke Marshall, assistant attorney general in charge of the Civil Rights Division.

Since about May 24, 1961, it said more than 300 persons who attempted to use transportation facilities on a non-segregated basis have been arrested in Jackson. All 300 have been convicted in the Jackson city court and almost all have appealed to the county court of Hinds County, the brief said.

It added that state law enforcement officers in charge of the prosecutions have refused to delay the cases not yet tried pending review of a test case.

The justice department's brief joins an appeal by Negroes in seeking an injunction against further action in the state courts pending Supreme Court action.

A three-man U.S. district court in southern Mississippi turned down the appeal for an injunction by a 2-1 vote last month. The Negroes appealed to the Supreme Court last week and the court gave Mississippi until 9 a.m. Friday to file a response.

Thus, the Justice Department entered the case as a "friend of the court" as the deadline neared.

The department's brief said the defendants "are being prosecuted for exercising federal constitutional and statutory rights under a procedure imposing such onerous burdens as virtually to compel them to forego appellate remedies." It continued:

"The requirement of heavy bonds, the refusal of bonding companies write bail bonds, the necessity of making long and expensive trips to meet the requirement of personal presence, and the systematic refusal to stay proceedings in hundreds of cases pending the disposition or important questions of constitutional law, will, unless further prosecution is stayed, compel many of the Mississippi defendants to surrender substantial constitutional claims."

38a 1961

MISSISSIPPI

DEC.
JACKSON- FREEDOM RIDERS
NAACP TO ASK SUPREME COURT TO HALT PROSECUTION OF 300 RIDERS

# NAACP Moves To Ask Supreme Court To Halt Prosecution Of 300 Riders

WASHINGTON (NNPA) – The NAACP moved this week to ask the United States Supreme Court to step in and stop the prosecution by Mississippi of some 300 Freedom Riders who attempted to use bus and railway terminal facilities in Jackson, Miss.

Attorney Jack Greenberg, counsel of the NAACP Legal Defense and Educational Fund, on Wednesday morning delivered a plea for a "stay injunction" to Associate Justice Hugo L. Black, Circuit Justice of the Fifth Circuit.

A Supreme Court spokesman said just what action Justice Black or the Supreme Court will take in the matter would be announced later.

This action by the NAACP stemmed fro ma Nov. 17 judgment of the three - judge United States District Court for The Southern District of Mississippi, which retained jurisdiction but failed to grant, dissolve, or deny an injunction against the city of Jackson, Miss., its mayor and agents.

**SUFFERING SEEN**

If these officials are allowed to proceed unchecked the NAACP contends more than 300 citizens will suffer imprisonment and fines for "merely attempting to use common carriers and terminal waiting rooms and other facilities," in accordance with the law of the land.

The organization estimated that the total cash bond required for the cases still pending will be approximately $372,000.

In its brief, the organization told the high tribunal that, beginning about May 24, 1960, the Jackson, Miss., chief of police, and other police officers arrested jailed and then formally charged more than 300 persons with violating state disorderly conduct and breach of the peace statutes enacted as late as 1960.

The NAACP declared htat none of the persons arrested and charged engaged in any conduct other than entering rail and bus terminals an drefusin gto leave them whe directed by state authorities.

It said those arrested were held for trial in the city court at Jackson, prosecuted within a day or two, found guilty and sentenced. Some were fined $200 each and given sentences ranging from 60 days to four months.

More than 300 of the persons arrested and convicted appealed their convictions and posted $500 bonds to assure their appearance. Two individuals dismissed their appeals and served out their fines and sentences.

The NAACP asserted that to date, more than 40 additional persons who pleaded not guilty have been convicted, fined $200 and sentenced to serve four months in jail by the Hinds County Court.

**DELAY REFUSED**

It is shown that law enforcement officers refused to agree to delay those cases not yet tried, pending a review by the Circuit Court of Hinds County or the Supreme Court of Mississippi, to which an appeal would normally

**(Continued on Page 4, Col. 1)**

go.

The NAACP's brief points out that Attorney Jack H. Young, of Jackson, represents over 300 of the defendants, and that he is hard - pressed in meeting his daily schedules with the court.

"The enormous daily impact and burden inflicted on the plaintiff's cases, by virtue of a vexatious multiple prosecution program now being carried on, is manifest," the NAACP said.

Besides Attorney Greenberg, others representing the Freedom Riders are Mrs. Constance Baker Motley and Derrick M. Nabrit, 3d both of New York, and R. Jess Brown, of Vicksburg, Miss. Attorney William R. Ming, Jr., of Chicago, has been named a counsel for the appellants.

If granted, the motion for a stay injunction would restrain the following individuals and concerns: Attorney General of Mississippi, City of Jackson, Jackson Municipal Airport Authority and its leased restaurant; Continental Southern Lines, Inc.; Southern Greyhound Lines (a division of Greyhound Corp.); Illinois Central Railroad, Inc., and Jackson City Lines, Inc.

FREEDOM RIDERS' BEING ESCORTED TO PADDY WAGON AT JACKSON, MISS.

# More 'Freedom Riders' Jailed In Mississippi

The News and Observer
Raleigh, N.C.
Mon. 5-29-61
P-1

JACKSON, Miss. (AP) — Seventeen "Freedom Riders" were arrested and jailed here Sunday in two separate incidents in a whites-only waiting room at a bus station.

Police charged them with breach of the peace.

Nine persons — seven Negroes and two whites — were arrested during the morning. Eight more — six Negroes and two whites — were arrested in the afternoon.

In the latter contingent, nine left Montgomery, Ala., for Jackson, but one of them did not participate in the desegregation ...

**Did Not Budge.**

Arrests were made after police Capt. J. L. Ray told them "you'll have to move on," and they didn't budge.

One Negro woman was arrested as she used a white waiting-room telephone.

Two persons were arrested and searched after they took seats in the white waiting room.

Otherwise there were no incidents as the number of prisoners grew to 17. The latest arrivals were from Montgomery, Ala.

Earlier, nine persons were arrested as they climbed off a Memphis-to-New Orleans bus and strode into the white waiting room.

Ray had told them to move on. When they did nothing, Ray said: "Did you hear me say move on?"

After getting no response, Ray said: "Every one of you are under arrest."

**Into Paddy Wagon.**

Officers then herded them into a paddy wagon under the watchful eyes of highway patrolmen and FBI agents. The officers were not needed, however, as there was only a handful of spectators at the station and no incidents occurred.

Last week, 27 riders were arrested and subsequently convicted by Municipal Judge James Spencer on breach of peace charges. Five gained freedom on bond, but 22 still were behind bars.

In Montgomery, scene a week ago Saturday of bloody rioting, no attempt was made to arrest the Jackson-bound riders when they used white rest room facilities at the whiet lunchroom, but it was closed. The two white riders then headed for the Negro lunchroom, but as they approached, it, too, was closed.

It was the same bus station where 11 integrationists were arrested last Thursday when they sat at a white lunch counter.

**Were Convoyed.**

A spokesman for the Congress of Racial Equality—CORE, Tom Gaither of Great Falls, S.C., said the nine riders were convoyed to the Montgomery bus terminal by National Guardsmen from the home of the Rev. Ralph D. Abernathy, where they had spent the night after arriving in Montgomery Saturday. National Guardsmen and state patrolmen escorted their bus toward the Mississippi line.

Included in the Montgomery group Sunday was Allen Cason, 19, Orlando, Fla., student at Tennessee A&I, who was with the original Freedom Riders group which was attacked by a mob in Montgomery.

Others in the Montgomery group as identified by Gaither were:

Dave Faukhauser, 19, Cincinnati, student at Central State College in Ohio; David Myers, 21, Noblesville, Ind., a student at Central, both white; and Negroes Frank Hunt, 22, Washington, D.C.; William Mahoney, 19, Montclair, N.J., student at Howard University; Louis Jordan, 28, Detroit, student at Central; Albert Dunn, 26, Fort Worth, Tex., student at the Interdenominational Theological Seminary in Atlanta; Larry Hunter, 18, Atlanta, student at Tennessee A&I, and Pauline Knight, 20, Nashville, student at Tennessee A&I and an officer in the Nashville Student Nonviolent Movement.

Formally booked on breach of peace charges in Jackson were: Catherine Burks, 21, Birmingham, Ala.; Frances Wilson, 22, Nashville; Frederick Leonard, 18, Chattanooga, Tenn.; Lester G. McKinnie, 21, Bolivar, Tenn.; Mary Jean Smith, 19, Nashville; Etta Simpson, 19, Nashville; William Harbour, 19, Nashville; William Mitchell Jr., 19, Oklahoma City, and Clarence Wright, 19, Nashville.

# Bus Riders Choose To Stay In Jail

The News and Courier
Charleston, S.C.
Sat. 5-27-61
P-1

JACKSON, Miss. (AP)—Twenty seven "Freedom Riders," convicted Friday of breach of the peace in a desegregation attempt, elected to remain in jail rather than post bond or pay the $200 fine and attend a National Association for The Advancement of Colored People rally.

Jack Young, attorney for the 27, told newsmen after conferring with his clients that they elected to remain in jail "at least for the present."

The 27 then transferred to Hinds County jail across the street.

Three hours earlier, City Judge James Spencer convicted them of breach of the peace and sentenced them to $200 fine and 60 days in jail. He then suspended the jail term at the request of the prosecution.

Meanwhile, the NAACP rally, attended by 125 persons, adopted a resolution urging Gov. Ross ...nett to "exert the powers of office to eliminate every legal barrier in contradiction to the rulings and decisions of the federal courts and in opposition to the U. S. Constitution."

Spencer told the riders their conduct already has led to mob action and it would appear that they wanted violence. He said they sought to inflame the people to fight it out among themselves instead of taking their cases through the courts.

The youthful-looking judge, talking in slow, deliberate tones, told the 27 — all but two of them Negroes — "the sole purpose that they came to Mississippi was to breach the peace."

He said that he was not trying any segregation laws or the defendants rights to ride on any particular buses in any way, or to eat at any place.

If any person wanted to challenge the laws, he said, orderly methods are provided by law.

"These people took the laws into their owns hands and flagrantly disobeyed the law," he said in a statement before he handed down the sentence.

**COURTROOM QUIET**

Defense attorney Jack Young said before any decision was made on a possible appeal he would have to talk to each of the 27 individually. Some may want to appeal and some may want to pay the fine, and some to sit it out, he said.

The small courtroom was quiet during the two-hour trial, witnessed by about 100 persons.

An aisle down the middle of the room divided the seats. White persons — all newsmen — occupied the right side. The defendants, Negro newsmen, and a few Negro spectators occupied the other.

Spencer permitted no cameras in the courtroom.

The defense charged that police herded the riders into the white waiting room of a Jackson bus station in a "plot to arrest them." They were originally arrested on charges of breach of peace and failure to obey an officer, but the latter charge was dropped by the city "because we don't want to be too harsh."

The dismissed charge reduced

# 21 Riders–Including Legislator–Jailed In Mississippi

The Montgomery Advertiser 6-12-61 Montgomery, Ala.

JACKSON, Miss. (AP)—Twenty-one more segregation-testing travelers — including a white New York State assemblyman — were convicted of breach of the peace charges here Thursday.

Municipal Judge James Spencer fined the riders $200 each and sentenced them to four months in jail. He suspended two months of the sentence.

The group included nine white persons and 12 Negroes who were arrested Wednesday and Thursday at Jackson bus, train and airline terminals.

One white man whose arrest had not been announced was also convicted.

He was Mike Audain of Vancouver, Canada. He was arrested at a bus terminal en route to New Orleans.

Police said Audain told them he read of the "Freedom Riders" while he was in San Francisco and came here on his own to test the laws.

Their arrest brought the total of jailed riders to 92. Only one continued a hunger strike. Police said there were 275 more jail spaces still available here.

As has been the pattern here there was no violence.

Mark Lane, 33, a New York state lawmaker from Manhattan, and Percy Sutton, 40, president of a New York City branch of the NAACP, were arrested soon after they got off a Delta Airlines plane.

They refused to leave the white men's rest room.

The two, who were served without incident at an earlier stop in a Montgomery, Ala., bus terminal restaurant, said they were merely curious travelers.

**NOT CHALLENGING**

"We're not challenging any racial customs," Sutton said in Montgomery. "We're just travelers curious to see what the situation is."

"I'm very concerned that some of my constituents have been arrested in the South and I'm looking into the situation," Lane said.

Later, nine riders from New Orleans—including four white girls — were arrested in the railroad terminal.

Police took the four white girls and a Negro girl into custody when they sat together in the railroad waiting room. Four Negro men, who took seats a few feet away, were arrested when they refused orders to move.

The white riders were: Jane Rosett, 18, Durham, N.C.; Joan Trumpower, 18, Washington, D.C., Helene Wilson, 26, Washington and Terry Perlman, 19, New York City, a student at the College of the City of New York.

The arrested Negroes were: The Rev. Robert Wesby, 33, of Aurora, Ill.; Travis Britt, 27 Brooklyn, N.Y.; John Triggs, 18, New Rochells, N.Y.; Gwendolyn Green, Washington, a Howard University student; and Stokely Carmichael, 19, New York, also a Howard student.

In Tallahassee, Fla., three Negroes were denied service at a white lunch counter of the Greyhound bus station Wednesday night. They continued their trip to Jacksonville after the unsuccessful attempt.

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the maximum possible sentence to four months in prison and $200 fine.

Gov. Ross Barnett ordered the highway patrol to escort the group nonstop through Mississippi on its destination to New Orleans. But the riders ignored officers enforcing segregation laws at Jackson's depot.

The American Jewish Congress Friday asked Atty. Gen. Robert Kennedy to intervene as a friend of the court in behalf of the riders arrested at Jackson.

The Jewish group also asked the Justice Department to seek injunction suits to prevent any further arrests of Freedom Riders in Jackson and to prevent a state judge in Alabama from prohibiting the riders use of bus terminal facilities.

At Montgomery, 11 Freedom Riders were arrested Thursday after their challenge of bus station segregation laws. A court hearing is set June 16 of charges of breach of the peace while trying to eat at a white lunch counter in the terminal.

38a 1961

MISSISSIPPI

FREEDOM RIDERS- JACKSON
MR. MARK LANE, NEW YORK STATE ASSEMBLYMAN
MR. PERCY SUTTON, PRESIDENT, NYC. NAACP

# Legislator From New York Joins 'Riders' In Jackson Jail

By CLIFF SESSIONS
United Press International Staff

JACKSON, Miss., June 8.—Eleven more so-called "Freedom Riders" arrived here Thursday and, along with 10 who came in Wednesday, were convicted in city court Thursday afternoon of breaching the peace.

Thursday's arrivals included Mark Lane, 33, a New York state assemblyman, and Percy Sutton, 40, president of the New York NAACP. They were taken into custody after using a segregated rest room at the Jackson airport.

Soon after they arrived by plane from Montgomery, Ala., another inter-racial group of nine came on a train from New Orleans and went to jail when they refused to leave a "white only" waiting room at the Illinois Central depot.

The arrests brought to 93 the number of integrationist riders who have been arrested and convicted in the past 15 days here.

Three of the 21 tried Thursday afternoon, two Negro men and a Negro woman who flew from St. Louis Wednesday, had no attorney and were tried separately from the others, who were represented by Jackson Negro lawyer Jack Young.

**Canadian 'Lone Wolf'**

None of the riders offered testimony on their own behalf and, following brief testimony by police Capt. J. L. Ray, were sentenced by Judge James L. Spencer. All drew $200 fines and four-month jail terms, with two of the four months suspended.

The defendants included a "lone wolf," Michael J. Audain, a 23-year-old white student from Vancouver, British Columbia.

Most of the riders have made previously-publicized trips sponsored by the Congress on Racial Equality. But Audain, who told officers he was not a C.O.R.E. member, came here alone and unannounced Wednesday night and was arrested for refusing to leave the Negro waiting room at the Greyhound bus station.

Detective Chief M. B. Pierce said Audain told him he was touring the United States when, in San Francisco, he read about the riders and decided to come here.

Among the defendants were persons who had been arrested at each of Jackson's two bus stations, the airport and the train depot.

The defendants — 10 Negro males, two Negro females, five white females and four white males—began talking in the courtroom during a brief recess and an officer told them, "Y'all had better be quiet now."

Refusing legal counsel and refusing to ask for a delay in their trial were Gwendolyn Jenkins, 21, Robert Jenkins, 27, and Ralph Washington, 24. Their arrival Wednesday was the first "fly in" of the movement.

The second came Thursday morning when Lane, a white New York City attorney, and Sutton, a Negro attorney from Springfield Gardens, N. Y., alighted from their flight and strode immediately into the terminal and through the door marked "white men."

One of the dozen policemen awaiting their arrival notified Capt. Ray, who was sipping coffee in the airport restaurant. Ray walked into the rest room and told the pair to "move on." They walked out, into the waiting room, but were arrested when they ignored orders to leave the terminal.

**Asks About Jail**

"I am an interstate passenger," Sutton protested, but Ray said, "You're under arrest for refusing to obey an officer."

Lane asked a policeman who escorted him to a waiting patrol car, "What kind of accommodations do you have in the jail here?" The officer said they were good.

Lane, who was elected to the New York Assembly from the Manhattan District after bucking Tammany Hall, is a former legislative assistant to United States Representative Alfred Santangelo. Sutton, born in San Antonio, Texas, was elected president of the New York Branch of the National Association for the Advancement of Colored People last year.

Lane and Sutton, who were served orange juice without incident at a previously-segregated counter at Montgomery Wednesday, said they were getting a first-hand look at the racial situation in the Deep South.

They were to leave for Atlanta Thursday night after being released under $500 appeal bonds. Lane said he is "looking forward to these cases before the United States Supreme Court. But I'm sorry that Mississippi doesn't have a better case." He said he planned to bring his own legal actions against the state at a later date.

# Hinds Court Opens Second Rider Case

Jackson News 6A Fri 8-25-61

Jackson Miss

## Negro Girl Defendant; Thomas Found Guilty, Plans Appeals

By PAT FLYNN
Daily News Staff Writer

The remaining 191 "freedom rider" cases started marching through county court this morning after a jury found 19-year-old Henry Thomas, the first rider to be tried on appeal, guilty of the breach of the peace charge.

Julia Aaron, New Orleans Negro girl who arrived in Jackson with Thomas in the second busload of freedom riders at 4:45 May 24, went on trial this morning.

The trial was expected to take only one day, with the prosecution using only one witness to establish the defendant's coming into Jackson with the riders and one witness to attest to conditions at the Trailways bus station when the group arrived.

The defense may rest its case without putting any witnesses on the stand, as it did in Thomas' case.

The jurors deliberated 40 minutes yesterday afternoon filing back into the tense courtroom. They lined up behind the defense and prosecuting tables as jury forman J. B. Thompson Jr. read the verdict.

Defense attorney William Kunstler of New York immediately asked for a poll of the jury. One by one the 12 men repeated down the line, "I voted guilty. . .guilty . . .guilty."

**FOUR MONTHS, $200**

Thomas kept all expression from his face, both while the verdict was being read and as the judge pronounced sentence, four months in jail and $200 fine. Thomas has already served 45 days in the Jackson city jail, the Hinds county epenal farm and the state penitentiary at Parchman on his first sentence, $200 and two months in jail, imposed by city court.

The defense attorneys immediately announced they would file a motion for a new trial and, if that motion was overruled by Judge Russel Moore, would appeal to Hinds County circuit court. "We will appeal to the U. S. Supreme court if necessary," said Kunstler.

An argument broke out between counsel immediately after the verdict over whether nor not a cash bond of $2000 could be posted. Kunstler tried to post the bond with the clerk of the court.

Judge Moore told Kunstler that, although he had no personal objection, Mississippi law makes no provision for a cash bond, listing only surety and property bonds as acceptable.

Prosecuting Attorney Jack Travis asked that a written opinion be obtained from the Mississippi attorney general's office before allowing the bond to be posted. He said an oral opinion in favor of cash bonds was given by state Attorney General Joe Patterson when the riders were tried

## RIDER IS FOUND GUILTY BY JURY

James O'Cayne

First to Be Convicted on Appeal of Charge

8/6

By BEN MCCARTY

JACKSON, Miss., (AP) — An all-white Hinds county jury convicted the first "Freedom Rider" on appeal Thursday of breach of the peace after his attempt to desegregate the white waiting room of a bus station.

"We, the jury, find the defendant guilty as charged, "the verdict read after the all-male jurors deliberated 45 minutes.

New Orleans La

The defense said they would appeal the county court sentence of four months in jail and $500 fine against Henry Thomas, 19-year-old Negro, to the circuit court, and if necessary, to the state and U. S. supreme courts.

County Judge Russel Moore set the trial date for the second rider on appeal for 9 a. m. Friday. The rider is Julia Aaron, 19-year-old New Orleans Negro.

The case went to the jury after the defense rested without placing a witness on the stand.

Prosecuting atty. Jack Travis told the jury in closing arguments the basic question in the case was "whether there would be law enforcement or a complete breakdown in law enforcement.

"That, gentlemen, lies in your hands."

**'NO EVIDENCE'**

Defense atty. William Kunstler said in summation the state did not "show one shred of evidence that the defendant committed or intended to commit any breach of the peace.

"A defendant should not be arrested without evidence he committed an act of violence or was on the verge of committing."

County atty. Paul Alexander said the jury must find Thomas guilty if he "willfully and unlawfully congregated under circumstances given that a breach of peace might be occasioned thereby.

"Every witness testified the situation was explosive, the people tense, upset and ready for a riot.

"The officer asked him to move on and what did he do? —Nothing! He refused to obey an officers order to move on."

Kuntsler said the instructions of the court provides the jury cannot find Thomas guilty if another party was about to commit a breach of the peace or if the arresting officer suspicioned that other people might breach the peace.

"The defendant broke no law," Kuntsler said, "He was peaceful, as every witness testified."

Travis said, "turn him loose and law enforcement breaks down. Blood will flow and there will be violence. You can't imagine what would happen."

Kuntsler said "what Travis is tellig you is that if any person, including yourselves, fails to move on, regardless of whether he has committed an offense, blood will flow in the streets."

He said this jury has the opportunity to decide favorably for the defendant, a decision which would have nationwide impact and do much to settle the undertones of the racial situation.

**ARRESTED MAY 24**

Thomas, a Howard university student from St. Augustine, Fla., a Negro, was arrested May 24 with the second bus load of riders from Montgomery and convicted the next day on breach of peace charges. He was one of 190 riders who appealed their city court convictions to county court.

The state had presented 15 witnesses, all testifying the presence of riders caused crowds to gather and threaten violence. They added, however, that the riders did not provoke the violence.

Defense attorneys unsuccessfully sought to read several Mississippi statuates and a constitutional provision providing for segregation of the races.

They also sought to read a U. S. supreme court decision (Boynton vs. Virginia) which ruled a Negro in Virginia had a constitutional right to use the white portion of a restaurant in on interstate bus terminal.

Capt. J. L. Ray, the arresting officer of most riders when they arrived in Jackson, said the arrests came because threats of violence from "foul, ugly" crowds and the riders' refusal to follow orders to move on.

He said, "some people told me if you'll let us handle this we'll take care of this outside group."

## Second 'Rider' Given Sentence

Commercial Appeal 8A

8

### Julia Aaron Is Convicted As Jury Deliberates 15 Minutes

Sat 8-26-61

By The Associated Press

JACKSON, Miss., Aug. 25. — A county court jury convicted a second so-called "Freedom Rider" on appeal from a city court conviction Friday after deliberating less than 15 minutes.

Memphis News

Julia Aaron, 19-year-old Southern University student from New Orleans, received a $200 fine and four months jail term. Henry J. Thomas, 19-year-old former Howard University student tried Thursday, received the same sentence.

Both were convicted of breach of peace after they attempted to desegregate the white facilities of the Trailways Bus Station May 24, the day the first "Riders" arrived in Jackson.

**Appeal Bond Posted**

Thomas posted a $2,000 cash appeal bond Friday and said he was going back to Washington. Miss Aaron said she planned to stay in jail.

Her attorneys told the all-white jury in closing arguments she was arrested while exercising her constitutional rights as an interstate passenger.

The state said her presence created a circumstance such that "a breach of the peace might be occasioned thereby."

**Defense Attorney Speaks**

Defense attorney Jack Young, a Jackson Negro, told the jury:

"The state is saying if someone threw a brick through the window of your car, you should be arrested for having your car there."

Prosecuting attorney Jack Travis asked jurors:

"Do you want this type of in city court, and at present, there is over $100,000 on deposit with Sheriff Bob Gilfoy.

Kunstler contended this was precedent enough for acceptance of cash bonds in county court.

**AWAIT RULING**

8/6

Moore released the defendant in Kunstler's charge until a ruling could be obtained from the attorney general this morning.

In his closing argument, Prosecutor Travis told the jury the case involved the basic question of "whether or not we have law enforcement or complete breakdown of our law enforcement."

He likened the decision to a three-link chain, the first link law enforcement, the next prosecution and the final one jurors.

"If you want protection from anyone that might come in," he said, "riffraff, subversives—then you must convict this defendant. Turn him loose and that three-link chain is broken. Anybody or group can converge on us and blood will flow.

8-25-61

"If we are to have law enforcement with the people of the state of Mississippi and the City of Jackson protected, there is no alternative but to bring in a verdict of guilty against this defendant who came to Jackson to provoke bloodshed just as he did in Alabama."

Chief Defense Counselor Kunstler jumped to his feet to object to the Alabama violence and was sustained by Judge Moore.

**CONTENDS 'DID NOTHING'**

Kunstler insisted by re-reading the specific defense instructions to the jury that Thomas could not be convicted of a breach of peace because he "did nothing."

He said Travis had made a fine political speech "declaring blood will flow, but he tells you that when a policeman tells you to

# Protest Rider Is Convicted For Second Time

By United Press International

JACKSON, Miss., Aug. 24. — Twelve white jurors took 40 minutes Thursday to convict a protect rider of breach of the peace after a prosecutor asked them to do their part to combat "riff-raff and subversives."

Thomas

It was the second time Negro Henry Thomas was convicted, the first being in police court after he entered the white waiting room of a bus terminal. He was the first of 192 riders scheduled to get jury trials in County Court as part of their appeal process.

Defense attorneys will appeal the case through the state courts and, if necessary, to the United States Supreme Court. The next stop is Hinds County Circuit Court.

No witnesses were presented by the defense, which rested immediately after Jugde Russel Moore rejected a motion that a United States Supreme Court decision banning segregation in interstate transporation facilities be read into the court record.

**'Did Our Best'**

After the trial, Thomas, a field secretary for the Congress of Racial Equality, shook hands with C.O.R.E. general counsel Carl Rachlin.

"Henry, we did our best," said the New York lawyer.

"Good show," replied the 19-year-old defendant. "We'll get 'em before it's over."

Julia Aaron, a 20-year-old Negro rider from New Orleans, goes on trial at 9 a.m. Friday. Rachlin was asked by a newsman how long her trial would take.

**Gets Four Months**

"Presumably as long as this one," he answered.

This one took two days, excluding a day the defense devoted to challenging Mississippi jury system practices.

Judge Moore sentenced Thomas to four months in jail and fined him $200. The penalty was twice as stiff as that he received in Municipal Court. Thomas was free on $2,000 bond.

City Prosecutor Jack Travis told the all-male, all-protestant jury that the "basic question" concerns "law enforcement . . . or a complete breakdown of law enforcement."

"If a police officer doesn't have power to have someone move on," Travis said, "law enforcement breaks down."

The prosecutor went on to say, "If you want your property protected from riff-raff and subversives you must return a guilty verdict."

move on and you don't you have committed a crime.

"We are not saying a policeman should not have the right to arrest, but we are saying the defendant should not be arrested merely because a police officer says "move on" just as though he was on the verge of committing an act of violence."

"We are so convinced that this defendant is not guilty, that we didn't put on a case," Kunstler said, "they proved our case for us. There isn't one shred of evidence that this defendant was about to breach the peace."

Special Prosecutor Paul Alexander concluded the arguments to the jury stating that Thomas' arrest was for the very thing "which he didn't do. He did nothing, he did not move on and the people of Jackson were upset and ready for violence."

"Mississippi has an excellent record of law enforcement, and Jackson particularly has a magnificent record. This is a question of whether the police has the right to protect us from violence and riots.

**PERSONAL STAKES INVOLVED**

"If you lived somewhere else, you might not be so interested in law enforcement here, but this is your home and you want to feel secure in your beds at night."

Alexander said that because of the defendant's presence here and under the circumstances, there was tension throughout the city and that police officers had no other choice but to arrest the man for refusing to obey their order.

The prosecution submitted only two instructions to the jury and the defense had 31 dealing with the manner of consideration of evidence and form of verdict.

ATTORNEYS CONFER — State Pros. Atty. Jack Travis (left) talks with defense attorney William A. Kunstler of New York during a recess in the appeal trial of the first of 191 so-called "Freedom Riders" at Jackson, Miss., yesterday. Henry J. Thomas, 19, Negro, was convicted in Hinds County Court.

## Beittel Protests and Trustee Quits

# Freedom Riders Stage Tougaloo Rally

The Courier

JACKSON, Miss. — Some 189 "Freedom Riders" gathered at Tougaloo College prior to entering Hinds County Court to appeal their convictions for breach of the peace.

Immediately afterwards a white businessman turned in his resignation as a trustee of the school, and charged the institution with becoming a "rallying place for outside agitators."

The riders came in all modes of transportation from all parts of the country. All of them had been arrested for challenging racial barriers in Jackson, and had been released on $500 bond each.

Judge Russell Moore, in charge of the proceedings, announced that he would dispose of the appeals on what amounted to a day-to-day basis. He said he would hear two cases a day, with some exceptions, until a final session, now scheduled for Jan. 28, 1962.

■

**AFTER THE** riders met for a briefing at Tougaloo, Stephen Meisburg, executive secretary of the Mississippi Pine Manufacturing Association, in a letter to Tougaloo President A. D. Beittel, said:

"I didn't want the college mixed up with the Freedom Ride business and I think it was very unwise for the institution to side with Northern agitators."

Meisburg said he did not know anything about the planned rally before it was held, and said he would have done "all in my power" to stop it if he had known about it in advance.

Weisburg added that "during the past 10 years, I have had a real interest in the program of the college to provide Christian higher education to our Negro boys and girls so that their people may have adequate leadership in the ministry and other professions.

"However since the college has become a rallying place for outside agitators, it has forestalled any efforts on my part to build goodwill between it and our community, and I feel I can no longer make a contribution."

**"FREEDOM RIDERS" SING**—White and Negro "Freedom Riders" hold hands and sing in the Tougaloo (Miss.) College chapel, before the final briefing before entering court in Jackson, Miss. The group convened prior to going to Hinds County Court for their appeals trial

# Rider Is Sentenced In Jackson Court

## Chicago Negro Given Fine, Suspended Term

JACKSON, Miss., Sept. 8.—(AP) — Protest rider Frank Johnny Ashford pleaded no contention Friday in his appeal of a breach of peace conviction, and Hinds County Judge Russel Moore sentenced him to $200 fine and a suspended 4-month jail term.

Earlier, Judge Moore ordered forfeit for $500 bond posted by rider Harold Andrews, 23-year-old Negro student at Morehouse College in Atlanta.

When Andrews did not show up in court Thursday, Judge Moore gave him until 8:30 a.m. Friday. When his attorney was unable to locate him immediately, Judge Moore extended the time until 10 a.m., and finally ordered the bond forfeit when he didn't show up.

Ashford changed his plea from not guilty, declining to contend the issue and accepted the decision of the court. It was the first nolo contendere plea since the appeals trials began Aug. 22.

Earlier, the ride-sponsoring Congress of Racial Equality asked the appealing riders to withdraw their appeals and serve their original sentences because the cases were being bogged down in legal procedure.

Judge Moore cited state Supreme Court decisions forbidding such withdrawals.

Ashford, 22-year-old Chicago Negro, was a student at Marion College. He was arrested June 6 while trying to desegregate the Trailways bus terminal. He had been sentenced to a $200 fine and four months in jail, with two months suspended.

# Another Rider Gets Term, Fine

JACKSON, Miss. (AP) — A Hinds County Court jury convicted "Freedom Rider" Thomas Armstrong of Sliver Creek after another rider failed to show up for trial Thursday.

Judge Russel Moore gave Armstrong, 19-year-old Negro student at Tougaloo Southern Christian College, a four-month jail sentenc and a $200 fine. He posted $1,500 bond and was released.

Moore told defense attorneys that Harold Andrews, 23-year-old negro student at Morehouse College in Atlanta, Ga., must appear in court by 8:30 a.m. Friday or forfeit his $500 appeal bond. His attorney said be was late in arriving from New York.

The remaining 180 Freedom Riders must either plead guilty or stand trial on their appeals because a state Supreme Court ruling forbids withdrawal of an appeal, Moore said.

The Supreme Court ruled in three separate decisions, he said, that appeals from city or justice of the peace court were considered new trials and could not be withdrawn.

# 'Rider' Sentenced In Jackson Court

## Tougaloo Student Is Given 4 Months, $200 Fine

JACKSON, Miss., Sept. 7. — (AP) — A Hinds County Court jury convicted so-called "Freedom Rider" Thomas Armstrong of Silver Creek after another rider failed to show up for trial Thursday.

Judge Russel Moore gave Armstrong, 19-year-old Negro student at Tougaloo Southern Christian College, a four-month jail sentence and a $200 fine under Mississippi's new Breach of Peace Law. Armstrong posted $1,500 bond and was released.

Moore told defense attorneys that Harold Andrews, 23-year-old Negro student at Morehouse College in Atlanta, must appear in court by 8:30 a.m. Friday or forfeit his $500 appeal bond. His attorney said he was late in arriving from New York.

The remaining 180 riders must either plead guilty or stand trial on their appeals because a state Supreme Court ruling forbids withdrawal of an appeal, Moore said.

The Supreme Court ruled in three separate decisions, he said, that appeals from city or justice of the peace courts were considered new trials and could not be withdrawn.

MISSISSIPPI

SEPTEMBER
JACKSON- FREEDOM RIDERS
C O R E

# 'Riders' Urged By CORE To Serve Jackson Terms

WASHINGTON (AP)—The Congress of Racial Equality Monday urged all "Freedom Riders" who have appealed their convictions on breaching the peace in Jackson, Miss. to return there and serve sentences imposed in city court.

It said 260 now are free on bond. The cases stem from the Congress' efforts earlier this year to break down racial segregation in bus, railroad and airport terminal facilities. Most of the sentences were for two months' imprisonment plus fines of $200.

At the same time CORE announced the launching of new campaigns to end discriminatory employment practices in national retail chain stores, to secure unlimited decent housing for all Americans and to continue and intensify its campaign for registering eligible Negro voters.

It said the attack on employment practices will place "particular emphasis" on Sears Roebuck and might later include a nationwide Negro boycott of its goods.

The decisions were made in resolutions adopted at the conclusion of the Congress' annual four-day convention here.

# CORE OFFICIAL FOUND GUILTY

## Convicted on Four Counts at Jackson

JACKSON, Miss. (AP) — A Hinds county court jury convicted James L. Bevel, 24-year-old Congress of Racial Equality field secretary, on four counts Wednesday of contributing to the delinquency of a minor.

Bevel was accused of inducing juveniles to become "freedom riders."

Bevel, a native of Itta Bena, Miss., and a Negro, handled his own defense and cited bible teachings and principles of the nonviolent movement.

Prosecutor Robert Nichols said the bible was not involved in a legal case and that the Negro minors had given statements saying Bevel induced them to try to desegregate a Jackson bus terminal.

County Judge Russel Moore gave Bevel a $500 fine and six-month term on each count, a total of $2000 and two years. Moore said afterward he had advised Bevel he would get a suspended sentence if he chose not to contest the charges, but that Bevel had decided to fight the case.

Bevel made no move to appeal the conviction or gain freedom by posting an appeal bond.

Bevel was among the first riders to reach Jackson, May 24. He was sentenced to a $200 fine and 60-day suspended sentence and gained freedom June 13 by posting a $500 appeal bond. He was free on bond when arrested July 14 on the four counts involving juveniles.

He was convicted July 18 on the juvenile charges and given a $500 fine and six-month term.

Two rider cases also came up in Moore's court.

Mack Charles Wells, 20-year-old Jackson Negro, pleaded nolo contendere—no contest—to the breach of peace charge and Moore gave him a $200 fne and a four-month suspended sentence.

Wells was arrested July 6 as an outgoing passenger at the Illinois Central train station and received a $200 fine and four-month term. He gained his freedom Aug. 16 by posting a $500 appeal bond.

Leora Berman, 18-year-old Chicago white student, was convicted by a jury on breach of peace charges in her appeal trial and Moore gave her a $200 fine and four-month term.

She was arrested June 10 after seeking to desegregate a bus terminal here and received a $200 fine and four-month term.

She planned to appeal and gained her freedom by posting an appeal bond through her attor, William Harrell of Macon, Ga.

# CORE Official Is Convicted

A convicted Freedom Rider former field secretary for the Congress of Race Equality, who served a sentence for breach of peace, stood alone in Hinds County Court yesterday and unsuccessfully defended himself on four charges of contributing to the delinquency of a minor.

James L. Bevel, 24-year old Negro, was convicted on all counts and sentenced to a total of $2,000 fine and two years in jail. He did not appeal.

Both Special Prosecutor Bob Nichols, Jr., and Judge Moore discussed the cases with Bevel prior to trial, suggesting he enter no contest pleas to the charges growing out of his recruiting of four local youths in a non-violent movement in connection with Freedom Rider activities.

Bevel refused to enter the changed pleading which might have brought a lesser sentencing and said he would plead his own defense. CORE did not provide any legal counsel.

Two more Freedom Rider cases are scheduled for trial today, with Mildred J. Blue, 16, of 1901 N. Lamar street, Jackson, and Travis Britt, 27-year old Brooklyn cafe worker, docketed.

Yesterday, Judge Moore sentenced Mack Charles Wells, Jackson Negro, to $200 fine and four months suspended sentence when he plead no contest rather than stand trial.

# Negroes' Suit Would Put a Stop To Mississippi's Arrest of Riders

JACKSON, Miss., June 9 (UPI).—Negro attorneys filed suit in Jackson today to stop the arrest of Freedom Riders under Mississippi segregation laws. The Justice Department, meanwhile, went to the legal aid of the riders in Alabama.

The suit was filed in Federal District Court here just a few hours after local officials stepped in and arrested another group of five riders that arrived in Jackson by train from Nashville, Tenn., and attempted to use segregated facilities. They included Del Greenblatt, twenty-one, of 4407 15th Ave., Brooklyn, a white female student at Cornell University. Ninety-eight Freedom Riders have been jailed in Mississippi's capital city since May 24.

**More Setting Out**

A Congress of Racial Equality spokesman in Atlanta said, meanwhile, that the movement was gaining momentum and new rides were being organized in Nashville, New Orleans, St. Louis, Memphis and Atlanta.

The spokesman, B. E. Cox, said some of the rides would have destinations other than Jackson. He said one group, including some "professional people," was organizing in Maryland and would set out soon for Florida, "testing" facilities in Virginia, North Carolina, South Carolina and Georgia along the way.

The Jackson suit was filed by Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People, R. Jess Brown, legal counsel for the Mississippi N. A. A. C. P., and Constance Baker Motley, of New York.

It asked that the city, the state and all bus lines and common carriers operating in the state be enjoined from continuing to enforce the state's racial segregation laws and the city's policy of segregation in waiting rooms and rest room facilities at transport terminals.

Named as defendants were state Attorney General Joe Patterson; the City of Jackson; Mayor Allen Thompson; City Commissioners Thomas B. Marshall and D. L. Luckey; Chief of Police W. D. Rayfield; Continental Southern Lines, Inc.; Illinois Central Railroad; Jackson City Lines Inc.; Southern Greyhound Lines, Inc., and Cicero Carr, of the restaurant at the Municipal Airport.

Three Jackson Negroes—Samuel Bailey, Joseph Broadwater and Brunett L. Jacob—were listed as the plaintiffs.

**Panel Sought**

The motion asked that the court summon a three-judge panel and provide for a speedy hearing of the case. However, court sources noted that the "vacation season is nearing" and that one of Mississippi's three judges will be required to hold a two-week session at Biloxi starting Monday.

At Montgomery, Ala., Justice Department attorneys filed a brief in United States District Court challenging a Federal judge's injunction that, in effect, barred further "freedom rides" in Alabama.

The injunction was handed down by Judge Frank M. Johnson jr. and was directed at sponsors of the "freedom riders." He further directed state and local officials and Ku-Klux Klansmen not to interfere with interstate travel.

The Justice Department contended in its brief that the riders were merely exercising their constitutional rights. It also formally requested that the Justice Department be relieved of the responsibility of acting in the case against the sponsor of the rides.

# U.S. JOINS IN MISS. RIDERS' CASE SUIT

## But Hearing Delayed on Injunctive Proceeding

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — The federal government Monday joined in an injunction suit here to prevent Mississippi officers from further arrests of "freedom riders" in use of passenger terminals.

But a three-judge federal court here Monday to hear the injunctive proceedings granted a postponement until Aug. 7 because of illness of the specialist on civil rights in the state attorney general's office.

**The justice department made a surprise entry into the case which was brought by three Jackson Negroes, represented by the National Association for Advancement of Colored People.**

**It seeks to prevent further arrests for harassment of Negroes in the use of interstate and intrastate passenger terminals.**

In an amicus curiae brief (friend of the court), the justice department said its position was "not concerned with the wisdom or utility of the so-called 'freedom rides' in general, nor with the merits of any individual arrests."

**OVER 215 ARRESTED**

The government brief contended that the state and local officers in Mississippi could not use statutes which are otherwise valid for the purpose of restraining Negroes from using common carrier facilities on an unrestricted basis.

**"Thus, the arrests and convictions for breach of the peace—or on any other charge—based solely on the defendant's use of facilities, which under the 14th amendment, the commerce clause or other federal constitutional or statutory authority, he has a right to use on a non-segregated basis, are necessarily illegal and void," the brief said.**

Since May 24, more than 215 Negro and white "freedom riders" have been arrested by Jackson police at train, bus and airplane terminals here for breach of the peace.

Delay of the injunction hearing came over opposition of the presiding judge, Chief Judge Elvert Tuttle of the fifth circuit court of appeals, who admitted he was outvoted by the two Mississippi federal district judges serving on the special panel.

**HEARING DELAYED**

Later, after the delay of the "freedom rider" case, federal district Judge Sidney C. Mize also postponed until Aug. 10 the further hearing of an injunctive proceeding brought by James L. Merideth, 27-year-old Negro Air Force veteran, seeking admission to the all-white University of Mississippi.

**Mize had been slated to resume hearing of the Merideth case Tuesday. He opened the hearing last month at Biloxi but continued it because of a rush of other court business.**

The government brief was filed on behalf of Burke Marshall, chief of the civil rights section of the attorney general's office, Washington, and U.S. Attorney Robert Hauberg of the Southern Mississippi district.

Representing the justice department here Monday was Robert Owens, member of the justice department staff in Washington.

Robert Cates, assistant attorney general of Mississippi, was turned down by the three-judge panel in a request to prevent the United States from entering the suit.

**ILLNESS OF SHANDS**

He contended that the government would be putting itself in the position of "representing a class and not representing all of the people."

Cates asked for the delay of the case because of the illness of Asst. Atty. Gen. Dugas Shands, who has been the state's specialist in racial litigation.

He said Shands has "physically exhausted himself getting this case in shape to be tried." He said this was just one of several racial cases with which the attorney general's office is concerned.

**Sitting at the bar with Cates was Atty. Gen. Joe T. Patterson. Cates, along with Shands and Asst. Atty. Gen. Pete Stockett work almost exclusively in the civil rights field.**

**Attorneys representing the city of Jackson, the Illinois Central railroad, Greyhound and Trailways bus companies and the Jackson airport authority, all defendants in the case, were also present.**

The suit was filed by three Jackson Negro businessmen, Samuel Bailey, Joseph Broadwater and Burnett L. Jacob.

Mrs. Constance Baker Motley, New York, an attorney for the NAACP, represented them as chief counsel.

**TUTTLE OBJECTED**

Judge Tuttle, from Georgia, explained that the injunction process sought in the case was a "priority" type procedure which customarily must be expedited for hearing.

**After a conference with the other two judges sitting in the case — Judge Mize and Judge F. Clayton of the northern federal court district of Mississippi, Tuttle announced the delay was granted "over my objections."**

**The circuit court justice said he did not consider the delay justified, "because of the organization of the attorney general's office of a great state."**

Mize said it was "with a great deal of reluctance" that he voted for a delay. He said "I believe this to be a very important case which should be tried by attorneys who are prepared, rather than risk permanent injury to a man's health and mind. A delay will not seriously impair anyone's rights."

Prior to announcing the delay, Judge Tuttle questioned Cates if he agreed that the only real issues at conflict in the case were that "the statutes under attack are being enforced against these plaintiffs, and are these statutes constitutional or unconstitutional?"

Cates said he was not in a position to declare what the dedendants declared were the issues.

**TWO QUESTIONS**

The government brief said the two questions which the complaint should prove were: "1. The validity of statutes which on their face require the segregation of the races in certain transportation facilities in the state of Mississippi and the city of Jackson and, 2. The jurisdiction and equitable powers of the court with regard to the enforcement of statutes or ordinances valid on their face but which are alleged to be enforced in a discriminatory manner."

The government's role in the case, the brief said, was concerned "when federal civil rights and liberties are violated on a massive scale and a continuing basis."

"When as is alleged in this case to be true in Mississippi numbers of interstate travelers are arrested and their interstate journeys interrupted for constitutionally invalid reasons then it is incumbent up on the United States to officer the court its views on the legal problems involved.

**TOO BROAD**

The government said the court cannot permit officials "to avoid the constitutional obligation and it surely cannot permit them to punish those who are law-abiding, merely because such a course may seem to the officials more convenient or more popular than dealing with the mob."

**The brief said the requests in the original suit were too broad and would complicate the work of police "since it may sometimes be impossible to know in advance whether a particular arrest could be construed as mere harrass-**

ment."

As a result, the government said, the court should enter an order "simply restraining the defendants from arresting Negroes soley for reason of their race or color or their use of facilities on common carriers or in terminals (including waiting roms, rest-rooms and restaurants) regardless of racial restrictions."

Such an injunction, the brief said, "would save to law enforcement agencies their valid power to make arrests and otherwise to conduct themselves in such a manner as is reasonably necessary for the preservation of law and order."

38a 1961

MISSISSIPPI

JACKSON- FREEDOM RIDERS
SOUTHERN CHRISTIAN LEADERSHIP
CONFERENCE

# 'Rider' Claims Duress Forced Praise for Jail

The Atlanta Constitution
p. 4

By The Associated Press

The Southern Christian Leadership Conference said Saturday the Negro who made the statement that "it was better to be in jail in Jackson, Miss., than to be free in Chicago" was forced to say that by threats.

Wyatt Tee Walker, executive director of the SCLC in Atlanta, said he talked with Leon Daniel Horne in Jackson jail and "learned his side of the story." Both Walker and Horne were jailed after "freedom bus" rides to Jackson.

Dem. 7-16-61

Walker said he had a statement in Horne's handwriting which was smuggled out of the Hinds County Jail.

* * *

**THE STATEMENT,** attributed to Horne, quoted him as saying he was "threatened and frightened" into making the statements.

". . . This is my home and the world knows they don't want anyone from Jackson to participate in anything that concerns integration," Horne was quoted as saying. "Before the news conference I was told what to say, and how to say it.

"And ever since I made that statement, I have been unable to sleep because I know that they were all lies, lies, lies.

". . . They threatened to beat me, put me in the sweat box (solitary confinement); send me to the county farm—even kill me."

Horne's statement went on to say that he realized he had been "disloyal" and wanted to "make up for the wrong I've done."

38a 1961

MISSISSIPPI

AUGUST

JACKSON- FREEDOM RIDERS

# 188 'freedom riders' plead innocent, trials scheduled

The Birmingham News

p. 2

JACKSON, Miss., Aug. 15—(AP)—The appeal trials of nearly 200 convicted "freedom riders" will begin next Tuesday in Hinds County court. They are expected to continue through January.

County Judge Russel Moore today scheduled arraignment for three additional riders after 188 others pleaded innocent of breach of peace charges.

Fri 8-15-61

**The riders are appealing City Court convictions following their arrests for refusing to obey police orders to move on while attempting to desegregate transportation terminal facilities in this capital city of 70,000.**

The first "freedom riders" reached Jackson last May 24. Since then, 297 have been arrested. Some remain in jail.

The three scheduled to be arraigned today were granted an additional day after they were jailed on other charges in New Orleans last Saturday and were unable to meet the Monday appearance deadline.

Birmingham Ala.

ATTORNEYS went through formal legal procedure on the first of 197 cases called yesterday, then took an average of 25 seconds per person on the 188 who entered pleas and received trial dates. Nine defendants did not appear, including the three who were to be arraigned today.

**Moore said the other six must forfeit their $500 bonds or appear at the next term of court and show why they were not present yesterday.**

Most of the riders planned to leave Jackson and return [illegible] to await their trial dates.

KUNSTLER HAS removed five other "rider" cases to federal court in Jackson. U. S. Dist. Judge W. Harold Cox will hear arguments on whether civil rights are involved in the cases Saturday when the state attempts to regain jurisdiction.

**Under procedure agreed upon by both Kunstler and city attorneys, two trials will be held daily five days each week until all cases are finished. The 188 are scheduled to complete their trials Jan. 17.**

Under the rules of Moore's court, all "freedom riders" who had posted bonds were required to appear personally or forfeit bonds.

There were no demonstrations or incidents yesterday. Police kept a two-block area around the courthouse cleared of onlookers and Moore banned applause, smoking and loud talking in the courtroom.

ABOUT 2600 pupils trudged off to still segregated public schools in Louisiana's troubled St. Helena Parish (county) near Greensburg. The Fall term began early to permit the children to be released in the Spring to help with strawberry picking.

The schools are under a federal court order to desegegate but no specific date has been set. However, parish voters decided last Spring to close the schools rather than desegregate them.

**But the federal court told the parish it could not act on the election's outcome until the court rules on the constitutionality of the state's local option law under which the election was held.**

THE NAACP asked the Supreme Court in Washington for aid in battling an order the group said blocks its organization activitie in Alabama.

**The appeal said the NAACP believes "it will never be afforded an opportunity to have a hearing on the merits in Alabama state courts." It requested the high tribunal to direct lower federal courts hear the case.**

The litigation developed from a 1956 complaint by the Alabama attorney general that the NAACP was doing business in the state without qualifying as an out-of-state corporation. Later the U. S. Circuit Court in New Orleans turned down an appeal on grounds the case should be tried first in state courts.

## Freedom Riders Plead Innocent Upon Appeals

The Courier Journal

Fri 8-15-61

Jackson, Miss., Aug. 14 (AP)—A total of 189 "freedom riders" appeared in court under massive police protection Monday and pleaded innocent to their previous convictions for breach of the peace.

Louisville Ky.

Their appeal trials will begin next Tuesday and will continue at the rate of two a day and five days a week until January 19, with three days off for Christmas and one for New Year's Day.

The Hinds County court clerk called the names of 198 riders who had been convicted since May 25 in Police Court and released under appeal of $500 each. Nine did not answer, but three of these were being detained under arrest in New Orleans and will be allowed to enter their pleas later.

# Judge Refuses To Modify Jackson Appearance Rule

Montgomery Advertiser p. 12A

Fri 8-11-61

JACKSON, Miss. (AP) — Circuit Judge Leon Hendrick refused Thursday to modify a Hinds County court order requiring convicted "Freedom Riders" to appear when their cases are presented Monday on appeal from city court.

Montgomery Ala.

Atty. William Kunstler of New York sought an order from Judge Hendrick to waive or modify the court rule that requires all defendants to be present on the opening day of the county court term receiving their appeals.

Hendrick's decision would be appealed to the state supreme court, Kunstler said, when an appointment can be set up with Justice W. N. Ethridge Jr. The court is in summer recess.

**ENTERED ORDER**

County Judge Russel Moore entered an order more than a year before the freedom rides began that all defendants must be present in person when the calendar for the term of court is called up, or forfeit their bonds.

Hendrick said the court order sought by Kunstler was not appropriate for the riders' cases, that under Mississippi law Kunstler would have to resort to an appeal after some action in the case.

"If Judge Moore should order the bonds forfeited because the defendants did not appear," Hendrick said, "you would have the right to resist forfeiture.

"I can't tell Judge Moore how to run his court."

Kunstler, representing 187 convicted riders who will appeal their breach of peace convictions in city court to county court, had sought a wr of mandamus, ordering Moore to void his appearance rule, or a writ of prohibitin, prohibiting Moore from enforcing it.

Hendrick said in Mississippi mandamus writs were issued only when a lower court refused to take any action, and prohibition writs to keep a lower court from acting when it properly had no jurisdiction.

Neither procedure, Hendrick said, was permissible in this case.

**CAUSE TROUBLE**

Kunstler said he sought to void Judge Moore's appearance rule because he felt it was an abuse of his discretion and would cost the riders an unnecessary $20,000.

He said bringing 187 riders into Jackson at one time "might cause trouble."

Opposing Kunstler's request were city prosecutors Jack Travis and Bob Nichols. They went into the limited use of the two writs Kunstler sought and argued that the riders had waited until the last minute to challenge Moore's rule.

Under an agreement between both sides, the trial of the appeals cases before county court juries will begin Aug. 21 and will be run off at two per day, or 10 weekly. The trials are expected to last 18-20 weeks.

AUGUST
JACKSON- FREEDOM RIDERS



# RIDERS TO TEST LAWS OF STATE

## Attorneys For 187 Will Review A Virginia Case

By JOHN HERBERS
United Press International

Attorneys for 187 convicted "Freedom Riders" who will be here Monday for their appeals plan to go into state and federal courts on two legal points for overturning the convictions.

The first is a U. S. Supreme Court decision on a Richmond, Va., case closely paralleling the Jackson arrests; the second is a direct attack on the breach of the peace statutes under which almost 300 riders were arrested here since May 24.

The Richmond case was decided by the high court last winter. A Negro law student named Boynton staged a sit-in at a white restaurant in a Richmond bus terminal. He refused police orders to move on and was arrested under a state breach of the peace law.

The Supreme Court of Virginia upheld the conviction, holding it was proper use of police authority. But on appeal the U. S. Supreme Court overturned the conviction holding that the breach of the peace law—which was sound in itself—was used to maintain segregation in interstate travel facilities.

All of the Jackson riders were arrested for breach of the peace after they refused police orders to move from segregated terminals.

There is a difference in the breach of the peace laws used in the two states. The New York attorneys who are representing the riders—William Kunstler of the American Civil Liberties Union and Carl Richler of the Congress of Racial Equality—say they will ask that Mississippi's laws be struck down as well as the city's use of them.

They will contend that the legislature delegated too much authority to the police and that it enacted the laws specifically to preserve segregation.

There are two laws involved, one for single arrests and another for group arrests. They were enacted in the spring of 1960 when sit-in demonstrations were rampant in other Southern states. They were carefully drawn by some of the best legal minds in the state capitol and were enacted swiftly and overwhelmingly without debate.

State attorneys are prepared to defend them in the courts on grounds that they properly delegate authority to local authorities under legal precedent.

The war between local officials and the riders seemed this week to have boiled down to an endurance race. Kunstler and Richler tried to arrange it so that the riders would not have to be on hand together Monday for call of their cases in county court. But the local judges stood fast.

They also refused to hold mass trials and the schedule calls for trials beginning Aug. 21 to run two a day, five days a week for at least 18 weeks.

Meanwhile, however, Kunstler transferred five of the rider cases to federal court where quicker appeal action could be expected. A hearing is scheduled on that next Friday to decide whether the federal court can take jurisdiction under the Civil Rights Act.

# RIDERS GATHER FOR APPEALS

## Will Appear in Jackson Court Monday

JACKSON, Miss. (AP)—"Freedom riders"—coming by bus, train, plane and cars—began arriving in Jackson Saturday before their appeals start Monday in county court on breach of the peace convictions.

Over 180 riders who posted $500 appeal bonds after unsuccessful desegregation attempts of transportation facilities were expected in Jackson by Sunday night.

A giant rally will be held a 7:30 p. m. Sunday in the Negro Masonic temple in Jackson under the sponsorship of the Jackson Nonviolent Movement.

The Hinds county sheriff's office and Jackson police prepared to prevent any outbreak of violence while the integrated group is in the city.

"We are taking extra precaution to see that proceedings are completed in an orderly manner," said Sheriff J. R. Gilfoy.

"No loitering or congregating will be allowed around the courthouse Monday. No one will be allowed inside the courtroom except the defendants, their counsel, the prosecutors, the judge and the press.

Gilfoy said the citizens of Hinds county "have done a great job so far in letting the law takes its course . . . I will be grateful if you will stay away."

Chief of Detectives M. B. Pierce said "we will have adequate policemen on hand to assist the sheriff at the courthouse and to see that if any laws are broken, whether it be by freedom riders or not, the persons involved will be arrested."

Riders began arriving in Jackson Saturday individually and in small groups, but the largest delegation was expected at 10:10 a. m. Sunday on the "City of New Orleans" train. New Orleans was one of the major gathering points for riders.

Two chartered buses carrying riders were scheduled to leave Nashville at 9 p. m. Saturday.

John Lewis, acting chairman of the Nashville Student Non-Violent monent, said "we have the entire Minnesota delegation and some from Chicago and Cincinnati."

Rev. Ralph D. Abernathy said only three riders would leave from Montgomery for Jackson. They went to Mobile Saturday afternoon and were expected to arrive in Jackson at 4 p. m. Sunday.

Freedom riders will meet with their lawyers Sunday afternoon and attend the rally that night.

Some of the riders will be housed at Tougaloo Southern Christian (Negro) college just north of Jackson and others in rpivate homes.

# 'Riders' Plan Mass Trek Back to Dixie

By the Associated Press

Jackson, Miss.

More than 180 convicted "freedom riders" were making plans for a mass trek to Jackson, Miss., to start appeal proceedings Monday.

It was expected that trials of the appeal cases would begin before county judges on Aug. 21 at the rate of two per day, indicating it might be four or five months before final cases were heard.

William Kunstler, a New York attorney, said he tried without success Thursday to win modification of a Hinds County Court order requiring all defendants to be present on the opening day of the county court term handling their appeals.

Meanwhile, arguments resumed in federal district court at Jackson on the application of James H. Meredith, a 28-year-old Negro, for a court order to force the University of Mississippi to admit qualified Negroes.

A survey by a Richmond newspaper (News Leader) showed that 529 Negroes planned to enter desegregated schools in Virginia next month compared with about 200 enrolled last year. That would raise from 37 to 67 the number of desegregated schools. However, Negroes would still account for less than 1 per cent of those enrolled.

The school board in the upper east Tennessee city of Elizabethtion agreed to abolish segregation in first grades on Sept. 1. Officials estimated 10 Negro pupils would attend classes. Similar grade-a-year plans already are in effect in Knoxville and Nashville.

The State Board of Education in Georgia agreed to hold a special meeting Monday to consider an appeal of its decision to permit a white Atlanta girl to transfer from one high school to another.

The Atlanta Board of Education earlier denied the request of Sandra Melkild to transfer from Northside High, scheduled to be desegregated Aug. 30, to Dykes High, a school which will remain segregated this year. The state board overruled this decision.

At Madison, Wis., Mrs. Vel Phillips, Democratic national committeewoman for Wisconsin, joined a group of sit-in demonstrators in the rotunda of Wisconsin's capitol. The sit-in participants are seeking housing legislation.

Mrs. Phillips, a Negro, said, "All I'm doing is representing the state Democratic Party's principles."

38a 1961

MISSISSIPPI

JACKSON - FREEDOM RIDERS
BLIND WHITE WOMAN AND A NEGRO

# Blind 'Rider' Breaks Barrier

JACKSON, Miss. (AP)—A pair of "freedom riders" — a blind white woman and a Negro—broke the segregation barrier Saturday in a Jackson, Miss., bus depot.

The pair were served when they asked for milk shakes at the lunch counter in the Negro waiting room. Two policemen stood by but made no move to order them out.

The pair, Earl C. Bohannon Jr., 21, Chicago, and Norma Wagnor, 33, Rochester, N.Y., arrived in Jackson, at 1:24 p.m. after changing buses in Memphis. They started their trip from Nashville.

"We plan to sit here until we get arrested," Mrs. Wagnor said.

38a 1961 MISSISSIPPI

SEPTEMBER
JACKSON- FREEDOM RIDERS
15 EPISCOPAL PRIESTS CHALLENGE
MISSISSIPPI SEGREGATION
REV.ROBERT PIERSON (Son-in-Law of GOVERNOR
NELSON ROCKEFELLER IN GROUP

# Jackson Jails Rockefeller's Son-In-Law

JACKSON, Miss. (AP)—Fifteen Episcopal priests challenged Mississippi segregation today and police arrested them on breach of peace charges.

The group, on a "prayer pilgrimage" to study segregation, included the Rev. Robert Pierson, 35, of New York and Evanston, Ill., son-in-law of New York Gov. Nelson Rockefeller.

The 12 white and three Negro clergymen went into the white waiting room of the Trailways Bus station in a group and patrolmen ordered them to move. They declined to move and the officers called Capt. J. L. Ray, who has handled most of Jackson's "Freedom Rider" arrests.

Ray's order was ignored and the arrests followed.

One of the clergymen bought tickets for all 15 about 30 minutes before they appeared after a taxi trip from Tougaloo Southern Christian College, a Negro school here where the 28 ministers had spent the night.

The ministers had tickets for Chattanooga, Tenn., from where they planned to visit the church's University of the South nearby.

The Rev. Layton Zimmer of Swarthmore, Pa., who went to the station in business clothes to observe, said seven other priests among the 28 on the pilgrimage bought tickets for Birmingham., Ala., on a plane to leave tonight and hoped to visit the Episcopal University at Sewanee, Tenn.

The Rev. John Dorr, chaplain at Oklahoma State University, said he and four other white priests would remain in Jackson until the ministers are out of jail.

The trials of the 15 arrested this morning were set for 3 p.m. Thursday.

Dorr indicated the 15 arrested probably would post bonds next week if convicted.

The group of ministers left New Orleans Tuesday to visit Episcopal institutions on their prayer pilgrimage and study segregation at the schools. They planned to close the tour Sunday at Detroit where the 60th general convention of the Protestant Episcopal Church is scheduled.

**MAINTAIN UNITY**

The Rev. Mr. Dorr said the group did not plan an effort to break state laws at the airport Wednesday night, but the Rev. Mr. Zimmer said the mixed group would "Maintain its unity" throughout the trip.

The Rev. Mr. Zimmer said after the 15 were arrested, other members of the party sent a telegram to Atty. Gen. Robert Kennedy saying:

"Fifteen Episcopal priests have been arrested in Jackson while attempting to use interstate facilities en route to Detroit on a prayer pilgrimage . . . In view of your request to American clergy to exercise leadership in these areas, we urge you immediately resolve problems of interstate travel for Americans."

MISSISSIPPI

AUGUST
JACKSON- FREEDOM RIDER TRIAL
50 SUBPENAED (TOP STATE, CITY LEADERS . .
CALLED TO TESTIFY)

# 50 Subpenaed To Rider Trial

## Top State, City Leaders Are Called To Testify By Defense At Jackson

By United Press International

JACKSON, Miss., Aug. 21. — More than 50 persons, ranging from a high Citizens' Council official to the Governor, have been subpenaed to testify Tuesday in the first jury trial of a so-called "Freedom Rider" on a breach of the peace charge.

Henry J. Thomas, a 20-year-old Negro from St. Augustine, Fla., will go on trial at 9 a.m. He and 191 other riders were convicted in police court of breach of the peace and are being given jury trials in county court as part of their appeal process.

Gov. Ross Barnett was among the more than 40 persons subpenaed by Thomas' defense attorneys. However, the deputy sheriff who delivered the summons said Barnett told him he would be out of town when the trial opens.

**Others Summoned**

Other persons given summons by the defense included Citizens Council leader W. J. Simmons, state Atty. Gen. Joe Patterson, Hinds County Sheriff J. L. Gilfoy, Mayor Allen Thompson, Police Chief W. D. Rayfield, state Supt. of Education J. M. Tubb, city Schools Supt. Kirby Walker, state Adjutant W. P. Wilson, the Hinds County Board of Supervisors, several lawyers and a number of newsmen.

The state called for 12 witnesses, most of them reporters. The chief state witness was expected to be Police Capt. J. L. Ray, who issued the "move on" orders to most of the riders.

The trials of the 192 riders are scheduled to be held two a day, five days a week, from Tuesday until Jan. 19. Thomas' trial is scheduled to be held in the morning and Julia Aaron, Negro, is scheduled to be tried Tuesday afternoon. However, it appears certain the schedule will be changed on the first day.

"I expect we'll spend all day selecting a jury," said defense attorney William Kunstler of New York. He has indicated he will be reluctant to have staunch segregationists on the panel.

**Plea to Quash**

Kunstler also is asking that the jury be quashed on grounds only a "token number" of the venire from which it is chosen are Negroes. He said he understands two of the 60 veniremen are Negroes.

Thomas was on the first bus carrying protest Riders to Jackson when the movement hit Mississippi May 24.

In the trial before County Judge Russell Moore the state is expected to try to prove Thomas was guilty of conduct which would incite a breach of the peace. The defense will try to picture his arrest as one made simply to preserve segregation.

"I think this matter of transportation segregation is just as important as school segregation," said Kunstler.

Kunstler said he expected to be handling the defense of the rider cases at least through this week. He said lawyers from throughout the nation have volunteered to serve as defense attorneys without charge for the rest of the riders.

SEPTEMBER
JACKSON-FREEDOM RIDERS
REV. JAMES E. WARREN

All In Cause Of Civil Rights

# Young Minister Will Take 11-Jail Record Into Pulpit

Journal and Guide
p. 3
Sept. 9-16-61
Norfolk, Va.

When and if the Rev. James Edward Warren graduates from Union Theological Seminary in New York, or some other school of theology, he may assume his first pastorate as a minister who has been arrested at least eight times and spent varying periods in 11 prisons.

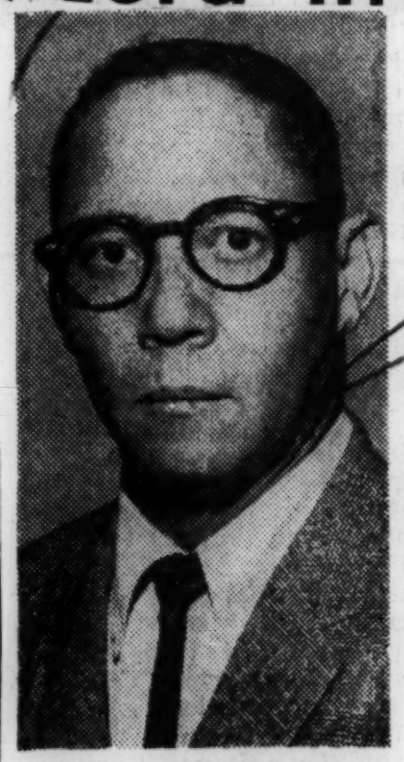
A native of Cincinnati who received most of his education in Florida, Rev. Mr. Warren began his trips to jail last year as a sit - in demonstrator, and this year graduated into freedom riding to Mississippi.

**DIRECT** from Parchman, Miss., state prison, where he spent 34 days after being sentenced to four months and fined $200, he was in Norfolk for four days (until Monday) as guest of Mrs. Florida V. Powell, "mother" of First Calvary Baptist church, at 1010 Mapole avenue.

He was ordained three years ago at Emanuel Institutional Baptist church of Philadelphia, where the Rev. William L. Bentley is pastor.

**THE YOUNG** minister is scheduled to return to Jackson, Miss., on Sept. 2 for arraignment on his appeal of sentence, along with seven white ministers whom he led from New York on a bus ride to Jackson.

They were arrested within five minutes after arriving at a Jackson bus station and refusing to leave the colored waiting room. Rev. Mr. Warren said that the group stopped in Memphis on the way to Jackson, and were served in the integrated lunch counter at a bus station.



REV. JAMES E. WARREN
His Date In Jackson

**IN JACKSON** they were charged with breaching the peace at a trial which the minister described as "hurried" and marked by a sing-song testimony of a police captain.

He said that Jackson police were very polite and diplomatic when they arrested the eight ministers, but that was the end of decent treatment from Mississippi authorities. Here is the gist of his report on his sojourn:

- Conditions in Jackson city jail are "not too bad."
- The county jail is rat-infested and prisoners sleep on mattressees placed on the floor.
- While being transported to Parchman, he and other prisoners from Jackson and elsewhere, convicted in civil rights cases, were insulted and abused by guards.
- While women convicted as freedom riders or sympathizing with them were scorned and accused of being prostitutes.
- White male freedom riders usually get extra verbal abuse and physical mistreatment as meddlers.
- Parchman penitentiary offers a strachy diet with a little fatback, solitary and blows from guards for failure to 'cooperate," a bath from high pressure fire hose, which Negro prisoners are forced to wield for protesting and singing hymns, sleeping on bare steel, and denial of soap and toilet articles for insinuating that prison conditions are less than ideal.

**DESPITE** all this, Rev. Mr. Warren says, he would not hesitate to go on another freedom ride to Jackson because he is determined to help stamp out discrimination, segregation and second class citizenship.

He was arrested seven times for participating in lunch counter sit - ins in St. Petersburg, Daytona Beach, Tallahassee, Jacksonville and St. Augustine, Fla., and in Savannah, Ga.

He says that variety store and bus station lunch counters have been desegregated in 21 counties in the Florida and Georgia areas with which he is familiar.

**REV. MR.** Warren is particularly gratified because he found scores of Jackson youth in Parchman prison for violating segregation customs and rules, and because of the backing Jackson ministers and others are giving to the civil rights movement.

The young minister plans to enter Union Theological Seminary in September if he is not back in jail.

# First Freedom Rider Convicted On Appeal in Mississippi Case

JACKSON, Miss., Aug. 24 (UPI)—An all-white jury that had listened to three days of testimony took forty minutes today to convict Henry Thomas, the first Freedom Rider to appeal his conviction for breach of the peace.

Mr. Thomas, a Negro, was fined $200 and sentenced to four months in jail, the same penalty prescribed in Police Court, where he was originally convicted. He was expected to be freed on $2,000 bond.

The testimony was dominated by the prosecution. Attorneys for the defendant, in a surprise move, rested their case today without having called any witnesses.

Mr. Thomas' lawyers will appeal the case to state Circuit Court. They are counting on overturning the conviction in Federal court after taking it through the state tribunals.

The jurors were locked up at 2:55 P. M. and returned with a verdict at 3:35 P. M. Each, when polled by the judge, said he found the defendant guilty of breach of peace as charged.

The state produced fifteen witnesses in an effort to prove Mr. Thomas guilty of conduct that provoked a breach of the peace. Twenty-five minutes after the state had rested, the defense said it too was resting.

During that twenty-five minute period the defense tried to have read into the record a United States Supreme Court decision banning segregation in interstate travel facilities. The judge, who had said earlier that the ruling had no relation to this case, rejected the motion.

William A. Kunstler of New York, a lawyer for the American Civil Liberties Union, told the jury that the basic issue in the case was "whether a person should be arrested merely because a policeman ordered him to move on."

Mr. Kunstler said Mr. Thomas had broken no law. "He was peaceful," he said. "Thus isn't one shred of evidence that the defendant was about to breach the peace."

City Prosecutor Jack Travis said the basic question was "whether we will have law enforcement or whether there will be a complete breakdown of law enforcement."

Associated Press Wirephoto

**PRESSES APPEAL IN MISSISSIPPI: Henry J. Thomas, left, a Freedom Rider from St. Augustine, Fla., arriving yesterday at the court in Jackson. At the right is Tom Gaither, official of the Congress of Racial Equality.**

## 2 More Riders Choose Jail Over Fines

JACKSON, Miss. (AP)—Two more "freedom riders" withdrew their appeals from court Wednesday and elected to return to jail to finish serving their sentences.

They were Doris Castle, 19, and Jerome M. Smith, 22, New Orleans Negroes who were arrested in the Trailways bus terminal here May 24.

They decided not to pay their fines from the $500 cash bond put up when they appealed their city court convictions. Each had received a $200 fine and a 60-day suspended sentence.

The two riders said they would serve time at $3 a day to pay their fine.

On Monday two other riders, John H. Moody, 25, of Philadelphia, and Matthew Walker Jr., 19, of Nashville, Tenn., withdrew their appeals and paid their fines. They had been arrested with Miss Castle and Smith.

# Freedom Rider sees end of travel bias

NEWARK

James Peck of New York, severely beaten by a mob on a CORE - sponsored Freedom Ride in Birmingham on Mother's Day, predicted an end to segregation in interstate travel facilities here Sunday.

**Mr. Peck told a Freedom Riders rally at Israel Memorial AME Church that while 295 Freedom Riders have been arrested in Jackson, Miss., "Jackson will come into line eventually."**

He said he felt his harrowing experience in Birmingham was worthwhile for these reasons: (1) it exposed the kind of terror which can exist in the South, and (2) the first Freedom Ride set off a movement to end bias in travel facilities.

Mr. Peck was one of a number of speakers and musical groups appearing on the program which raised $200 in contributions and pledges for CORE.

* * *

**THE RALLY** was presented by Russell Proctor, a member of Israel Memorial, whose pastor, the Rev. John W. P. Collier Jr., was arrested on a CORE - sponsored Freedom Ride to Tallahassee, Fla.

**Another speaker, John Harvard of Elizabeth, told of his experiences on a Freedom Ride which left the area July 12 for Chattanooga, Tenn.**

Mr. Harvard said his group only ran into difficulty in Culpepper, Va., Elizabethton, Tenn., and Stutgart, Ark. He attributed the relative safety of the trip to "the long arm of the federal government" which notified the communities that the Freedom Riders were en route.

The Elizabeth public school teacher told his audience to rid themselves of apathy, lethargy and complacency if they are to advance.

The Rev. W. L. Pierce urged listeners to exercise such privileges as voting and selective buying to alleviate inequities in Newark.

* * *

**OTHER PROGRAM** participants included the Rev. Joseph R. Randall, pastor of Little Friendship Baptist Church and acting chairman of Essex CORE; William Stubbs, Republican chairman of the Central Ward, and Clarence Pace of Newark CORE.

**Mrs. Georgie Winter, Central Ward GOP vice chairman, was mistress of ceremonies.**

Among the groups rendering gospel selections were the National Singers of New York, the Buckmon Aires, Miss Clare Scott and the Good Neighbor Cathedral Choir, and the Joy Rits.

set for 9 a.m., and 1 p.m. today.

The pair will pay their fines and receive refunds on the $500 bond which they had posted when they appealed their conviction for arrest on breach of the peace charges.

They were arrested in connection with their activities as Freedom Riders on arrival at the Continental Trailways bus termina here in May. There are now 18 appeals pending.

Monday, John H. Moody, of Philadelphia, Pa., and Matthew Walker, Jr., 19, of Nashville, Tenn., withdrew their appeals and paid their fines to become the first of the Riders to adopt this procedure.

Special Prosecutor Robert Nichols, Jr., and Prosecutor Paul Alexander were present for the hearing and the defense was represented by Jack Young, Jackson negro attorney, and Ernst Rosenberg, of New York.

The next scheduled trials are set for Tuesday, Sept. 5 for Zev Aelony and Alexander M. Anderson.

# Two Riders Change Pleas In Court Here

By BILL COPPENBARGER
Daily News Staff Writer

Two more Freedom Riders have withdrawn their appeals from a breach of peace conviction shortly before going on trial in Hinds County court this morning.

Defense Counsel for Negroes Doris Castle, 19, and Jerome M. Smith, 22, both of New Orleans, notified County Judge Russel Moore of the decision just as they did with two others Monday morning.

Thirty-eight jurors had been called this morning following their acceptance Monday, expected to serve in the two trials

# 2 More Freedom Riders Found Guilty In Miss.

Louisiana Weekly 8/2
Sept 2 1961

JACKSON, Miss. -- Two of the 190 appealing Freedom Riders were again convicted in the Hinds County Court following jury trials during the past week. They were appealing their breach of the peace convictions by the city court.

Convicted by all-white juries were Henry J. Thomas, 19, St. Augustine, Florida and Julia Aaron, 19, of New Orleans. Both received the same sentence imposed by the city court -- $200 fine and four months in jail.

Scheduled for appeal trials this week were Doris Castle, 19, and Jerome Smith, 22, both of New Orleans.

Two Freedom Riders, Matthew Walker, 19, Nashville, Tenn., and John H. Moody, 25, Philadelphia, Pa., who were convicted May 26, each paid a $100.95 fine and abandoned their appeals Monday. Each had served part of the fine off at $3 a day.

Tom Gaither, secretary of the Congress of Racial Equality which sponsored Freedom Rides to crack the race barriers in Southern travel facilities, said Moody and Walker paid their own fines. He said paying fines are strictly against CORE's policy.

Last Saturday, U. S. District Judge Harold Cox refused to allow the cases of five Freedom Riders be transferred from the state to federal court. He said the cases did not involve civil rights.

Other developments included the arrests during the week of three youths at Clarksdale, Miss.. for refusing to leave a white waiting room in the train station. They were Wilma Smith, Mary Jane Pigee and Adrian Beard. Miss Pigee is a student at Central State College, Wilberforce, Ohio. The others are high school students. Their bond was placed at $500.

In Shreveport, La., attorneys for six convicted Freedom Riders announced the filing of appeals. The Rev. Harold Bethune, 34, and David Dennis, 21, were sentenced to 45-day jail terms and $200 fines; the Rev. Harry Blake, $200 and 30 days; Leverett H. Taylor, 20, $150 and 30 days; Deloris McGinnis, 19, and her sister, Marie, 17, $150 fines and 15-day suspended jail terms. They were arrested Aug. 4 as Louisiana's First Freedom Riders while trying to integrate the white waiting room of a bus station in Shreveport.

38a 1961

MISSISSIPPI

AUGUST
JACKSON- FREEDOM RIDERS T R I AL
CONVICTIONS

## Second 'Rider' Draws Conviction

JACKSON, Miss. (AP) — A county court jury convicted a second "Freedom Rider" on appeal from a city court conviction after deliberating less than 15 minutes Friday.

Julia Aaron, 19-year-old Southern University student from New Orleans, received a $200 fine and 4 months jail term. Henry J. Thomas, 19-year-old former Howard University student tried Thursday, received the same sentence.

Both were convicted of breach of peace after they attempted to desegregate the white facilities of the Trailways bus station May 24, the day the first riders arrived in Jackson.

Thomas posted a $2,000 cash appeal bond Friday and said he was going back to Washington. Miss Aaron said she planned to stay in jail.

## Freedom Riders Cancel Appeals

JACKSON, Miss. (AP) — County Judge Russel Moore said two "freedom riders" withdrew an appeal from their City Court convictions on breach of the peace charges Monday and paid their fines.

John H. Moody, 25, of Philadelphia, and Matthew Walker, 19, of Nashville, Tenn., were assessed $200 fines and given 60-day suspended sentences. The two paid the remainder of fines not served off at $3 a day.

They were the third and fourth of 190 convicted riders whose appeals were scheduled to run through January.

# A Real-Life Drama Unfolds In Jackson

By Richard Spong

*Editorial Research Reports*

*(The appeal trials of nearly 200 convicted "freedom riders" is now underway in the Hinds County, Mississippi, court. By agreement of the attorneys, the trials will proceed on a two-a-day, five-day-week basis into mid-January.)*

JACKSON, MISS.—"Freedom, give us freedom; freedom's coming and it won't be long." So sing the freedom riders as they ride through the South.

Jackson, named for Andrew Jackson, is the capital and the largest city of the state. It is a spacious city; its streets were laid out on a checkerboard plan before the first settlers arrived. In recent decades Jackson has enjoyed prosperity from industrial expansion and a considerable World War II business boom.

Jackson also is the modern capital of segregation. It is the home base of the Citizens' Council movement, which wields strong influence in state government. Governor Ross R. Barnett campaigned on a platform of unrelenting resistance to desegregation. He pledged to go to jail if need be to prevent its coming.

But the people of Jackson are fair within the confines of their mindset, as even their critics will admit. That's why the Freedom Riders who traveled U. S. Route 80 through the heart of the Black Belt from Montgomery, Ala., last May and June were greeted by arrests but none of the violence that had brought on the dispatching of 700 federal marshals to Montgomery. Carl Rachlin, counsel for the Congress of Racial Equality (C.O.R.E.), which organized the freedom rides, on August 14 said: "The people of Jackson are wonderful, decent people. You (the Interstate Commerce Commission) must help them get rid of a tradition which is morally wrong, even though they oppose change at the moment."

It is against this background that nearly 200 freedom riders are appealing convictions in Jackson—and fines of $200 each—for breach of peace in demanding equal treatment of races in buses and trains and in terminals.

Just as Jackson's freedom riders are asking for relief from the courts, the Interstate Commerce Commission is considering issuing regulations proposed by Attorney General Robert F. Kennedy for ending segregation in interstate bus travel. They were submitted on May 29 as a direct result of the Montgomery disorders.

**Freedom Riders Are Arrested In Jackson**

The key recommendation is that waiting rooms, rest rooms, eating places, and ticket counters serving interstate passengers will be open to white and colored alike. Vehicles will carry signs declaring that seating "is without regard to race, color, creed, or national origin." The Justice Department in a hearing on August 14 argued that even signs reading "Intrastate White" and "Intrastate Colored" constituted "a subterfuge and a device."

I.C.C. in 1955 banned segregation of passengers in buses and trains and in railroad terminals but said nothing about bus terminals. The U. S. Supreme Court on December 5, 1960, held that the Interstate Commerce Act prohibits segregation in bus terminal restaurants serving interstate passengers.

Should the I.C.C. approve the Attorney General's recommendations, as it is expected to, the result will be another step toward the kind of 20th Century "emancipation proclamation" demanded by the Rev. Martin Luther King, Jr., the Negro Baptist church leader who is one of the organizers of the freedom riders. But the immediate end of travel segregation is not necessarily in sight. At the August 14 I.C.C. hearing the Attorney General of Mississippi hinted that the state might erect signs advertising that "both races are free to enjoy the privilege of voluntary and self-imposed separation if they so desire, a right which is constitutionally theirs." The implication is that Negroes who then used white facilities would be arrested for breach of the peace, the charge used against the freedom riders.

38a 1961 MISSISSIPPI SEPTEMBER

JACKSON- FREEDOM RIDERS CLERGYMEN

# Clergymen Convicted, Face Weekend In City Jail Here

Jackson Daily News P 11

By BILL COPPENBARGER
Daily News Staff Writer

Fifteen Episcopal Clegrymen, the greater portion of a prayer pilgrimage to Detroit Mich. by way of Jackson to "witness the weakness of the church leadership in racial relations" remain in Jackson City Jail today following their conviction yesterday on breach of peace charges.

City Judge James Spencer sentenced each of the 15 to $200 fine and four months in jail following a two-hour trial over the group arrest in the Trailways bus terminal here Wednesday.

**JUDGE'S DILEMMA**

Visibly affected by his obligation, Judge Spencer, of Episcopalian faith, told the hushed courtroom "as a judge of Episcopal faith, I find my position especially grievous and as I read the articles of religion of my faith and what I reasoned to be their faith, I find in Article 37 in the articles of religion in my prayer book," —and here he read the short paragraph which says "and we hold it to be the duty of all men who are professors of the Gospel to pay respectful obedience to the civil authority."

"I find my duty clear as a judge," he said, "I believe these definitely have violated the laws of the State of Mississippi as well as those of the Episcopal law of the articles of religion as I read them."

Bail 9-16-61

Whether the jailed clergymen will appeal their conviction and post bond was not yet known this morning.

Jackson

Carl Rachlin, New York attorney, and chief counsel for CORE, who served with Jack Young, Jackson Negro attorney as defense said he did not know whether any attempt to secure release would be made. He said no action would be taken immediately.

Robert Nichols, Jr., assistant prosecutor, who also said he was of the Episcopal faith, presented only one witness for the state.

Capt. John Ray, of the city police department, who has been the main figure in the Freedom Rider arrests and trials since last May, also made the arrest at the bus station when the Prayer Pilgrimage group appeared.

Defense Counsel Young presented Rev. John Crocker, Jr., 37, from Providence, R. I., who related the actions of the group prior to the arrest and said they were engaged in prayer and were creating no disorder.

Thirteen other clegrymen comprising the group were not involved or arrested, and most of them were present in the courtroom for the trial.

**Judge Spencer prefaced his judgment by stating "several months ago a group of people came into the South under such circumstances as to stir considerable unrest to where there would be mob action, violence and bloodshed and in some places they definitely achieved this which resulted in the burning of busses, riots in the streets and mob action.**

**OFFICIALS DETERMINED**

"Since that time," he said, "every civil official in the State of Mississippi has taken a vow to himself and dedicated himself to the proposition that Mississippi's problems would not be settled by mob action or bloodshed created by these outsiders, but rather would be settled in due course of time as human conduct will permit.

"We are faced here today with a situation where 15 Episcopal clergy engaged in a conduct which peace officers reasonably believed would result in a breach of peace, and refused to be obedient to the civil officers of the state and city."

Prior to ruling on the cases, Defense Attorney Rachlin asked that one of the priest be permitted to make a statement, but the jurist declined explaining that such permission would only open the way for request of others to speak and it could not be permitted, except through counsel.

# CLERICS HOLD PRAYER SERVICE

The Times-Picayune Tuesday

## Chaplain Is Convicted at Montgomery

Sept 6 1961

New Orleans, La.

JACKSON, Miss. (AP) — Fifteen Episcopal priests—including the son-in-law of New York Gov. Nelson Rockefeller — conducted prayer services in the Hinds county jail Saturday after their breach of peace convictions.

The clergymen—12 white persons and three Negroes — were switched from city to county jail Friday after they stood trial. The charges came after they attempted to desegregate a white waiting room in a bus terminal.

The Rev. Robert L. Pierson, 35, of New York and Evanston, Ill., Rockefeller's son-in-law, and the other 14 were fined $200 and sentenced to four months in jail, the same as most "freedom riders" received.

A spokesman for the group said they would not attend the opening of the 60th general convention of the Episcopal church Sunday in Detroit, Mich. He said bond would not be posted until after the week end.

Meanwhile, Yale university Chaplain William S. Coffin, a Presbyterian and nine other freedom riders were convicted on breach of peace charges in Montgomery, Ala.

Judge Alex Marks fined them $100 and handed down jail sentences ranging from 10 to 90 days Friday night. They immediately posted appeal bonds of $750 to $1000 and were released.

# Rider's trial today for Rocky's in-law

The Birmingham News

By The Associated Press

An Episcopal clergyman—son-in-law of the governor of New York—and the chaplain of Yale University are among 26 persons who face trial today on charges growing out of attempts to desegregate Southern bus terminals.

The Rev. Robert L. Pierson of New York City and Evanston, Ill., awaits trial on breach of the peace charges at Jackson, Miss., along with 14 other jailed Episcopal clergymen.

Bail 9-13-61

The Rev. William S. Coffin, chaplain of Yale, is one of 11 freedom riders slated to be tried on similar charges at Montgomery, Ala.

**A divinity professor at Yale, two professors of religion at Wesleyan University, and several Negro integration leaders were among the group arrested with Coffin at a Montgomery bus depot May 25. All have been free on bond.**

THE EPISCOPAL clergymen were arrested when they tried to desegregate a Jackson bus station waiting room traditionally reserved for white persons. The group included three Negroes.

The ministers were participating in a "prayer pilgrimage" which left New Orleans Tuesday en route to the Episcopal Church's 60th general convention open Sunday in Detroit.

**They said in a message prepared before their arrest that the "church must become . . . one holy fellowship where racial barriers have been done away."**

THE PILGRIMAGE was sponsored by the Episcopal Society for Cultural and Racial Unity, an organization composed of clergymen and laymen. It is not an official arm of the church.

The 35-year-old Pierson, a son-in-law of Gov. Nelson Rockefeller, participated with the other clergymen in celebration of High Mass at the Jackson City Jail yesterday. A portable altar was used for the service.

**The Rev. Jack Malpas of Baltimore, Md., who visited the clergymen, said their spirits were good and that they were not discouraged. "They are receiving messages of encouragement from their families and friends," he said.**

ROCKEFELLER, whose daughter Anne is married to Pierson, expressed admiration for the 15 jailed clergymen.

"I admire the courage and dedication of these young people to the basic precepts on which this country was founded and their dedication to the cause of making a reality out of these precepts," he said.

But Sen. John Stennis (D. Miss.) said in a Senate speech that "certainly there is nothing in the Sermon on the Mount which calls for them to stir up agitation and to cause a breach of the peace and violation of the law."

**Sen. Jacob K. Javits (R., N. Y.), defended the ministers after Stennis spoke. Javits said he knew the group felt that "a great moral issue was involved" and that they were acting in the right. He said he approved of the action and declared that while state laws are important they must bow to the federal Constitution.**

ON THE OTHER HAND, Bishop Wilburn Campbell of the Episcopal Diocese of West Virginia, said "you cannot achieve a moral goal by immoral actions. This 'prayer pilgrimage' deliberately and definitely violated the known laws of municipalities and states, and they should be prepared to take the consequences."

Meanwhile, six other members of the pilgrimage visiting the University of the South at Sewanee, Tenn., announced they intended to seek service at a segregated restaurant on the campus.

**Mrs. Clara Shoemate, who runs the restaurant under a contract with the Episcopal-operated university, said she wouldn't let the racially mixed group past the front door.**

A SPOKESMAN for the clergymen, the Rev. Malcolm Boyd of Detroit, said if denied service "we not only will stage a sit-in but also a hunger strike until we are served as a group."

In Paris, an American Negro actor refused to take part in a French play based on U. S. racial problems. Herman Gantt said "the director's interpretation was an insult to my race and my country."

**The Atlanta-born actor said he was asked to play an "Uncle Tom" type who is killed when he tries to marry a white girl in Atlanta. "I was reared in Atlanta and I have never had an ounce of trouble," he said.**

THE EXCLUSIVE Union League Club of Chicago said that a Negro federal judge will be welcome to use club facilities with other federal judges. The announcement followed published reports of a possible color bar.

Back in Jackson, two women transfer students from the North became the first white outsiders to enroll at Tugaloo Southern Christian College since the Negro institution was founded six years after the Civil War. About half the faculty is composed of white persons, however.

# Jackson Riders Drop Appeals, Are Sentenced

The Atlanta Constitution P. 6

JACKSON, Miss. (AP)—Eight convicted "freedom riders" declined to contest their appeal trials and Hinds County Judge Russel Moore sentenced them Tuesday to $200 fine and a suspended 4-month jail term.

Bail 9-20-61

Earlier, Judge Moore sentenced Arthur Brooks Jr., of Los Angeles, to $200 fine and 4 months in jail after his conviction by a jury.

Those pleading nolo contendere to charges of breach of peace in desegregation attempts were:

Atlanta, Ga.

Patricia E. Bryant of Elmira, N.Y., Charles Butler of Charleston, S.C., Catherine Burts of Birmingham, Ala., Rita Carter of Los Angeles, Stokely Carmichael of New York City, Price Chatham of East Rockaway, N.Y., and John Lee Copeland of Nashville, Tenn.

# Rockefeller's Son-in-Law, 14 Others Jailed In Miss.

By CLIFF SESSIONS

JACKSON, Miss. — (UPI) — The son-in-law of Gov. Nelson Rockefeller of New York and 14 others, were sentenced to four months in jail Friday for attempting to dine together in a segregated restaurant here.

The group of Episcopal ministers was arrested here Wednesday while making an anti -segregation "prayer pilgrimage."

In New York a spokesman for Rocefeller said the governor would not intercede in any way in the case of his son-in-law, the Rev Robert L. Pierson ,husband of Rocefeller's daughter, Anne.

Municipal Judge James L. Spencer, himself an Episcopalian ordered a jail sentence and a $200 fine for each minister after a two hour trial in which assistant city attorney Robert L. Nichols, also an Episcopalian, served as prosecutor.

The ministers, like 307 "freedom riders" before them, were charged with breaching the peace after refusing police orders to move on."

Spencer said the "only conceivable result" on such visits to Jackson would be violence and bloodshed if civil officials did not act.

The only state witness was police Capt. J. L. Ray, who testified he believed a riot would have erupted in the local Trailways bus station if he had not arrested the ministers when they tried to have lunch at the terminals restaurant.

One of the ministers, the Rev. John Crocker Jr., of Providence, R. I., was the only defense witness.

The ministers planned to file appeals to their convictions but none was released under appeal bond immediately. They said that some may decide to serve out their sentences.

The 15 were among a group of 28 ministers who left NeNw Orleans Tuesday on the "pilgrimage," headed for the Episcopal Church's National Council meeting in Detroit next week.

Five of their companions remained here and attended the trial while the others continued the trip.

The ministers convicted, in addition to Pierson and Crocer, are: The Revs. Gilbert S. Avery, Ill., Roxbury, Mass., Myron B. Bloy, Jr. Cambridge Mass., James P. Breeden, Roxbury Mass., James W. Evans, St. Clair, Mo., John M. Evans Toledo Ohio, Quinland R. Gordon, Washington, D. C. James Jones Chicago.

John B. Morris, Atlanta, Geoffrey S. Simpson, Pewauee, Wis. Robert Page Taylor, Chicago William A. Wendt Washington, D. C., Vernon Powell Woodward, Cincinati, and Merrill O. Young, Boston

# Jackson Jails Rockefeller's Son-In-Law

JACKSON, Miss. (AP)—Fifteen Episcopal priests challenged Mississippi segregation today and police arrested them on breach of peace charges.

The group, on a "prayer pilgrimage" to study segregation included the Rev. Robert Pierson 35, of New York and Evanston Ill., son-in-law of New York Gov. Nelson Rockefeller.

The 12 white and three Negro clergymen went into the white waiting room of the Trailways Bus station in a group and patrolmen ordered them to move. They declined to move and the officers called Capt. J. L. Ray, who has handled most of Jackson's "Freedom Rider" arrests.

Ray's order was ignored and the arrests followed.

One of the clergymen bought tickets for all 15 about 30 minutes before they appeared after a taxi trip from Tougaloo Southern Christian College, a Negro school here where the 28 ministers had spent the night.

The ministers had tickets for Chattanooga, Tenn., from where they planned to visit the church's University of the South nearby.

The Rev. Layton Zimmer of Swarthmore, Pa., who went to the station in business clothes to observe, said seven other priests among the 28 on the pilgrimage bought tickets for Birmingham., Ala., on a plane to leave tonight and hoped to visit the Episcopal University at Sewanee, Tenn.

The Rev. Jonn Dorr, chaplain at Oklahoma State University, said he and four other whi priests would remain in Jackso until the ministers ate out jail.

The trials of the 15 arreste this morning were set for 3 p.r Thursday.

Dorr indicated the 15 arreste probably would post bonds ne week if convicted.

The group of ministers le New Orleans Tuesday to vis Episcopal institutions on the prayer pilgrimage and study se regation at the schools. The planned to close the tour Sundi at Detroit where the 60th genera convention of the Protestant Episcopal Church is scheduled.

**MAINTAIN UNITY**

The Rev. Mr. Dorr said the group did not plan an effort to break state laws at the airport Wednesday night, but the Rev. Mr. Zimmer said the mixed group would "Maintain its unity" throughout the trip.

The Rev. Mr. Zimmer said after the 15 were arrested, other members of the party sent a telegram to Atty. Gen. Robert Kennedy saying:

"Fifteen Episcopal priests have been arrested in Jackson while attempting to use interstate facilities en route to Detroit on a prayer pilgrimage . . . In view of your request to American clergy to exercise leadership in these areas, we urge you immediately resolve problems of interstate convention, now under way.

**Two To Stay In Cells**

Two other members of the group arrested Wednesday, the Rev. James G. Jones and the Rev. Robert Page Taylor of Chicago, plan to remain behind bars a few days longer.

The 15 ministers, three of them Negroes, were part of an anti-segregation "prayer pilgrimage" and they attempted to enter a white restaurant together. They were convicted in City Court two days later of breaching the peace.

The Rev. John Dorr of Stillwater, Okla., a spokesman for the group, said those convicted would return here later for their appeal trials in Hinds County Court.

The Rev. Mr. Dorr said money to free the 13 had been donated by Episcopalians, including the presiding bishop of the Episcopal Church in the United States, the Rt. Rev. Arthur Lichtenberger, and Bishops Roger Blanchard of Ohio, Anson Stokes of Massachusetts, John Higgins of Rhode Island and Angus Dun of Washington.

**Some Are 'Divided'**

The Rev. Mr. Dorr conceded that congregations of some ministers making the "pilgrimage" were "divided" between approval and disapproval of the trip. But he said there was no "serious opposition."

The trip, he said, had been a "fine thing" for the Episcopal Church.

# Jailed Priests To File Appeals

## 13 Will Post Bonds Today To Attend Meeting In Detroit

By United Press International

JACKSON, Miss., Sept. 18.—A son-in-law of New York Gov. Nelson Rockefeller and 12 other Episcopal priests who attempted to integrate a restaurant here plan to file appeal bonds and be released from jail Tuesday morning, it was revealed late Monday.

The Rev. Robert L. Pierson of Evanston, Ill., whose wife is Rockefeller's daughter, plans to issue a statement on behalf of the group on the jail steps. Then the ministers plan to catch a 9:13 a.m. plane for Detroit to attend the national Episcopal

# 15 Ministers Pray In Jackson Jail

JACKSON Miss. (AP)—Fifteen Episcopal ministers—including the son-in-law of New York Gov. Nelson Rockefeller—conducted prayer services in jail Saturday after their breach of peace convictions.

The clergymen — 12 white and three Negro—were switched from city to county jail after they stood trial Friday. The charges came afer they atempted to desegregate a white waiting room in a bus terminal.

The Rev. Robert L. Pierson, 35, of New York and Evanston, Ill., Rockefeller's son-in-law, and the other 14 were fined $200 and sentenced to four months in jail, the same as most "riders" received.

Meanwhile ,Yale University Chaplain William S. Coffin, a Presbyterian, and nine other freedom riders were convicted on breach of peace charges in Montgomery, Ala.

Judge Alex Marks fined them $100 and handed down jail sentences ranging from 10 to 90 days Friday night. They immediately posted appeal bonds of $750 to $1,000 and were released.

# 'Riders' Plead Innocent, Cases Set Next March

Freedom Riders fighting breach of peace convictions which began in arrests here last May will continue through May, 1962, following arraignment of 82 more white and Negro defendants yesterday.

Everyone entered not guilty pleading before Special County Judge John Countiss and had their trials set ten at a time, to be heard two a day beginning March 12, 1962.

The Riders, all wearing sheild-type badges advertising them as Freedom Riders, filled on side of the Circuit Court Room in the courthouse, seated together, white and Negro, male and female intermixed.

On the other side of the courthouse, Abraham Bassford, Brooklyn white youth, stood alone to try his own appeal case, and was convicted in slightly over an hour.

Judge Russel Moore fined him $200 and four months in jail. Bassford told the court he did not expect to be represented by counsel and later conferred briefly with Carsie Hall, Jackson Negro attorney who has been serving in the defense group for the Riders. Hall said the youth refused representation.

**NO CONTEST**

Another Rider entered a no contest pleading in the morning and got a $200 fine and four months jail sentence suspended. Herbert E. Bass, Jackson, Negro, expected to pay his fine and costs and not appeal any further.

This morning, Robert M. Baum, of Excelsior, Minn., was scheduled for trial and later in the day, Marshall Bennett, Jackson, is on the docket.

The mass arraignment of Riders yesterday saw them scheduled for trial dates in groups of ten, and one white defendant James Wahlstrom, 24, of Milwaukee, plead nolo contendre and got a $200 fine and four months suspended sentence. Court officials said he had two counts against him and both would be dropped with the no contest appeal.

Seven cases called were not present, and officers said one was still in Parchman, and two others were held in a Shreveport jail, having been arrested there on the way to Jackson.

The group was the second to be arraigned in this manner, the first comprised of 190 Riders, with their cases scheduled to run through Jan. 21, 1962, being tried two a day.

When the last case was read, the entire group was advised they could leave, and left the courthouse to board buses and cars in front of the courthouse.

City police and Hinds county deputies kept the Riders together and did not let them leave the transportation loading area. The officers kept passersby moving and did not permit any gatherings.

# 'Rider' Appeal Postponed In Jackson

JACKSON, Miss. (AP)—The appeal trial of "Freedom Rider" Marshall Bennett, 17, of Jackson was postponed until Wednesday because of the illness of a witness.

Earlier, Hinds County Judge Russel Moore sentenced two others and ordered forfeiture of three riders' $500 appeal bond because they did not show up for their arraignment Monday.

Bennett, a high school student, was arrested July 5 for trying to desegregate Trailways bus terminal. He was sentenced to $200 fine and 4 months in jail. He posted $500 bond and appealed.

Earlier, Charles Biggers, 21-year-old Wayne University Negro student from Boulder, Colo., declined to contest his breach of peace charge and drew a $200 fine and a suspended 4-month jail sentence.

Biggers was arrested July 7 in Trailways bus terminal. He appealed and was arraigned Monday. Judge Moore allowed him to enter his nolo contendere plea immediately instead of waiting until trial, set for March 1962.

# 2 MORE RIDERS ARE CONVICTED

Had Appealed Cases of Jackson Court

JACKSON, Miss. (AP)—Hinds county court juries convicted two "freedom riders" on breach of peace charges Tuesday in cases appealed from Jackson city court.

Convicted by the 12-man all-white juries were Peter Ackerberg, 22-year-old New York white man, and Elizabeth S. Adler, 21-year-old Brooklyn white woman.

Police Capt. J. L. Ray testified both were among integrated rider groups who sought to desegregate Jackson bus terminals.

Ackerberg, an Antioch college student, was among the 15 riders in the second wave to reach Jackson May 24, when the first groups hit Mississippi.

Ackerberg had received a $200 fine and 60-day suspended sentence from city Judge James Spencer on May 26 and gained his freedom on an appeal bond May 29.

Miss Adler, a University of Wisconsin student, was arrested June 16 in a party of five riders. She was convicted the same day and given a $200 fine and four-month term.

The two veridcts brought to four the number of riders found guilty by juries hearing their appeals. Four others have withdrawn their appeals, two paying their fines and two others returning to jail.

Meanwhile, field Secretary Tom Gaither of the Congress of Racial Equality said CORE officials planned to resume rides into Jackson.

"The purpose is to get on the offensive," he said. "To stay in court is to stay on the defensive."

Mississippi Roundup—

# 82 'Freedom Riders' Trials Set For Spring

JACKSON, Sept. 11 (UPI)—Eighty-two "freedom riders" appeared in Hinds County Court today, pleaded innocent to breach of the peace charges and received trial dates for an eight-week period next Spring.

Each member of the group—divided about equally by races—was charged in connection with challenges they made of segregation at transportation terminals here.

Last month 192 riders were arraigned and entered not guilty pleas. Their trials will be held through February.

The group of 82 was made up of persons who were arrested later or were in jail at the time the 192 were arraigned. Each is free on appeal bond.

The riders will be tried at the rate of 10 a week beginning March 12 and ending May 11. The trials, before a jury in County Court, are necessary in the appeal of convictions from police court.

Six riders scheduled for arraignment were absent.

The integrationists arrived here from throughout the nation for the mass court appearance. A blue and white bus from Tougaloo College, a church-supported Negro school, carried most of them from the Tougaloo campus to the courthouse where 10 or 12 policemen stood guard.

# 'Rider' Cases Clear Docket

Seven nolo contendere pleadings in Freedom Rider breach of peace conviction cases yesterday cleared the Hinds County court docket until Thursday.

Judge Russel Moore accepted the new pleas and withdrawal of appeals during the morning and later in the day sentenced Arthur Brooks, Jr., of Los Angeles, to $200 fine and four months in jail following his conviction by a jury.

Ira Jess Brown, Negro defense attorney, notified the court he would appeal.

The county judge also waived a bond forfeiture for Mary Magdalene Harrison, San Antonio, Texas, and gave her a $200 fine and four months suspended sentence.

Judge Moore said the girl explained she was unable to appear here several weeks ago for arraignment because her father would not permit her to return with the other Freedom Riders.

Those who entered no contest pleas included: Patricia E. Bryant, Elmira, N.Y.; Charles Butler, Charleston, S.C., Catherine Burks, Birmingham; Rita Carter, Los Angeles; Stokely Carmichael, New York, N.Y.; Price Chatham, East Rockaway, N.Y., and John Lee Copeland, Nashville, Tenn.

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MISSISSIPPI

AUGUST 1961

JACKSON-FREEDOM RIDERS
RELEASED-HILMAR EHRENFRIED PABEL (50)
MUNICH, GERMANY
PHOTOGRAPHER FOR QUICK MAGAZINE

# 22 More Riders Jailed, German Newsman Freed

JACKSON, Miss., July 31 (AP)—City Judge James Spencer today convicted 22 "Freedom Riders" of breach of peace in desegregation attempts and reelased a German magazine photographer as innocent of the same charge because he became confused.

"This court does not intend to use the forces of law to prevent anyone in good faith from writing a story," Judge Spencer said.

He released Hilmar Ehrenfried Pabel, 50, of Munich, Germany, photographer for Quick Magazine in Germany.

The 22 riders were sentenced to $200 fine and four months in jail, the maximum penalty for breach of peace by disobeying a policeman.

**Refused To Leave**

Police Capt. J. L. Ray testified he arrested the riders for refusing to obey his order to move out of the terminal, nine in Greyhound Bus Terminal, and the rest in Illinois Central Terminal.

Ray said he arrested the riders because he felt their presence would tend to cause a breach of peace.

He said he arrested Pabel because Pabel refused to obey his order to move on and insisted in carrying on a conversation about the order.

Earlier, Ray said, Pabel had sought to enter the patrol wagon with the arrested riders and had to be ejected by force.

**Barrier To Overcome**

Pabel testified that he was acting in his professional capacity and sought only to do his job of reporting the facts objectively.

The police had allowed Pabel to shoot as many photographs of the arrest as he wanted and did not arrest him until he refused to leave the colored waiting room at the Greyhound Bus Terminal.

In handing down his decision, Judge Spencer said he was giving Pabel every benefit of the doubt because he was a foreigner in a strange country with some language barrier to overcome.

door lock on the company's warehouse Saturday night.

It was believed to contain $11,500 in government bonds, more than $2000 in checks and more than $400 in cash. It also contained 800 Game and Fish Commission licenses.

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MISSISSIPPI

JACKSON-FREEDOM RIDERS
JAMES ROBERT WAHLSTROM (24)
MADISON, WIS.,

# White Rider Tries Again and Is Jailed Again

JACKSON, Miss. (AP)—James Robert Wahlstrom, 24-year-old Madison, Wis., white "freedom rider," faced new breach of peace charges Tuesday after a second unsuccessful assault on Mississippi segregation.

Wahlstrom, freed June 28 on bond after his first desegregation effort, returned by bus from Memphis Monday and entered the Negro waiting room of the Greyhound Bus Terminal. He ignored a police order to move and his new arrest followed.

He was one of two riders named by the Highway Patrol several weeks ago as members of an American student group who visited Cuba last December and attended a Soviet-directed seminar on how to operate sit-ins, walk-ins, kneel-ins and "freedom rides." Wahlstrom confirmed he went to Cuba with the "Fair Play for Cuba Committee," but denied attending any Communist seminar.

He became the first rider arrested on a second desegregation attempt at Jackson terminals. His first arrest was June 6 at the Trailways station, which brought his conviction in city court with $200 fine and a four-month sentence. Two months of the sentence were suspended.

# Total of 'Riders' Jailed In Jackson Hits 216

JACKSON, Miss., July 9 (AP)—The number of "freedom riders" arrested in Jackson soared over the 200 mark today as 17 travelers tried unsuccessfully to integrate terminal waiting rooms.

Nine "riders"—eight Negroes and one white—came here by train from New Orleans. They were arrested when they refused to obey police orders to leave a white waiting room.

Less than three hours later, seven white and one Negro "riders" came in by bus from Montgomery, Ala. Police took them into custody when they sought to integrate the Negro and the white waiting rooms.

Jackson police now have arrested 216 "riders" since May 24.

The Alabama group had announced they came to talk over segregation policies with Mississippi Gov. Ross Barnett with a view toward mediation and a "fruitful exchange of views."

If they failed to meet with Barnett, a spokesman said they would go to jail.

After getting off the bus in Jackson, the Negro woman "rider" approached Police Capt. J. L. Ray and asked if a representative of the governor were present.

When told one wasn't, she asked if the group could see the governor this afternoon.

"It is my information," Ray answered, "that he's very busy and he can't see you."

Five white "riders" then entered the Negro waiting room. The Negro woman and two white "riders" went into the white waiting room.

Police ordered them to leave and arrested them as they tried to get service at crowded cafeteria counters.

Earlier, Gov. Barnett said he would be out of town Monday through Thursday and indicated he would not talk with the "riders" today.

"I don't see any need of wading in with that crowd and discussing these things," Barnett said.

Before arriving, the Alabama group had succeeded in getting service at both white and Negro lunch counters in Montgomery. A dozen policemen watched as white "riders" were served at a Negro counter for the first time.

In New Orleans, detectives watched the group as they bought tickets in the New Orleans terminal. The "riders" did not test New Orleans facilities. They were not bothered.

# Jackson Jails More Riders

## Group Of 17 Arrested For Breach Of Peace At Terminal

By United Press International

JACKSON, Miss., July 9.—Seventeen self-styled "Freedom-Riders" arrived here Sunday and, after ignoring orders to leave segregated waiting rooms, went to jail.

A group of nine came here by train from New Orleans shortly before noon and three hours later eight others arrived by bus from Montgomery, Ala.

The arrests brought to 216 the number of protest riders taken into custody on breach of the peace charges here since the massive integration campaign was aimed at Jackson May 24.

### More Coming Monday

Three other travelers concerned with the riders' campaign were to arrive here by Monday morning. They are Federal judges who will hear a lawsuit seeking an end to arrests of the riders and an end to segregation in Jackson terminals.

The suit was filed June 9 by National Association for the Advancement of Colored People on behalf of three Jackson Negroes.

Elbert P. Tuttle, Chief Judge of the Fifth Circuit Court of Appeals, scheduled the hearing for Monday. It will be conducted by him and Mississippi's two district judges, Sidney Mize of Gulfport and Claude Clayton of Tupelo.

### Witnesses Subpenaed

Among those subpenaed for the hearing are Mississippi Atty. Gen. Joe T. Patterson and representatives of the city, Illinois Central Railroad, Trailways and Greyhound bus companies and the Interstate Commerce Commission.

The second group of riders to come here Sunday sent a telegram to Gov. Ross Barnett before leaving Montgomery asking that he meet them at the Trailways terminal here "to peacefully and legally resolve this issue."

When they alighted from their bus, Lula White, 22, the only Negro in the group, asked Police Capt. J. L. Ray if she could contact Governor Barnett. Captain Ray replied, "That won't be necessary. He has already told us he won't come. He can't come."

### Negro Woman Arrested

Miss White, who said she is a college teacher in Chicago, then walked into the white waiting room, accompanied by two men. They were arrested while their companions were meeting the same fate in the Negro waiting room.

Members of the bus travelers were from New York and Chicago. In the group which came by train were six from Los Angeles, one from Berkeley, Calif., one from College Park, Md., and one from Tucson, Ariz.

The train riders, eight Negroes and one white man, appeared in high spirits. They laughed and talked as they were put under arrest and escorted to a paddy wagon.

# 28 Riders Jailed, More Plan Trips

By W. C. SHOEMAKER
Daily News Staff Writer

Twenty-eight so-called "freedom riders," some of them only 15 years old, joined the growing horde in Jackson jails today on breach of the peace charges.

Nine were arrested at the Illinois Central Railroad yesterday morning when they arrived here from New Orleans, eight were jailed at Trailways bus station when they arrived from Montgomery, Ala., yesterday afternoon, and 11 local youths were jailed when they tried to buy tickets from Jackson to Canton at the Trailways station late last night.

The arrests pushed the rider total to 227 arrested since May 24.

### MORE ON WAY

Meanwhile five more were scheduled to leave St. Louis today on an integration tour through the south. They said they planned to go from St. Louis to Little Rock, Ark., Shreveport, La., New Orleans by bus and return via train through Mississippi, Tennessee and Illinois, attempting to break down station segregation facilities throughout the trip.

A Negro Baptist minister in Milwaukee, Wis., began recruiting participants in another ride to Jackson. He said he hopes to get 100 persons for the trip.

All those jailed yesterday were charged with breach of the peace when they integrated waiting rooms and refused police orders to leave.

The first group from Montgomery had sent a telegram in advance asking Gov. Ross Barnett to meet them at the station.

When they arrived a Negro woman member of the group asked Police Capt. J. L. Ray if the governor's representative was there.

Ray told her "It is my information that he's very busy and he can't see you."

Five whites in the group strode into the Negro waiting room and the Negro woman and two whites walked into the white waiting room. All were arrested.

### LOCALLY RECRUITED

Last night's group at the Trailways terminal was apparently recruited by the Jackson Non-Violent Movement, a newly organized mix unit here. All 11 were Negroes.

Police identified them as O'Neil Vance, 17, of 119 Roosevelt St., Andrew Horne Jr., 16, and Emra Lee Horne, 16, both of 8 Rose Court; Jesse James Davis, 19, of 1601 North Lamar St., Henry Rosell, 18, of 211 Adelle St., Fred Douglas Clarke, 18, of 245 Adelle St., Mildred J. Blue, 16, and Lee Vaughn Blue, 15, both of 1901 North Lamar St., Delores Lynch, 15, of 3206 Lampton St., Joe Watts Jr., 18, of 1346 North Mill St., and Gainnel Hays, 15, of 1619 North Lamar St.

The arrested riders from New Orleans were:

Timmie E. Brasher, 19, Negro, Los Angeles, Calif., maintenance worker, native of New Iberia, La.

Patricia Dale Baskerville, 18, Negro, Tucson, Ariz., nurses aid.

John C. Taylor, 26, Negro, Berkley, Calif., pharmaceutical clerk, native of Houston, Tex.

Edmond Talbert Jr., 25, Negro, Los Angeles, Calif., post office worker, native of Hamlin, Tex.

Philip J. Perkins, 20, white, College Park, Md., farm laborer.

Edward B. Johnson, 19, Negro, Los Angeles, Calif, no occupation listed, native of Houston, Tex.

Reginald Jackson, 21, Negro, Los Angeles, Calif., costume designer, native of Houston, Tex.

Larry Bell, 19, Negro, Los Angeles, Calif., plasterer, native of Monroe, Ga.

Roena Rand, 29, Los Angeles, Calif., internal revenue clerk, native of Cleveland, Ohio.

The arrested riders from Montgomery, Ala., were:

Daniel Ritchie Burkholder, 29, white, Chicago, businessman for CORE.

Lionel Goldbart, 27, white, Brooklyn, N. Y., odd jobs.

### BELGIUM NATIVE

Albert Forrest Goron 27, white New York, high school history teacher, native of Belgium.

Stephen Greenstein, 22, white, Brooklyn, N. Y., Brooklyn College student.

Jeanne Ferry Herrick, 28, white, Chicago, housewife, native of Indianapolis.

Saul Bernard Mansfield, 33, white, Chicago, television assemblyman, native of St. Paul, Minn.

Ralph Robert Rogers, 32, white, New York, Douglas College teacher, native of Milwaukee, Wis.

Lula Mae White, 22, Negro, Chicago, school teacher, native of Eufaula, Ala.

# New Appeals Method Sought For 'Riders'

Jackson Daily News
p 1

By W. C. SHOEMAKER
Daily News Staff Writer

An attorney for Jackson's ever increasing "freedom rider" population today planned to ask a judge to arrange for four of the 260 pending cases to represent the entire group in appeals.

William Kunstler of New York City, an attorney who represents some riders, said he will seek permission from Hinds County Judge Russel Moore to choose four cases as representative of the entire group.

Fate of the others would rest on outcome of the four cases, Kunstler said. 1st 12-14

Judge Moore was out of the state today and could not be reached for comment.

Of the 260 jailed after the many integration attempts at transportation facilities here during the past two months, more than 100 have been freed on appeal bonds and other are scheduled to be released under similar conditions.

**FIRST APPEALS SET**

The first appeals are expected to be heard in county court next month. Kunstler's request came as he appeared here yesterday in defense of Richard Haley, a Congress of Racial Equality official, charged with breach of the peace in municipal court.

Haley was among 15 persons conviceted by Municipal Judge James Spencer and sentenced to four moths in jail and fined $200.

Nine of those convicted were church leaders who attempted to integrate an airport restaurant Thursday night following a huddle at Tougaloo Southern Christian College.

Jackson Miss

Four others, all white were jailed yesterday morning when they refused a policeman's order to leave the Negro waiting room at the Greyhound bus terminal. They had arrived a few minutes earlier after a trip of several days from New Jersey with stops in several Tennessee cities.

A Negro girl was tried with Haley. The pair was arrested when they refused police orders to "move on" as they picketed the Heidelberg Hotel where several southern governors were meeting this week. Kunstler charged that police were using Mississippi's breach of the peace law to "thwart freedom of expression."

Judge Spencer ruled however that Capt. J. L. Ray, the arresting officer, acted to keep down violence such as that which erupted "in the bus stations of Montgomery, on the beaches of Chicago, playgrounds of Cincinnati and the streets of New York."

"We haven't had anything like that", Spencer said, adding that so long as "police authority can prevent these breaches of the peace such things will not happen."

Five of those arrested at the airport were released on bond last night and headed home.

Kunstler was in New Orleans today to arrange a date before a judge of the U. S. Circuit Court of Appeals for hearing a habeas corpus petition testing constitutionality of Mississippi's breach of the peace law under which the riders have been convicted.

The habeas corpus petition was filed in behalf of Elizabeth Wyckoff, a white New York City free lance writer, U. S. District Judge Sidney Mize refused to hear it on grounds she had not sought relief in state court but a judge of the Court of Appeals agreed to hear the case.

Meanwhile in Washington U. S. Atty. Gen. Robert Kennedy told an interracial group he can't understand "how anyone can wear a collar and not speak out a collar and not speak out against this evil racial discrimination."

His statement came after six of the group which met at Tougaloo called on him in behalf of integration of transportation facilities in the South.

In addition several more riders were reported en route Jackson from the West Coast with a stop in New Orleans to attend the CORE sponsored school in non-violence.

# Rider Acquitted In Assault Case

Times-Picayune
Pg 1 Sec 1

JACKSON, Miss., July 16 (UPI)—City Judge James L. Spencer today acquitted a Negro "freedom rider" who was charged with assault for allegedly stepping on a white man's foot in a bus terminal. P. 2. Jour. 7-18-61

Spencer concluded after one hour of conflicting testimony that Leo Washington, 24, New Orleans, "inadvertantly" stepped on the foot of Cecil Lindsay at the Greyhound Station Saturday night. Lindsay shoved him back against a wall.

The judge found Washington, a college student, not guilty of the assault charge but convicted him along with 19 other riders of breach of the peace in their test of Mississippi segregation laws. They were fined $200 and sentenced to four months in jail, bringing to 244 the number so convicted here since May 24.

# 'Riders' Fail At Airport

The Morning Advocate
Baton Rouge La
P 1

JACKSON, Miss. (AP)—Four "Freedom Riders" sought unsuccessfully to desegregate facilities at the municipal airport Monday and were arrested on breach of peace charges. 7-25-61

Cecil Thomas of Berkeley, Calif., a white YMCA official, and two Negro youths were among six persons who arrived by airplane from Montgomery to test segregation barriers.

They were arrested after telling Capt. J. L. Ray they wanted to eat in the privately operated airport restaurant which serves only whites.

Montgomery

The fourth person arrested was the Rev. M. Petway of Montgomery, a Negro and the father of the two youths arrested with Thomas.

The two Negro youths were Kredelle Petway, 20, and her 16-year-old brother, Alfonso.

The two others arriving with the group were Steven Thomas, 16, son of Cecil Thomas, and Tom Schooley, 16, also of Berkeley, Calif. Schooley is white.

# Negro 'Rider' Jailed in Mississippi Says CORE Fails to Keep Pledge

The Florida Times-Union
Jax Fla
P 17

JACKSON, Miss., July 20 (UPI). A Negro "freedom rider" held a news conference in the Hinds County jail here today and said "CORE (the Congress on Racial Equality) has let me down all the way." Jax. 7-21-61

Elmer L. Brown, 20, of Akron, Ohio, met newsmen in a news conference arranged by Sheriff J. R. Gilfoy who said Brown told him he "had some things to get off my chest."

Brown said CORE agreed to pay his bond when he was arrested June 7 on charges of breach of the peace as a "freedom rider," but Brown said, "They haven't kept their promise. I'm sorry I'm here and I'm tired of the whole mess." Little Rock Ark

Officers said Brown later tried to hang himself in his cell but was taken down before he seriously injured himself. Brown said he could give no reason for his act.

# 'Rider' Makes Suicide Attempt In Jackson Jail

The Times-Picayune
New Orleans La
P 17
Jackson 7-21-61

JACKSON, Miss. (AP)— Hinds County Sheriff J. R. Gilfoy said "rider" Elmer Brown of Akron, Ohio, tried to hang himself with his belt in a jail cell Thursday, the day before he was scheduled to be released on bond. Student at U. of A.

Brown, 20, a Negro who is a student at the University of Akron, had told newsmen earlier the ride-sponsoring Congress of Racial Equality had let him down when he requested bond, and he wanted to get out of jail.

Gilfoy said Brown gave no reason for trying suicide. The sheriff said Brown was taken down before he suffered any injury.

CORE said bond was being arranged.

## Prison gets 'clean bill'—

# Eight more riders go to jail in Jackson mixing attempt

By The Associated Press

Another attempt to crack the segregation barrier at Jackson, Miss., has brought to 299 the number of freedom riders arrested in the Deep South city.

The arrest of eight additional persons occurred the same day Minnesota officials reported five riders from that state had not been mistreated at the Mississippi State Penitentiary at Parchman, 130 miles northwest of Jackson.

**The eight charged with breach of the peace at Jackson yesterday were described as the first group to stage a freedom ride from Montgomery, Ala., to Jackson since July 2.**

TOM GAITHER, field secretary for the Congress of Racial Equality, said CORE sponsored the trip and that one white woman, three white men and four Negro men took part. No incidents were reported.

While the biracial group was making the trip, Acting City Judge W. B. Fontaine of Jackosn convicted 20 riders and handed down $200 fines and four-month jail sentences. The riders were arrested earlier this month.

**At St. Paul, Minn., Asst. Atty. Gen. John Casey Jr. and Mrs. Wright Brooks, chairman of the Minnesota Human Rights Commission, reported on an investigation they made of the Mississippi Penitentiary at the request of Gov. Elmer L. Andersen. The governor said he had received some reports the five white per-**

"A TOUR OF THE prison facilities has convinced me that there have been no examples of mistreatment or abuse," Mrs. Brooks told a news conference.

She said the riders voiced "some good natured chiding about the food, but no serious complaints as to the adequacy of the diet." She also said the young people needed exercise in the jail yard but had not been permitted to join other prisoners in work.

**Mrs. Brooks said prison authorities explained the young Minnesotans were not allowed to work because of possible clashes with other prisoners who do not share their integration views.**

AT OCALA, FLA., James R. O'Conner, 31-year-old economics instructor at Barnard College in New York City, was convicted of unlawful assembly by a Marion County court jury. He is slated to be sentenced July 17.

O'Conner, a white man, was the second person convicted in connection with a scuffle at the Ocala bus station June 16 when a group of freedom riders stopped on a bus trip to test integration practices.

**Edward B. King Jr., head of the Student Non-Violent Coordinating Committee, said at Roanoke, Va., the group will sponsor a "freedom walk" from Baltimore to Washington Sunday, July 16.**

THE COMMITTEE has headquarters in Atlanta. King said the walk is to focus attention of government leaders on "imprisoned freedom riders in Jackson and continuing segregation of interstate facilities."

In Washington the Justice Department was reported planning a new move toward reopening the public school system in Prince Edwards County, Va., closed the past two years in an integration dispute. However, Justice officials declined comment on what the move might be.

**The Chapel Hill, N. C., school board assigned about 40 Negro pupils to first grades in schools for white children. The board also was expected to act favorably on requests for assignment to white schools of Negro pupils in the third, eighth and ninth grades.**

THE FIRST SCHOOL integration occurred at Chapel Hill last year when three Negro first graders were admitted to the Estes Hill School. They were promoted and will be in the second grade this Fall.

At Greenville, Miss., three Negroes picketed three Greenville variety stores for about 40 minutes, protesting alleged discriminatory hiring practices by the firms. No incidents were reported. Police patrolled the area in cars and on foot and one officer had a dog on leash.

In Cleveland, Mrs. Frances Lander Spain, president of the American Library Assn., said she could point with pride to "the wonderful advances already made in Southern cities in regard to integration" in library facilities.

# Teen-age riders arrested in Jackson mixing attempt

JACKSON, Miss., July 6—(AP)—Police arrested nine teen-age Negro boys yesterday when they attempted to integrate the white waiting room of a bus terminal here and buy outgoing tickets as freedom riders.

Officers jailed them along with four other Negroes arrested yesterday after they refused to move from a bench restricted to white use in Jackson's city park.

**The four were among a dozen Negroes who held a picnic in the park area usually used by whites. They were turned away from the ticket booth to the park swimming pool.**

ALL 13 WERE charged with breach of peace.

Police arrested the six boys in the Trailways Bus Depot last night when they staged an impromptu integration attempt. They caught police of guard at first, but were arrested moments later when they refused to leave the white waiting room.

Earlier in the day police arrested three 18-year-old Jackson boys who entered the Trailways white waiting room.

**They were Eugene Lee, Ralph Floyd and Robert Bass, all students at Lanier High School for Negroes and members of the Jackson student nonviolent group.**

THE JACKSON office of the Congress of Racial Equality (CORE) issued a statement from the trio after their arrest saying:

"We who are citizens of Jackson are tired of second-class citizenship and are not satisfied with segregation.

"We still do not have the freedom for which our ancestors fought and died in wars. Their dying won't be in vain as we are striving for that same freedom . . . we are not afraid."

**Police said Floyd was arrested in 1956 on charges of trespass and suspicion of grand larceny, and again in 1960 on charges of petty larceny. He was released to his parents both times.**

THE FOUR arrested at the park were:

Charles D. Price, 19, of Natchez, student and employe of Campbell College in Jackson; Perry D. Thornton, 18, of Memphis, Tenn., also a Campbell student; Mary Lou Bell, 18, and Eddie Jean Thomas, 20, both Jackson girls.

Meanwhile, two representatives of Minnesota Gov. Elmer Andersen met with Gov. Ross Barnett today to plan a tour of the state penitentiary at Parchman where five freedom riders from that state are held.

**Circuit Judge Leon Hendrick of Jackson yesterday told the Hinds County Grand Jury to inspect conditions at the penitentiary where many freedom riders have been sent.**

HE PRAISED sheriff's officers and police officers in Jackson for handling freedom riders and the "provoking situation which has developed the past few weeks."

Hendrick added that the riders "had the deliberate intent of provoking our people, and what is behind it I don't know, but I suggest you send a committee to Parchman to check conditions there."

**Meanwhile, a Negro integration leader released on bond from prison Tuesday after serving 40 days as a freedom rider returned to his New York home and repeated his intention of stepping up the pace of the freedom ride movement.**

James Farmer, national direcotr of CORE, said that withing the next 10 days the riders would travel through "three centers in the South," other than Jackson. He did not specify.

# 'Mission To Mississippi,'

# Clerics Jailed: Total 273

## 2 riders get heavy fines, jail terms

The Afro American - P. 3
Baltimore, Md

JACKSON, Miss. — Two Freedom Riders, residents of Mississippi, were given sentences of two years in jail and a $2,000 fine and 18 months in jail and a $1,500 fine last week as the number of Freedom Riders jailed in Jackson soared to 273.

Nine of those jailed last week included members of the "Mission to Mississippi," composed of clergymen of the Protestant, Catholic and Jewish faiths, who planned to meet in Jackson to "study and to pray" for solution to the problems of race relations. Sat. 7-29-61

The two Mississippians, sentenced Wednesday and Thursday, are James Bevel and Bernard Lafayette, both charged with contributing to the delinquency of minors as a result of advising youthful Freedom Riders to accept jail terms in lieu of fines.

Mr. Bevel was convicted on four counts while Mr. Lafayette was found guilty on three. Each was given a $500 fine and six - month jail sentence on each count.

Jack Young, attorney for the pair, filed notice of appeal.

* * *

**JAIL MEMBERS** of the Mississippi Mission to Mississippi include two rabbis and the wife of one of six and Catholic churchmen who were arrested on the usual "breach of the peace" charges as they approached the segregated restaurant of the Jackson airport.

The nine, fined $200 each and sentenced to four months in jail are:

Mrs. Mary Jorgensen, Religious Society of Friends;

Her husband, Russell F. Jorgensen, associate secretary, American Friends Service Committee, San Francisco;

Rabbi Allen Levine, Temple Beth-El, Bradford, Pa.;

Rabbi Joseph H. Gumbiner, Hillel Foundation, Berkeley, Cal.;

Rev. Frances Geddes, Fellowship Church, San Francisco;

Rev. John R. Washington, Pilgrim Congregational, San Francisco;

Orville Luster, Fellowship Church, San Francisco;

Dr. James Carey, board member, National Catholic Conference for Interracial Justice, Berkeley;

Dr. Charles G. Sellers Jr., U. of Cal. Berkeley.

* * *

**SIMILAR SENTENCES** were given to four white students who were arrested Friday noon as soon as they arrived at the Greyhound bus terminal at Jackson. They are listed as Miss Ruth Esther Muskovitz, Brooklyn, N.Y., Joe Greenberg, Baltimore; Miss Donna Sade and Paul Braines, Scarsdale, N.Y.

* * *

**PRIOR TO** the arrival of the members of the Mission to Mississippi, Jackson Mayor Allen Thompson rejected an invitation on Wednesday to meet with the group to discuss race relations.

Charles McCoy of the Pacific School of Religion at Berkeley, wired Thompson, requesting an appointment for the group. The request was also presented by Dr. A. D. Beitell of Tougaloo (Miss.) Southern Christian College, where the clergymen were scheduled to meet.

His reply to Dr. Beittell said that he would accept "if I believed anything constructive would result....

"However, the use of this office as a propaganda vehicle for a cause that is inflammatory, divisive and destructive will not be permitted."

The Mayor added that the Freedom Riders issue was before the courts and would be "fully aired before a Federal tribunal." Therefore, he said, he felt that nothing was to be gained by conferring with the group.

* * *

**OTHER MEMBERS** of the Mission to Mississippi conferred Friday with Attorney General Robert F. Kennedy, who urged that the nation's clergymen, especially in the South, play a more active role in fighting racial discrimination.

"I don't see how anyone could wear a collar and not stand against that particular evil," he told the ministers.

Before visiting the Attorney General the seven members of the delegation appealed to the Interstate Commerce Commission to give quick approval to the Attorney General's request for new rules to bar segregation in interstate bus terminal facilities.

ICC Vice Chairman Rupert L. Murphy told the group that the commissoin would act as fast as possible. A hearing is scheduled for next month.

Officials of the Greyhound Corp. and other bus lines said Friday that the rules proposed by the Attorney General would impose an unfair law enforcement burden on them.

* * *

**HINDS COUNTY** Sheriff J. R. Gilfoy said Thursday that Elmer Brown, a 20-year old Freedom Rider from Akron, Ohio, had tried to hang himself in a jail cell a day before he was scheduled to be released on bond.

Brown, a University of Akron student, had told newsmen earlier that CORE, sponsors of the Freedom Rides, had let him down. He was taken down before he suffered injury.

* * *

**AT MONTGOMERY**, Ala., U.S. District Judge Frank M. Johnson Jr., allowed the Gulf Transport Co., a Mississippi corporation, to withdraw as a defendant in a suit attacking bus segregation.

Judge Johnson said that Gulf does not do business in the Montgomery area.

Three other bus companies, however, remain as defendants along with Ala. Atty. Gen. MacDonald Gallion, the Alabama Public Service Commission, Mayor Earl James and City Commissioners Parks and Sullivan; Police Chief G. J. Rupenthal, Sheriff Mac Sim Butler and City Solicitor William F. Thetford.

Plaintiffs in the suit are the Rev. Ralph Abernathy and a group of Freedom Riders who seek to enjoin the Freedom Riders and public official from enforcing segregation on buses or in terminals.

Officials of CORE announced the transfer from Montgomery to Jackson, Miss., of its field secretary, Tom Gaither.

The move, described as an administrative step, leaves Montgomery without a full-time CORE employee for the first time since Gaither's arrival in May.

38a 1961

MISSISSIPPI

FREEDOM RIDERS-JACKSON
PLANNED TRIP- MILWAUKEE TO JACKSON

# 'Riders' Planning Trip To Jackson

MILWAUKEE, Wis. (UPI)—The Rev. Raymond L. Lathan, Negro pastor of the New Hope Baptist Church, planned today to complete recruitment of 100 volunteer "freedom riders" this week.

Lathan said he has enlisted 47 volunteers so far, most of them white students, and the group will ride buses to Mintgomery, Ala., and Jackson, Miss.

SEPTEMBER
JACKSON-FREEDOM RIDERS
NAACP FEDERAL SUIT

MISSISSIPPI

38a 1961

# Federal Suit In 'Rider' Case Opens Today

A three-judge federal court was scheduled to make a third attempt today to hear a lawsuit challenging segregation in Mississippi's transportation facilities.

The suit has been postponed twice since its filing on June 9. But presiding Judge Richard T. Rives of Montgomery, Ala., has cautioned attorneys for the NAACP and the state to come to court today prepared to try the suit.

The suit, filed by the National Association for the Advancement of Colored People after the first waves of "freedom riders" were arrested in Jackson, challenges segregation of rail and bus lines, city bus lines and the restaurant at the Jackson airport.

The suit was postponed the first ime because of the illness of Asst. Atty. Gen. Dugas Shands, Mississippi's civil rights expert; the court ruled that the NAACP's complaint was so broad that defendants needed additional time to answer it.

Judge Rives will preside over the three-judge court. The other two judges are Claude Clayton of Tupelo and Sidney Mize of Gulfport.

About 300 "freedom riders" have been arrested on charges of breach of the peace in Jackson's transportation terminals.

The NAACP contends the suit does not challenge the laws under which the "riders" have been arrested but only their use in allegedly enforcing segregation.

Defendants include the State of Mississippi, the City of Jackson, Jackson Airport Commission, Illinois Central Railroad, Greyhound and Trailways Bus Companies, Jackson City Bus Line, and Cicero's Restaurant at the airport.

Three Jackson Negroes, none a "freedom rider," are complaintants in the suit, which is being financed by the NAACP Legal fund.

# Jackson Judge Finds 15 Ministers Guilty

## 12 White, 3 Negro Clergymen Each Get $200 Fines, Four-Month Jail Sentence

JACKSON, Miss., Sept. 15 (AP)—Municipal Judge James Spencer convicted 15 Episcopal clergymen—including New York Gov. Nelson Rockefeller's son-in-law—on breach of peace charges today after their efforts to desegregate a Jackson bus terminal.

Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term.

Among those convicted was the Rev. Robert L. Pierson, 35, of New York City and Evanston, Ill., son-in-law of Gov. Rockefeller. The Rev. Mr. Pierson did not testify at the trial.

The clergymen made no move to post bond and sources close to them indicated it might be next week before most of them gained their freedom.

**'Find Duty Clear'**

Before handing down sentence, Spencer told the courtroom "I find my duty clear. I believe they violated the laws of Mississippi and the articles of religion of their faith."

In his closing arguments, Special Prosecutor Robert Nichols charged the clergymen violated an article of religion of the Protestant Episcopal Church when they ignored an order from Police Capt. J. L. Ray to move along.

He said one of the articles of religion admonished Episcopalians to obey civil authority.

Defense Atty. Carl Rachlin of New York, chief counsel of the Congress of Racial Equality, contended the state breach of peace law was unconstitutional because it permitted an officer to make an arrest if he felt violence might erupt later. This, he said, made the officer a judge.

Nichols said if the officer "had to wait until violence occurred before the arrest would be constitutional, then there might have been two dead bodies—but they would have been constitutionally dead."

The 15 clergymen were arrested at the Trailways bus terminal Wednesday when they ignored a police order to move when it was issued by Ray.

The arrests interrupted their "prayer pilgrimage" from New Orleans to Detroit, where the annual convention of the Protestant Episcopal Church will open Sunday. The tour was planned to study the racial question in Episcopal institutions on the way and in the area in general.

The Rt. Rev. Arthur C. Lichtenberger, Detroit, presiding bishop of the Episcopal Church in the U.S.A., Friday praised the action of the 15 clergymen. He said they were "attempting to bear witness to their Christian convictions about racial matters and to make it evident to the whole country what the position of the Episcopal Church is."

**West Virginian Disagrees**

But Bishop Wilburn Campbell, Charleston, W. Va., head of the Episcopal diocese of West Virginia, said the "prayer pilgrimage deliberately and defiantly violated the known laws of municipalities and states..." He said the ministers "should be prepared to take the consequences.

"Personally, I have little sympathy for them, not because of their goals and ideals, but because of their tactics," Bisho Campbell said. "You cann achieve a moral goal by imm actions."

# 15 Clergymen Are Sentenced In Jackson

## Episcopalians Fined, Given 4-Month Terms

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The Rev. Robert L. Pierson, 35, New York City and Evanston, Ill., is the son-in-law of the New York Governor.

**Arrested Wednesday**

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# 15 CLERGYMEN ARE CONVICTED

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Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term. No appeal plans were announced.

Before handing down sentences, Spencer told the courtroom "I find my duty clear. I believe they violated the laws of Mississippi and the articles of religion of their faith."

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Nichols said if the officer "had to wait until violence occurred before the arrest would be constitutional, then there might have been two dead bodies—but they would have been constitutionally dead."

The 15 clergymen were arrested at the Trailways bus terminal Wednesday when they ignored a police order to move when it was issued by Ray.

The arrests interrupted their "prayer pilgrimage" from New Orleans to Detroit, where the annual convention of the Protestant Episcopal church will open Sunday. The tour was planned to study the racial questio in Episcopal institutions en route and in the area in general.

Among those arrested was the Rev. Robert Pierson, 35, of New York city and Evanston, Ill., son-in-law of Gov. Rockefeller. He did not testify at the trial.

## Clergyman Speaks of Prayer Trip

JACKSON, Miss. (AP) — The Rev. Dr. Lee Belford of New York, one of 28 Episcopal clergymen on a "prayer pilgrimage" studying segregation, told Mayor Allen Thompson Friday their trip "would have been worth it" if it had touched off violence.

The Rev. Dr. Belford visited Thompson to present some of the views of the ministers as they waited in Jackson for the trial of 15 of their number of breach of peace charges after trying to desegregate a bus terminal.

When Thompson asked if he felt they would have been justified had one or two been killed the Rev. Dr. Belford said:

"Yes, I think it would have been worth it. Our church has a history of martyrdom."

Under questioning by the mayor, the clergyman admitted New York city was "sitting on a powder keg" which could blow up over strained race relations.

## Jailed Clergymen Uphold Actions

JACKSON, Miss. (AP) — Fifteen jailed Negroe and white Episcopalian clergymen issued a statement Friday saying they could not submit to Mississippi's segregation laws because they are unlawful and immoral.

The 15 were charged with breach of peace when they ought to desegregate the Trailways bus terminal Wednesday.

"As ministers of the gospel of Christ," the statement said, "we appeal to the consciences of Christian everywhere to be faithful to the unity which Christ has given us and to banish all traces of racial segregation and discrimination from the church and from all parts of the land."

The ministers said if they had not been arrested under the segregation laws, they could have continued their "prayer pilgrimage" northward.

# 15 Clergymen Fined In Bus Terminal Case

JACKSON, Miss., Sept. 15 (AP)—Municipal Judge James Spencer convicted 15 Episcopal clergymen — including New York Gov. Nelson Rockefeller's son-in-lar, the Rev. Robert L. Pierson—on breach of peace charges today after their efforts to desegregate a Jackson bus terminal.

Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term.

The group was arrested Wednesday. All pleaded innocent to the breach of peace charges—failure to move as ordered by an officer.

Capt. J. L. Ray told the court that in his opinion "the crowd in the bus terminal was in an ugly mood and was acting antagonistically toward these people. In my opinion there would have been a breach of the peace."

Under cross examination, Ray said, "I felt that had I not acted quickly, there would have been a riot in there caused by these defendants."

He also testified that none of the ministers showed him any tickets or told him they were interstate passengers, but that the Rev. John Morris, 31, of Atlanta, told him he wanted to eat.

The Rev. John Crocker, 37, of Providence, R. I., testified that the ministers already had been arrested by an officer when Ray arrived.

He said a patrolman first asked them to move on and they told him they were interstate passengers and wanted something to eat.

# 15 Clerics Convicted In Desegregation Try

JACKSON, Miss., Sept. 15 (AP)—Municipal Judge James Spencer convicted 15 Episcopal clergymen —including New York Gov. Nelson Rockefeller's son - in - law—on breach of peace charges today after their efforts to desegregate a Jackson bus terminal.

Spencer returned his verdict in the case of the 12 white and three Negro clergymen and handed each a $200 fine and four-month jail term.

Among those convicted was Rev. Robert L. Pierson, 35, of New York City and Evanston, Ill., son-in-law of Gov. Rockefeller. Pierson did not testify.

The clergymen made no move to post bond and sources close to them indicate it might be next week before most of them gain their freedom.

Before handing down sentence, Spencer told the courtroom:

"I find my duty clear. I believe they violated the laws of Mississippi and the articles of religion of their faith."

Special prosecutor Robert Nichols charged the clergymen violated an article of religion of the Protestant Episcopal Church when they ignored an order from Police Capt. J. L. Ray to move along.

He said one of the articles of religion admonishes Episcopalians to obey civil authority.

# CHAPLAIN AT YALE TELLS OF U.S. PLEA

## Says Justice Aides Tried to Dissuade Freedom Riders

By RICHARD H. PARKE

Special to The New York Times.

NEW HAVEN, May 28—The chaplain of Yale University said today that the Attorney General's office had tried to dissuade him and four fellow "Freedom Riders" from embarking on their trip to test bus segregation in the South.

The Rev. William Sloane Coffin Jr. made this known in his sermon this morning before an overflow congregation in the University's Battell Chapel. He said:

"People in high places in the Attorney General's office did ask us—most circumspectly—to reconsider our decision to make the trip. As you know of course, we did not."

Mr. Coffin, who declined to elaborate on the remark after the service, returned here yesterday. He and his companions each posted $1,000 cash bond after their arrest Thursday in Montgomery, Ala.

**Opposes Kennedy Plea**

The group also included the Rev. Gaylord B. Noyce, Assistant Professor of Religion at the Yale Divinity School; Dr David E. Swift and Dr. John McGuire, Professor and Assistant Professor of Religion, respectively, at Wesleyan University, Middletown, Conn., and George B. Smith, a Negro law student at Yale.

In his sermon, Mr. Coffin, who is 36 years old, also questioned the wisdom of Attorney General Robert F. Kennedy in advocating a cooling-off period in tests of segregation in the South.

"If I had been the Attorney General, I might have done the same thing," Mr. Coffin said. "Perhaps this was a political maneuver. I don't know. But any return to normalcy means a return to injustice—any cooling-off period must have some promise, some hope of later adjustment."

**King's Efforts Are Hailed**

Then he asked: "Why should the Negroes be asked for a return to normalcy?" Why shouldn't Governor [John] Patterson be asked? Why should the Negroes have to be the ones to make the concessions?"

He praised the efforts of the Rev. Dr. Martin Luther King Jr. and recalled that the Negro leader had "spent hour after hour on the telephone trying to explain to the people at the Attorney General's office what it was all about."

The 1,200-seat chapel was filled today and there were persons standing in the rear when the Congregational service began. The worshipers included a score or more of Negroes as well as faculty members, students and townspeople.

Mr. Coffin said, "Our hope in going to the South was to demonstrate that discrimination in the South or North is no longer a matter of local mores but a matter of national interest."

**Defends Professors' Role**

Another consideration, he continued, was the "dramatic failure of the moderates in dealing with the racial question." The moderates are acting under the "myth of time—the feeling that somehow time will work out everything," he said.

Defending the role of college professors in the anti-segregation movement, Mr. Coffin said that they were "as moderate a group as you can find."

He said he that was not going to ask members of the congregation to "do the same thing that we did—that's an individual decision."

General support for Mr. Coffin's participation in the Freedom Ride movement was evident on the campus today. A university spokesman said that the clerkyman, who was graduated from Yale's Divinity School in 1956, had received many expressions of approval from faculty and students.

Formal faculty and student petitions of support are expected to be circulated tomorrow. Both faculty and students have also already raised $7,000 in bail money.

# 'Riders' On Return Trip For Trials

Student "freedom riders" began leaving cities throughout the United States, Saturday by regularly scheduled buses for Jackson, Mississippi to arrange pre-trial conferences and trial scheduling for those jailed in there in recent months.

Glenda Gaither, 19, of Great Falls, South Carolina, and Henry James Thomas, 19, of St. Augustine, Florida, who visited the Atlanta World office Saturday morning were among a group of students that left Atlanta Saturday evening for Jackson.

Miss Gaither, a Claflin College coed, told of being confined for 37 days in Mississippi jails. Arrested on a breach of peace charge, Miss Gaither said that she was escorted by police to jail after entering the "white" waiting room in Jackson.

Thomas, a member of the staff of Congress On Racial Equality and Howard University student, stated that "approximately 30 students were arrested with me." The youthful student was jailed and sent to Parchman prison for 45 days after escaping death on a burning Greyhound bus at Anniston, Ala., when it was attacked by an angry white mob.

The Southern Christian Leadership Conference with its headquarters in Atlanta and headed by Dr. Martin Luther King Jr., has sponsored the riders.

Rev. Wyatt Tee Walker, executive director of the SCLC, commenting on the students having to return to Jackson for pre-trial hearings, stated "they are trying to break us financially."

In New York about 100 persons, many of whom said they would fast for 24 hours, demonstrated there Saturday in support of 187 "freedom riders" who will appeal their cases Monday in Jackson, Miss.

The Congress of Racial Equality CORE, sponsoring the demonstration, said that the fasting demonstrators would stay all night in Battery Park.

CORE's New York demonstration was marred by violence Friday night when 32 racially mixed "freedom riders" headed for Jackson by bus to appeal their breach of peace convictions.

An unidentified white man assaulted a newspaper reporter, William Doolittle, 24, of the New York Post, who was covering the departure rally. The man also hit one public relations man, Marvin Rich, 31, who rushed up to him after Doolittle had been hit.

Doolittle was treated at a hospital and released. Rich did not require hospital treatment.

Police were searching for their attacker.

## NEWSMAN ATTACKED

# Fast, Violence Color Gotham 'Rider' Scene

NEW YORK (UPI)—About 100 persons, many of whom said they would fast for 24 hours, demonstrated here Saturday in support of 187 "freedom riders" who will appeal their cases Monday in Jackson, Miss.

The Congress of Racial Equality (CORE), sponsoring the demonstration, said that the fasting demonstrators would stay all night in Battery Park.

The demonstration began in Battery Park Saturday morning then moved to Liberty Island, where the Statue of Liberty stands. When the island was closed for the night, the demonstrations were to return to Battery Park.

CORE's New York demonstration was marred by violence Friday night when 32 racially mixed "freedom riders" headed for Jackson by bus to appeal their breach of peace convictions.

An unidentified white man assaulted a newspaper reporter, William Doolittle, 24, of the New York Post, who was covering the departure rally. The man also hit CORE public relations man Marvin Rich, 31, who rushed up to him after Doolittle had been hit.

Doolittle was treated at a hospital and released. Rich did not require hospital treatment.

Police were searching for their attacker.

IT HAPPENED IN JACKSON

# Police interrupted prayer meeting to arrest ministers

(SPECIAL TO AFRO)

JACKSON, Miss. — The 15 Episcopal ministers convicted here last Friday on charges of "breach of the peace" were arrested twice, it was revealed at the trial in municipal court.

The double arrest was related by the Rev. John Crocker, 37, of Providence, R.I., who told the court the clergymen held public prayer services between the two arrests.

Denying that a riot was threatened, the minister said the people in the bus terminal at the time were quiet and reverent during the prayer services.

"You could have heard a pin drop," the Rev. Mr. Crocker testified.

* * *

**THIS TESTIMONY** was in conflict to that by Police Capt. J. L. Ray, who was not present when the minister first entered the waiting room reserved for whites at the Trailways bus terminal.

Capt. Ray, who has been assigned to arrest all Freedom Riders who challenged Mississippi segregation laws in Jackson, testified that he felt that if the ministers had not been arrested, there would have been a riot.

In response to this, Carl Rachlin of New York City, CORE attorney who defended the ministers, called the state law which authorizes such arrests unconstitutional.

Such a law, he charged, makes a police officer a judge.

* * *

**IN CONVICTING** the ministers, Municipal Judge James Spencer expressed the opinion that the minister violated both Mississippi state law and articles of religion of their faith.

The judge levied a fine of $200 and four-month prison term on each.

As of the week-end, all of the ministers still were in prison; the three colored ministers in the county jail and the 12 white ministers in the city jail.

When arrested they were en route to the annual convention of Protestant Episcopal Churches which opened Sunday in Detroit, Mich.

* * *

**THE GROUP** described the trip from New Orleans to Detroit as a "prayer pilgrimage."

Following their arrest, the ministers sent the following message to U.S. Attorney General Robert F. Kennedy:—

"Fifteen Episcopal priests have been arrested in Jackson, Miss., while attempting to use interstate facilities en route to Detroit on a 'prayer pilgrimage' to attend the General Convention of the Episcopal Church.

"In view of your request to American clergymen to exert leadership in these areas, we urge you immediately to apply your influence to resolve problems of inter state travel for Amer cans."

* * *

**ONE OF THE** arrested clergymen is the Rev. Robert L. Pierson, 35, son-in-law of New York Gov. Nelson Rockefeller.

The Governor said: "I admire the courage and dedication of these young people to the basic precepts on which this country was founded and their dedication to the cause of making a reality out of these precepts."

The colored ministers are the Revs. James P. Breeden, Roxbury, Mass.; John Evas, Toledo, Ohio; and Quinland Gordon, Washington, D.C.

# 13 Clerics Released From Jail

JACKSON, Miss. —(AP)— Thirteen of the 15 Episcopal clergymen jailed on breach of peace desegregation convictions were released on $500 bond Tuesday.

The Rev. Robert L. Pierson of New York, son-in-law of New York Gov. Nelson Rockefeller, read a statement on the sidewalk in front of the city jail.

Pierson, 35, said the clergymen were arrested because they "have been engaged in a pilgrimage of prayer to testify to the nature of the Christian Church. We cannot submit to the immoral laws which demand that we separate racially."

**The Rev. V. Powell Woodward of Cincinnati read a statement appealing "to the United States Supreme Court, if necessary, to obtain justice. We believe that our counsel showed conclusively that there is no evidence to support our conviction by the city of Jackson on a breach of peace charge."**

Referring to City Judge James Spencer's comments that they violated Episcopal Church law as well as city law, Woodward said, "we do not believe that Judge James Spencer is competent to find us guilty of violating Episcopal Church law. His venture into canon law obscured the criminal issue."

Woodward led the 13 who gained their freedom and four other ministers who had maintained a vigil here in a prayer for justice before the clergymen left for the Jackson Airport. They will fly to Atlanta, Ga., en route to the general convention of the church under way at Detroit, Mich.

**Pierson said he had received no communication directly from Governor Rockefeller during his stay in jail, where two white members of the group remain.**

Besides Pierson and Woodward, those freed are the Revs. Gilbert Avery of Roxbury, Mass.; Myron Eloy Jr., of West Newton, Mass.; John Crocker Jr., of Providence, R.I.; James W. Evans of St. Clair, Mo.; John Morris of Atlanta; Geoffrey Simpson of Pewaukee, Wis.; William Wendt of Washington; Merrill Young of Boston; John M. Evans of Toledo, Ohio; Quinland Gordon of Washington, and James P. Breeden of Boston. The last three are Negroes.



# Episcopal Priests Post Appeal Bonds

JACKSON, Miss., Sept. 19 (UPI)—Thirteen Episcopal priests, including a son-in-law of New York Gov. Nelson Rockefeller, posted $500 appeal bonds today and were freed after five days in city jail.

The bi-racial group, arrested after refusing orders to leave a segregated restaurant, convened on the sidewalk in front of the jail and prayed for the judicial system. The priests also issued statements taking issue with segregation and the judge who convicted them.

The ministers, who said they would appeal their breach of the peace convictions to the U. S. Supreme Court, if necessary, then left for Detroit and the National Episcopal convention.

The Rev. Robert L. Pierson of Evanston, Ill., whose wife is Rockefeller's daughter, read a statement saying that, as priests, "We cannot submit to immoral laws which demand that we separate racially."

Pierson's statement said the group is fighting racial separation throughout the nation, not just in the deep South. It said the church is "weak in its leadership" in the race relations field.

Pierson, in reply to a question, said he did not confer with Gov. Rockefeller on his plans before joining the "prayer pilgrimage," which was sponsored by the Episcopal Society for Cultural and Racial Unity.

Another statement on behalf of the group was read by the Rev. V. Powell Woodward of Cincinnati. It took issue with Municipal Judge James L. Spencer, an Episcopalian who convicted the priests Friday. In ordering four-month jail sentences and $200 fines, Spencer said he felt the ministers had violated an article of religion in the Episcopal Book of Common Prayer which urges all persons to obey legitimate civil authority.

Woodward said the priests "do not believe that Judge James Spencer is competent to find us guilty of violating Episcopal Church law. His venture into canon law obscured the criminal issue and endangered our American heritage of separating church and state."

Two other ministers who were arrested, James G. Jones and Robert Page Taylor of Chicago, chose to remain in jail.

**ROCKEFELLER KIN READS STATEMENT**—The Rev. Robert L. Pierson, son-in-law of New York's Gov. Nelson Rockefeller, reads a statement in front of the Jackson, Miss., jail after he and 12 other Episcopal priests were released on bond. They spent five days in jail on breach of the peace charges after entering a segregated restaurant in a bus terminal. (UPI Tele-

# Federal Guards To Ride Planes

## JFK Warns Against False Accusations

Jackson Daily News

FROM WIRE REPORTS

WASHINGTON—President Kennedy announced today that border patrolmen will be assigned to a number of airplanes to guard against new hijacking incidents. Thurs, 8-10-61

Kennedy warned against premature howls of protest before it can be ascertained exactly who has hijacked an airplane and for what purpose. His cautionary words apparently were directed at members of congress who have attacked Fidel Castro as the instigator of the two recent hijackings. Actually, the planes were hijacked by men with no known connections with Cuba. P. 1

Kennedy today renewed his call for use of every possible means to bring about a peaceful solution of the Berlin crisis.

The President told his news conference he did not consider Soviet Premier Nikita S. Khrushchev's recent speech to the Russian people as any change in the stand the Red leader already had taken in their talk at Vienna.

He promised that in the coming months "we will use every device available to us" to settle the Berlin problem peacefully.

While he did not get into specifics, Kennedy said it is America's "strong conviction... that every diplomatic measure should be employed.

Jackson, Miss.

**WILLING TO MEET**

As to whether there should be an East-West summit meeting, Kennedy said he still feels that none would be useful unless adequate groundwork were laid. But he said that if a summit meeting of Western leaders should prove desirable, he would "be prepared" to join in one.

The President, appearing for the most part quite relaxed in contrast to his grim mood at his previous news conference three weeks ago, made these other points to the record-high attendance of 433 reporters:

He cautioned against getting "over-excited" about plane hijackings before complete information is in. But he called for international action to prevent such incidents in the future and announced that hereafter the cockpit doors on American commercial planes would have to be locked from the inside, and that a number of Border Patrolmen have been ordered to ride on flights.

He is sending chief negotiator Arthur Dean back to Geneva Aug. 24 to resume "decisive" nuclear test ban talks with Russia. He said he has received a special scientific report which has made him "feel more urgently than ever" that only the type of inspection system proposed by this country can guard against secret testing.

He hailed Britain's decision to join the European common market.

He revealed that he has entered into an agreement with Vice President Lyndon B. Johnson similar to the one former President Eisenhower had with Richard M. Nixon, spelling out conditions under which the vice president would assume powers when the President cannot physically "fulfill his constitutional functions."

He said Sen. J. William Fulbright "performed a service" in challenging propaganda activities of military officers. He said that military leaders must be kept "removed from political life" not only to protect civilian control of the armed forces but also to prevent "exploitation" of uniformed officers.

The President is "very satisfied" so far with progress of the inter-American economic and social meeting in Uruguay. He said the free world must keep its sights trained on such efforts because "that is where the great struggle is going on" against communism.

The administration, he said, has asked for all the money and is devoting as much scientific effort as it can possibly use to the space effort, and the United States is "making a maximum effort." But the Russians will continue to lead in this field for a while because they started first.

**AID PROGRAM PLANS**

If Congress passes his long-term foreign aid program, Kennedy said, he is hoping to make the program "more effective" and expects to assign five new area administrators and 45 or 50 new heads of programs for specific countries.

He hopes Congress will approve his legislation to give permanent life to the Peace Corps because of the "wholehearted response of so many young men and women" to it. He said that if Congress does approve, there is an opportunity to have more than 2,700 volunteers "serving the cause of peace" in this fiscal year.

The President's statements on Berlin, in response to questions, bore none of the saber - rattling quality of Khrushchev's recent speeches.

## C.O.R.E. Bid For Marshals Is Rebuffed By Government

The Commercial Appeal

Thurs, 8-10-61

By United Press International

WASHINGTON, Aug. 9.—The Justice Department Wednesday denied a request by the Congress On Racial Equality to provide United States marshals for protection of so-called "Freedom Riders" returning to Jackson, Miss., for court appearances next week.

Byron R. 'Whizzer' White, deputy attorney general, made the denial in a letter to James Farmer, national director of C.O.R.E. P. 33

Farmer had requested Federal protection for about 187 persons who were arrested in Jackson for challenging Mississippi's segregation laws. They were instructed to return to the city Monday for setting of trial dates.

Memphis

"The department has no information indicating any violation or threatened violation of Federal law," White wrote. "In the absence of any such violations, maintenance of law and order is solely a state and local responsibility.

"We have no basis to assume that the people in Mississippi will be lawless or that responsible law enforcement officials will be unable or unwilling to maintain law and order," White added.

### Judge Declines To Change Order For Hearing

JACKSON, Miss., Aug. 9.—(UPI)—Attorneys for 187 convicted so-called "Freedom Riders" made a last-ditch effort Wednesday to prevent a mass court appearance of the defendants here Monday. They said they feared violence.

The riders, who are scattered across the nation, were ordered to be in Hinds County Court together Monday to appeal their convictions on breach of the peace.

Carl Rachlin, general counsel for the Congress of Racial Equality, and William Kunstler of the American Civil Liberties Union first asked County Judge Russell Moore to rescind the order.

He refused, saying he saw no reason to fear trouble. The attorneys then appealed to state Supreme Court Justice W. N. Ethridge Jr., but Ethridge said he had no jurisdiction, that the appeal first had to go before a Circuit Court.

Rachlin and Kunstler, both white New York lawyers, said the appearance of all 187 riders in town might spark an "irresponsible act" by white Mississippians.

The Jackson Police Department said it is prepared to maintain peace and order.

The riders are scheduled to arrive in Jackson Sunday and hold a mass rally Sunday night.

The riders, both white and Negroes, were convicted in police court of breach of the peace for failing to obey police orders to move from segregated waiting rooms and restaurants in travel terminals.

The police court is not a court of record and in order to appeal the trials must be carried to county court where the cases will be heard by a jury and a record made for appeal to higher state courts and the United States Supreme Court.

Kunstler and Rachlin said they had been informed that separate trial dates would be set Monday for each of the 187 riders and, with a jury required in each case, that might take more than a year.

They want to be allowed to let three or four of the riders represent the entire group in the appeal route. They said there was legal precedent for such action.

The attorneys and Tom Gaither, local field representative for C. O. R. E., said they had no assurance that the riders would not again try to integrate segregated travel facilities should they arrive as scheduled Sunday. Police have promised to arrest them if they do. All 187 are now out on bond.

# Rules No Escorts

## Rejects CORE Plea For U.S. Marshals

By FRANK VAN DER LINDEN
Daily News Washington Bureau

WASHINGTON — The U. S. Justice Department today refused a request to send federal marshals into Jackson next week for the trials of almost 200 "freedom riders."

Deputy Atty. Gen. Byron White told the Congress of Racial Equality (CORE), which sponsors the "freedom rides" and requested the marshals, that the maintenance of law and order "is solely a state and local responsibility."

White said the Justice Department "has no basis to assume that the people of Mississippi will be lawless or that responsible law enforcement officers will be unable or unwilling to maintain law and order."

He said there has been no indication there will be any violence or threats of violence during the litigation.

The "freedom riders" are scheduled to return to Jackson Monday to appear in Hinds County court on appeals of city court convictions.

All have been convicted of breach of the peace after refusing city police orders to move out of public transportation facilities.

White replied to CORE's request in a telegram today to James Farmer, national director of CORE, in New York.

Farmer has been convicted in city court in Jackson for breach of the peace after coming to Mississippi in one group of "freedom riders." He is scheduled to appear in Hinds County court Monday. All the "riders" scheduled to return have been released on $500 bond.

White replied in the absence of Atty. Gen. Robert Kennedy, who is in Africa.

CORE asked for the marshals Saturday, expressing fear that the presence of so many "riders" in Jackson would lead to racial disorder.

The department takes the position, however, that it has no authority to send in marshals unless it is informed that local officers are not able or unwilling to protect citizens in "enjoyment of their civil rights."

An aide to Kennedy told the Daily News today that the department has every reason to believe local authorities will maintain law and order through the trials, as they did when the "riders" arrived.

The department said it is keeping in close touch with local officials in Mississippi.

# U. S. refuses marshals for 'rider' trials

WASHINGTON Aug. 10—(AP)—The Department of Justice has told the Congress of Racial Equality CORE that maintenance of law order at the "freedom rider" trials starting in Jackson, Miss., Aug. 14 is a state and local responsibility.

James Farmer, national director of CORE, advised the department Saturday that the city of Jackson had insisted that all "freedom riders" who plan to appeal their convictions be present in court Aug. 14.

**CORE had proposed that the 185 persons arrested in efforts to integrate bus facilities be called up in small groups.**

Farmer requested federal marshals for the protection of those coming to Jackson "in view of the situation that may well arise from more than 150 Negro and white 'freedom riders', attorneys and would press in Jackson for extended periods of time beginning Aug. 14."

CORE estimated the proceedings, with trials of record required in cases to be appealed, will take six months.

In a letter dated Aug. 8 released by the department, Deputy Atty. Gen. Byron R. White told Farmer that he appreciates Farmer's desire to provide a legal defense for the defendants unmarred by any public disorder.

**"However," White said, "the department has no information, either from your telegram or otherwise, indicating any violation or threatened violation of federal law in connection with the pending litigation.**

"In the absence of such violations, maintenance of law and order is solely a state and local responsibility. We have no basis to assume that the people of Mississippi will be lawless or that responsible law enforcement officials will be unable or unwilling to maintain law and order."

IN JACKSON — attorneys for 187 "freedom riders" appealing their breach of peace convictions conferred with County Judge Russell Moore yesterday to work out trial procedure to avoid the possibility of trouble.

**The two attorneys were William Kunstler of New York, attorney for the American Civil Liberties Union, and Carl Rachlin of New York, general counsel for the ride-sponsoring Congress of Racial Equality.**

"We were fearful," said Rachlin, "that, having had that number (187) of 'riders' before, there might be trouble in Jackson."

Kunstler added that they wanted either a single appeal to apply to all riders or regularly and reasonably spaced trials for each rider.

UNDER A year - old order by Judge Moore, all persons free or bond must be in court on opening day or their bonds are subject to forfeiture.

The 187 "riders" were released on $500 cash bond after being convicted and sentenced to $200 fines and jail terms for refusing to obey a police order to move out of rail, bus and air terminals. The riders began arriving in Jackson May 24.

**Rachlin said all but about 4 of the 187 "freedom riders" would be in Jackson in time for the opening of court Monday.**

"If they (county officials) think we are going to forfeit the money," Rachlin told a news conference, "they are mistaken.

"We will arrange lots of lawyers and try these cases in shifts if necessary."

RACHLIN SAID the facts surrounding each "rider's" arrest and conviction were similar and a single trial could suffice for all.

At each of the "rider" trials City Judge James Spencer said he considered each trial a continuation of the first trial.

**Other city and county officials said if CORE had wanted a test case, one rider could have come in instead of nearly 300.**

CORE had said the intention was to saturate Jackson, overflow the jails and wear down the police and officials.

Rachlin said if Judge Moore upholds the lower court and reconvicts the 187 riders, "We will appeal all the say to the U. S. Supreme Court."

HE SAID CORE sought to strike down the state's breach of peace laws as "an improper delegation of power by the legislature to an administrative, or police, officer."

None of the riders was arrested under segregation laws, although they announced their intention of challenging segregation laws before arriving in Mississippi.

Each rider was arrested for refusing to obey police orders to leave the terminals because, as arresting officer Capt. J. L. Ray testified, their presence in the terminals could have caused a breach of peace.

Last week, CORE officials called upon state, county and city officials for protection of the returning "freedom riders."

City officials said they would not provide protection but would prevent law violations.

# Rider Lawyers Dig Up Old Opinion In Trial Araument

By THE ASSOCIATED PRESS

Attorneys for convicted integrationist "Freedom Ridrs" have unearthed an old Mississippi Supreme Court opinion which they hope can be used to block a rule requiring defendants in appeals cases to appear at the opening day of Hinds County Court.

County Judge Russell Moore has declined to waive a rule he instituted more than a year ago requiring the presence of appellants on the opening day of court.

William Kunstler, New York attorney for the American Civil Liberties Union, plans to confer with Circuit Judge Leon Hendrick today on the matter.

Wednesday, Kunstler met with State Supreme Court Justice William Ethridge Jr. on the matter, but was told that any action must be initiated in circuit court.

**CONFERENCE TODAY**

At issue are the appeals of at least 187 Freedom Riders. Under the present ruling they would be required to appear Aug. 14 or forfeit their $500 appeal bonds. The actual appeal trials won't begin until Aug. 21 and are expected to run 18 to 20 weeks.

In a statement, Kunstler, joined by Carl Rachlin of New York, general counsel for the ride-sponsoring Congress of Racial Equality, said:

"Since all of the defendants reside in other states, many of them thousands of miles from Mississippi, and since their trials will not start until Aug. 21, it is felt that Judge Moore abused his discretion by requiring defendants, instead of their counsel, to appear for the call of the August term calendar."

Kunstler, Rachlin and attorneys for the city agreed in conference with Judge Moore to begin the Freedom Rider appeals Aug. 21, handling two each day.

The attornevs for the riders found, however, an old state Supreme Court opinion that held that attorneys could appear for persons in criminal cases unless there is some reason for the personal presence of the defendant.

**SEEKS HALEY'S RELEASE**

In a related case, Kunstler filed petition in county court for an order to free Richard Haley, 45, Chicago, an official of CORE, who is currently in the state penitentiary on breach of peace charges—the same under which nearly 300 riders were convicted.

Haley was arrested as he picketed a meeting of southern govenors called by Mississippi Gov. Ross Barnett.

Judge Moore set a hearing on the petition for Friday.

Meanwhile, the Jackson Citizens Councisl warned its members of the possibility of kneel-ins by Negroes in white churches in the capital city.

In New Orleans, Municipal Judge Edwin Babylon continued the cases against a 33-year-old New York blind woman and six others for circulating hand bills describing the travels of the Freedom Riders.

The seven were arrested Wednesday night for distributing the handbills withouta permit. A city ordinance requires permits for distribution of handbills larger than 3½ by 5½ inches.

Babylon said he ordered the continuance to allow the group time to obtain the proper permit from the city attorney's office. The judge said the case would be moot if they obtained the permit.

The blind woman, Mrs. Norma Wagner, and a Negro companion, Earl Bohannon, 21, of Memphis, came to New Orleans Sunday after spending several days testing segregation customs at Jackson.

Mrs. Wagner complained that police would not arrest her as they had other Freedom Riders because of her blindness.

# Court Nixes Mixer's Try For Freedom

JACKSON, Miss. (AP)—"Freedom Rider" official Richard Haley lost his bid for freedom in Hinds County Court Friday and his lawyer said the case would be appealed to federal courts if necessary.

Haley, 45-year-old Chicago Negro, sought a court order from Judge Russel Moore to free him from the state penitentiary, where he is serving a 4-month sentence on breach of peace charges.

Moore ruled to grant the order—a writ of habeas corpus—would "circumvent the accepted procedure of appeal" under Mississippi law.

Haley, field secretary for the Congress of Racial Equality, was in Jackson co-ordinating CORE's freedom rides when he appeared in front of a downtown hotel July 19 to picket a meeting of Southern governors discussing segregation. His arrest followed his refusal to move along as ordered by police.

**VIOLATED RIGHTS**

William Kunstler of New York, who represented Haley, said the arrest violated Haley's constitutional right to picket peacefully. He said trial testimony showed there was no violance, only murmurs and angry looks from the crowds of 15 persons.

"If this is to be standard," he said, "freedom of speech means absolutely nothing."

Haley and a companion carried signs with civil rights slogans on them.

Tom Watkins of Jackson, one of three attorneys for the city, argued that the writ sought could not be used where an appeal procedure was available and he said Haley had not appealed his case.

He also quoted cases to support his argument that a breach of peace could take place without physical violence. He said the signs carried by the pickets "were insulting and libelous" and "under the circumstances a breach of peace could have resulted."

# Riders' Plan Court Battle On 2 Points

JACKSON, Miss. (UPI)—Attorneys for 187 convicted "freedom riders" who will be here Monday for their appeals plan to go into state and federal courts on two legal points for overturning the convictions.

The first is a U. S. Supreme Court decision on a Richmond, Va., case closely paralleling the Jackson arrests; the second is a direct attack on the breach of the peace statutes under which almost 300 riders were arrested here since May 24.

The Richmond case was decided by the high court last winter. A Negro law student named Boynton staged a sit-in at a white restaurant in a Richmond bus terminal. He refused police orders to move on and was arrested under a state breach of the peace law.

**UPHELD CONVICTION**

The supreme court of Virginia upheld the conviction, holding it was a proper use of police authority. But on appeal the U. S. Supreme Court overturned the conviction holding that the breach of the peace law — which was sound in itself—was used to maintain segregation in interstate travel facilities.

All of the Jackson riders were arrested for breach of the peace after they refused police orders to move from segregated terminals.

There is a difference in the breach of the peace laws used in the two states. The New York attorneys who are representing the riders — William Kunstler of the American Civil Liberties Union and Carl Richler of the Congress of Racial Equality—say they will ask that Mississippi's laws be struck down as well as the city's use of them.

Tey will contend that the legislature delegated too much authority to the police and that it enacted the laws specifically to preserve segregation.

**TWO LAWS INVOLVED**

There are two laws involved. One for single arrests and another for group arrests. They were enacted in the spring of 1960 when sit-in demonstrations were ramfant in other southern states. They were carefully drawn by some of the best legal minds in the state capitol and were enacted swiftly and overwhelmingly without debate.

State attorneys are prepared to defend them in the courts on grounds that they properly delegate authority to local authorities under legal precedent.

The war between local officials and the riders seemed this week to have boiled down to an endurance race. Kunstler and Richler tried to arrange it so that the riders would not have to be on hand together Monday for call of their cases in county court. But the local judges stood fast.

They also refused to hold mass trials and the schedule calls for trials beginning Aug. 21 to run two a day, five days a week for at least 18 weeks.

Meanwhile, however, Kunstler transferred five of the rider cases to federal court where quick appeal action could be expected. A hearing is scheduled on that next Friday to decide whether the federal court can take jurisdiction under the civil rights act.

# 'Riders' Base Jackson Plea On Two Points

JACKSON, Miss. (UPI)—Attorneys for 187 convicted "freedom riders" scheduled for court appearances Monday will base their arguments for appeal on two points of law.

The first is a U.S. Supreme Court decision on a Richmond, Va., case closely paralleling the Jackson arrests; the second is a direct attack on the breach of the peace statutes under which almost 300 riders were arrested here May 24.

The Richmond case was decided by the high court last winter. A Negro law student, Bruce Boynton, staged a sit-in at a white restaurant in a Richmond bus terminal. He refused police orders to move on and was arrested under a state breach of the peace law.

The Supreme Court of Virginia upheld the conviction on grounds the arrest constituted proper use of police authority. But on appeal the U.S. Supreme Court overturned the conviction holding that the breach of the peace law — which was sound in itself — was used to maintain segregation in interstate travel facilities.

All of the Jackson riders were arrested for breach of the peace after they refused police orders to move from segregated terminals.

# 'RIDERS' ARREST CASE DEFERRED

## Final Arguments Are Set for Sept. 25

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss.—A three-judge federal court Monday deferred final arguments on an injunction to stop arrests of "freedom riders" until Sept. 25 after hearing a barrage of preliminary motions by state and city attorneys.

**The move cut off the immediate goal of attorneys for the National Association for Advancement of Colored People who sought a preliminary injunction to stop further arrests at the passenger terminals under the state breach of the peace statute.**

Judge Richard T. Rives, Birmingham, of the fifth circuit court of appeals, who is presiding over the special court, said the judges decided to hear the case both on the preliminary and permanent injuction at the same time on Sept. 25.

No decision, meanwhile, was made by the court on a motion challenging its authority to hear

the case which Tom Watkins, special attorney for the city of Jackson, made at the opening of Monday's hearing.

**SINGLE JUDGE**

Watkins contended that the issues raised should be heard only by a single federal district judge, with right of appeal to the circuit court of appeals. Decisions of a three-judge court may be appealed directly to the United States Supreme Court.

Rives said the special court would continue to the final arguments of the case on the merits before deciding on the issue of its jurisdiction.

In the case, three Jackson Negroes are contending that local police officers have been using the breach of the peace law to enforce segregation in passenger terminals.

**The justices joined in the suit in July when it was first called for arguments, but postponed because of the illness of the state's civil rights legal specialist.**

A battery of 15 lawyers representing the city of aJckson, the state attorney general, the city airport authority, two bus companies and one railroad, all of whom are defendants in the case, were arrayed in opposition to the three NAACP attorneys.

Mrs. Constance Baker Motley o fthe New York legal staff of the NAACP, as chief counsel for the conmplainants, handled all the arguments for her side.

Here observing was Robert Owens, member of the justice department civil rights staff in Washington.

Mrs. Motley had asked the court to consider the preliminary injunction request immediately since, she said, "almost 300 people have been arrested" at local passenger terminals under the breach of the peace statute.

Watkins and Asst. Atty. Gen. Duga Shands, contested the hearing of the issue of the "Freedom Riders" arrests.

"It would be a travesty to proceed with hearing on a preliminary injunction now," Shands declared.

**REJECT MOTIONS**

Rives announced later when the final hearing were deferred that the court felt "material changes" had been made in the original complaint by the NAACP by an amendment which broadened its scope and that additional time should be given the defendants.

"It is the desire of the court however to get the case at issue so it can be finally disposed of" the judge said, when it is resumed Sept. 25.

**He instructed the defendants to be prepared to go directly into the merits of the case when it is resumed.**

Serving with Rives are two federal district judges from Mississippi, Sidney C. Mize of the Southern district and Claude C. Clayton of the Northern district.

The judges rejected motions by the state for a "more definite statement" of the allegations made in the complaint and for the addition of all common carriers as party efendants.

Asst. Atty. Gen. Ed Cates argued that the petition contained "broad general statements" which actually alleged a conspiracy on the part of the attorney general to invalidly enforce a state law.

"In what manner has the attorney general attempted to enforce the breach of the peace statute in an unconstitutional manner?" he asked.

Special Asst. Atty. Gen. Charles Clark said that some 40 other carriers other than Illinois Central railroad, Trailways Bus Company and Greyhound Bus Company are authorized to carry passengers in Mississippi and should be made defendants.

**LIMITED BASIS**

"I don't think the court can consider the petition on a limited basis when such sweeping authority is sought," he said.

Mrs. Motley said the rights of the plaintiffs involved only the three carriers named in the suit and that the other carriers 'a're obviously not indispensible" to the case.

**She said that the proof will offer in the case "will show they are enforcing segregation under the breach of the peace statute. We do not say it is a conspiracy."**

**The court ordered the NAACP attorney to make several changes in the complaint to give the Jackson city lines, which also was made a defendant, names and addresses of people who have knowledge of complaints that the bus line separates passengers according to race in the city busses.**

Also an amendment was ordered made in the complain relative to the Illinois Centra Railroad. The complaint in one place pointed out that the railroad does not enforce segregation on its trains, but only in the passenger terminals.

The judges said the language should be clarified to avoid an ambiguity.

# Montgomery Minister, Two Children Convicted In Jackson

JACKSON, Miss. (AP) — City Judge James Spencer convicted three Negroes and one white man on breach of peace charges in their announced attempts to desegregate the city airport July 24.

All four were sentenced to $200 fine and 4 months in jail.

They were the Rev. Mathew Petway, 47, of the AME Zion Church in Montgomery, Ala., a Negro, and his two children, Kreddle Petway, 20, a coed at Florida A&M, and Alfonso Kelly Petway, 16-year-old high school student in Pensacola, Fla.; and Dr. Cecil A. Thomas, 44, of Albany, Calif., a white YMCA secretary.

Immediately after the trial, the three Petways posted $500 appeal bond each and were released. The four came to Jackson after announcing in Montgomery they were headed here to test segregation laws.

The elder Petway was arrested when he sough to drink from a water fountain marked for whites, and he refused to obey a police order to move on. Thomas and the two younger Petways were arrested when they sought service in a white-only cafe.

Conviction of the four brought to 270 the total number of "Freedom Riders" convicted since they began challenging Mississippi's segregation laws May 24.

During the trial, Alfonso Petway testified he was not a freedom rider but merely accompanied his father. Miss Petway testified she came to attend a meeting at a Negro college in Jackson.

The four arrived in Jackson with Thomas' son, Steven, 16, and a companion, Todd Schooley, 16, of Berkeley, Calif.

The two 16-year-olds obeyed police orders to move on and were not arrested.

# Freedom Riders Arrests Sunday Total 236 Here

## Sponsors Fighting Alabama Injunction

Eight more "freedom riders" were arrested here Sunday.

A biracial group of seven traveled here by bus from Nashville, Tenn., and were arrested in the Greyhound terminal's Negro waiting room. A lone rider from Los Angeles tried to integrate the white waiting room at the train station after coming here from New Orleans.

The arrests brought to 236 the number of riders taken into custody on breach of the peace charges here since May 24.

One Negro was charged with assault for stomping a white man's toe in the Greyhound white waiting room after he and 11 other integrationists arrived Saturday night.

Leo Washington, 24, a student from New Orleans, was seen falling back against a wall. Several witnesses in the station said they thought the white man hit him. But officers said the white man, Cecil Lindsay, a graduate student at Mississippi College, merely shoved Washington off his toe.

Police took Lindsay to headquarters to sign an affidavit charging Washington with assault.

The lone rider arrested Sunday was identified as James Emerson Dennis, 25, a Negro from Los Angeles and a student at Los Angeles State College.

Members of the group which came from Nashville were identified as Richard Lewis Zuchman, of Forest Hills, N. Y., a student, Rudolph Mitaritonna, 51, of the Bronx, N. Y., a union organizer; Mary Freelon, 42, of Telford, Pa., an unemployed teacher; Shirley Smith, 34, of New York, an employe of the American Institute; James Edward Warren, 28, of Philadelphia, a Baptist minister and the only Negro in the group; Williard Hooker Svanoe, 23, of New York, a student at the University of Minnesota, and Philip Jay Heavey, 31, of New York, associate editor of the Catholic Worker.

Meanwhile in Montgomery, Ala., Sponsors of "freedom riders" were to appear before a federal judge today to argue against a possible injunction restraining them from sending more anti-segregation demonstrators into Alabama.

The Justice Department has sided with the riders, claiming that Federal District Judge Frank M. Johnson Jr. lacks the power to restrain "freedom riders" from normally exercising their constitutional rights.

In June, Johnson issued a temporary injunction against "freedom rides" into Alabama after mob violence here brought federal marshals and martial law in May.

Before the injunction expired last month, "freedom riders" had focussed their attention on Mississippi where eight more riders were arrested Sunday. The arrests brought to 236 the number charged with breach of the peace at Jackson, Miss., for challenging state segregration laws.

Today's hearing is a continuation of the Justice Department's complaint against Montgomery police officials and various Ku Klux Klan groups enjoined by Johnson from interfering with interstate travel.

Johnson also forbade a number of anti-segregation groups from sponsoring more "freedom rides" in Alabama.

Defense attorneys for the Montgomery police officials asked Johnson to renew his order.

The Justice Department has challenged Johnson's power to do so. The department contended in a brief that there were no precedents "in which the exercise of lawful, peaceful, constitutionallly protected activity has been proscribed because such activity was expected to arouse unlawful violence by others."

# 7 'Freedom Riders' Arrested in Jackson

JACKSON, Miss., July 23 (AP). Seven white "freedom riders"—five men and two women—were arrested in a Jackson train terminal today when they tried to integrate the Negro waiting room.

Their arrest raised the number of "riders" taken in custody here to 267.

The seven were booked on breach of peace charges. They made no response when police ordered them to move on.

# Riders Appeal Sentences To State; Trial In Fall

P. 3 B Clarion-Ledger-Journal
Sun. 9-17-61

Eleven "Freedom Riders" given fines and jail terms for bus depot integration incident last spring probably will be tired in November on their appeals to state court.

The racially mixed group — including the Rev. William S. Coffin, chaplain of Yale University and son-in-law of pianist Artur Rubinstein — was convicted Friday night in the county Court of Common Pleas.

Ten of those who sought service at a customarily white only bus station lunch counter during racial tension here last May were convicted on breach of the peace and unlawful assembly charges.

**ALL FINED**

Judge Alex Marks fined the 10 "Freedom Riders" $100 and costs and ordered jail terms ranging from 10 to 15 days.

An 11th, the Rev. Wyatt Tee Walker, Atlanta Negro leader, was acquitted of breaching the peace after witnesses testified he did not sit down at the lunch counter. But he was sentenced to 90 days in jail for unlawful assembly.

All were released on bond after their lawyers filed notice of appeal to Montgomery Circuit Court. The next term of the court begins in mid-November.

Three colleagues sentenced along with the Rev. Mr. Coffin were Dr. Gaylord Noice of New Haven, Conn., divinity professor at Yale, and two religion professors at Wesleyan University, Dr. John Maguire and Dr. David Swift, both of Middletown, Conn.

The others were George Smith of New Haven, Joseph C. Jones and Clyde Carter, both of Charlotte, N.C.; Bernard Lee and the Rev. Ralph D. Abernathy, both of Montgomery, and the Rev. Fred Shuttlesworth of Birmingham.

Abernathy is president of the pro-integration Montgomery Improvement Association; Shuttlesworth leads the Alabama Christian Movement for Human Rights, and Walker is executive secretary of the Southern Christian Leadership Conference.

The group was arrested in a bus terminal May 25 during limited martial law which followed bloody race riots touched off by arrival of another band of "Freedom Riders" several days earlier.

# 11 'Riders' Get Fines, Jail Terms

Jte-Montgomery
Advertiser
P. 1
Sat. 9-16-61

Eleven "Freedom Riders" received fines and jail sentences in Court of Common Pleas Friday at the end of a day-long hearing.

Among them were the chaplain of Yale University, the Rev. William S. Coffin, and three other white educators on the faculties of Yale and Wesleyan Universities.

So were three Southern Negroes prominent in the fight on segregation barriers: The Revs. Ralph Abernathy and Fred Shuttlesworth, and Wyatt Tee Walker, director of the Southern Christian Leadership Conference.

The mixed group was arrested May 25 at the Trailways bus terminal as they sought service at the white lunch counter. National Guard troops ringed the area at the time, the city having been previously declared under limited martial law.

**ALL WILL APPEAL**

All served notice they will appeal. Each was fined $100, but Walker, who was sentenced to 90 days in jail.

Jail sentences for the other 10 were:

Abernathy and Bernard Lee, both of Montgomery, 10 days; Shuttlesworth, Clyde L. Carter, Coffin, Joseph Charles Jones, John David Maguire, Gaylord B. Noice, George B. Smith, David E. Swift, each 15 days.

Maguire and Swift are both professors of religion at Wesleyan University, and Noice is a divinity professor at Yale. The three are white.

Jones and Carter are Negro students in a seminary in Charlotte, N.C., and Smith is a Negro law student at Yale.

Lee works with Walker in the SCLC headed by Dr. Martin ther King.

The central argument in the case revolved around two questions: Was there a serious danger of mob violence at the time of the arrests? And, did the necessity to avert possible trouble outweigh the right of individuals to exercise their constitutional rights?

Sheriff Mac Sim Butler testified that, "It was my opinion, at the time, that if an arrest had not been made we would have had a serious riot at or near the bus station."

Col. Ralph Poarch, Anniston attorney and a National Guard staff judge advocate, testified that Butler arrested the 11 at the Trailways bus station lunch counter at his direction.

**DID NOT WARN**

He acknowledged he did not warn the mixed group they might be arrested or in danger. But, he said, "We were in effect walking a chalkline, trying to do our duty as we saw it."

Poarch called the action of the 11 in sitting at the counter "the height of folly." He also testified to threatening crowds outside the terminal.

Dr. Maguire, a Montgomery native, said he returned to the city "to affirm support" of Negroes challenging segregation after he heard of violence here. He said Coffin agreed to come with him after a telephone conversation.

As questioning tended toward a sociological discussion of conflicting points of view on segregation, Maguire said:

**DENY CROWD**

"Racism at any level is not to be tolerated." He said he came here to show that whites also shared the "abhorrence" which Negroes feel at segregation.

Both he and Walker denied that a large and hostile crowd was outside at the time of the arrests.

Deputy Solicitors Frank Riggs and Maury Smith presented the evidence against the defendants. Local attorney Fred Gray and a Yale law professor, Louis Pollak, conducted the defense.

Judge Alex Marks set appeal bonds of $400 for Lee and Abernathy, $750 for Walker, and $500 for the remaining eight.

# 'Freedom Rider' Appeal Trial Postponed Because of Ill Witness

The Clarion-Ledger
Wed. 9-13-61

JACKSON, Miss. (AP)--The appeal trial of "freedom rider" Marshall Bennett, 17, of Jackson was postponed until Wednesday because one witness was ill.

Earlier, Hinds county Judge Russel Moore sentenced two others and ordered forfeiture of three riders' $500 appeal bond because they did not show up for their arraignment Monday.

Bennett, a high school student, was arrested July 5 for trying to desegregate Trailways bus terminal. He was sentenced to $200 fine and four months in jail. He posted $500 bond and appealed.

Earlier, Charles Biggers, 21-year-old Negro Wayne university student from Boulder, Colo., declined to contest his breach of peace charge and drew a $200 fine and a suspended four-month jail sentence.

Biggers was arrested July 7 in Trailways bus terminal. He appealed and was arraigned Monday. Judge Moore allowed him to enter his nolo contendere plea immediately instead of waiting until trial, set for March 1962.

The three whose bonds were ordered forfeit were:

Edmon Dalbert Jr., 25, of Los Angeles, Negro postal clerk arrested July 9 in Illinois Central Railroad depot.

Elmer L. Brown, 20, of Akron, Ohio, Negro university of Akron student, arrested in Trailways bus terminal July 7.

Frank Caston, 18, of Jackson, Negro yard worker arrested in Illinois Central Railroad depot July 6.

# Three 'Rider' Trials Slated

P. 17
Wed. 9-13-61

Three Freedom Rider trials on appeal from a breach of peace conviction are scheduled for disposition in Hinds County Court today if a witness too ill to appear yesterday is available.

Leora Berman, of Chicago, and James Bevel, of Nashville, are due to present their appeal from a city court sentence growing out of breach of peace arrests.

Judge Russel Moore continued the case of Marshall Bennett, 17-year old Jackson Negro, until this morning when a state witness was reported ill late yesterday.

Jackson Daily
Earlier in the morning, Robert M. Baum, 19, of Excelsior, Minn., was convicted and sentenced to $200 fine and four months in jail.

Three bond forfeitures for defendants who failed to appear for arraignment Monday were taken against Edmon Dalbert, Jr., 25, Los Angeles, Elmer L. Brown, 20, Akron Ohio Negro, and Frank Caston, Jackson Negro. They each had posted a $500 cash bond for appearance on an appeal from their city court sentence of $200 and 4 months in jail for bus and railroad station arrests.

There is approximately $150,000 on deposit in a special account under Sheriff Bob Gilfoy's custody, for Freedom Riders appealing their arrest convictions.

Those who have withdrawn their appeals and either plead guilty or entered no contest appeals, are paying their fines and court costs out of the posted $500 bond money, and will receive the balance when the court term minute books are signed and closed.

Trials are now scheduled through May, 1962 at the rate of two a day, ten a week following arraignment of 82 who appeared in one group Monday.

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# Judge Blocks Freedom Riders' Latest Move; Rockefellers' Son-in-Law, 14 Others Jailed

JACKSON, Miss.—(ANP)—The Freedom Riders' latest move, which was an attempt to drop their appeals and serve out the original city court sentences, was blocked here last week by County Judge Russel Moore.

Judge Moore's ruling preceded the trial of Alexander Anderson, 33-year-old minister from Nashville, who sought to withdraw his appeal on a breach of peace conviction.

In earlier cases before Judge Moore two riders returned to jail after withdrawing their appeals. They were following orders and a plea issued last week by the Congress of Racial Equality (CORE) asking all convicted riders to withdraw their appeals and serve their original jail terms.

Blocked from withdrawing their appeals, the decision will force about 180 defendants to stand trial in county court or plead guilty to the charges. All freedom riders out on bond have filed for appeal.

Following Judge Moore's ruling, an all-white Hinds county jury convicted Rev. Anderson. He was given the same sentence as previously convicted riders tried to county court—4 months in jail and a $200 fine.

**Rider Asks For Mercy**

A University of Wisconsin student, Elizabeth S. Adler of Brooklyn, N. Y., asked the court for mercy as it handed down her sentence. She said she "didn't know what she was getting into and this was her first offense." Judge Moore told her she was "old enough and educated enough to know what she was doing."

Ten cases are scheduled for trial this week, two a day, with Monday's docket including Abraham Bassford of Brooklyn and Robert Bass of Jackson.

John Lowry, 20-year-old Freedom Rider from Flushing, N. Y., remains in jail in Monroe, N. C., without privilege of bond. Court officials there said Lowry apparently had not requested bond.

Lowry, with four other persons, is charged with abducting a white couple in the aftermath of a racial melee in Monroe, Aug. 27. The cases are expected to be called during the term of court opening Oct. 30. The white Queens (N. Y.) College student was arrested here July 7 in the Trailways bus terminal.

**Rockefeller's Son-in-Law Jailed**

Later last week, police here arrested an interracial group of 15 (3 Negro and 12 whites) Episcopal ministers, including the son-in-law of New York Gov. Nelson A. Rockefeller, when the group attempted to enter a segregated restaurant at the Trailways bus station.

The Rev. Robert L. Pierson of Evanston, Ill., husband of Rockefeller's daughter, Ann, is vice chairman of Christ the King Foundation, Inc., an independently financed and governed project within and on behalf of the Episcopal church.

Rev. Mr. Pierson, interviewed in his cell, which confined him and the 11 other white ministers, said the police were "very polite." The three Negro ministers were placed in another cell. The 15 ministers were scheduled to be tried last Friday afternoon.

They were part of a 28-member group which arrived here from Vicksburg to tour All Saints College for white girls there, and were en route to Detroit to attend the 60th general convention of the Protestant Episcopal Church.

**Wire Attorney General**

Soon after the group was jailed, they sent a telegram to Atty. Gen. Robert Kennedy asking him to resolve "the problem of interstate travel for Americans."

Rev. Malcolm Boyd, chaplain at Wayne State University in Detroit and spokesman for the group, said the clergymen were "witness-

MISSISSIPPI

**Expulsion Protested**

In Nashville, a group of 13 students (11 white and 7 Negro) picketed the State Capitol and tried to see Gov. Buford Ellington seeking reinstatement of 14 Freedom Riders from Tennessee A&I University in June.

When the Governor refused to see the students, 10 of the group formed a double line outside of the governor's office and said they would wait there until they could get to see him. Just after noon Ellington left his office by a side door, as is reportedly his custom, and the group departed about 30 minutes later.

The 14 A&I students were expelled June 2 after their convictions on breach of peace charges here.

A spokesman for the group said the governor sent them a telegram stating that there was no reason to discuss the matter for he was in accord with the suspensions.

special service will be presented at which time the Harvest Homecoming Queen vill be crowned This will be the final phase of the annual celebration sponsored by the Avery Family each September.

Pastor Alexander is very grateful to the Avery Family and the many friends of the community for their far-reaching support and cooperation to the program of the church during the year, and he, along with the officers and members of the church invite their many friends of the community to be with them in this final service which closes the year's work.

Tuesday, Sept. 26, Pastor Alexander and the delegates from Avery will leave for Lawton where the conference will be in session, presided over by Bishop O. L. Sherman of Little Rock, Ark.

This marks the beginning of nine conferences in the Episcopal District which comprises the states of Oklahoma and Arkansas. The Oklahoma Conference is one of the largest in the Episcopal District, and according to Rev. Alexander, the pastors will read their reports Thursday and the appointments will be read Sunday, Oct. 1, by Bishop Sherman. Rev. Ernest F. Fant is minister of Barnett

JAXKSON- FREEDOM RIDERS

Chapel the host church.

# Official Defends 'Rider' Arrests As 'Proper Duty'

JACKSON, Miss. (AP)—Atty. Gen. Joe Patterson testified Tuesday he had sworn to enforce all of the laws of Mississippi, including segregation statutes whose constitutionality was attacked in a three-judge federal court.

"My duty is to enforce all of the laws I am imposed upon by the law to enforce and I think proper to do so," he said.

Patterson gave the testimony in a federal court suit by three Jackson Negroes seeking a court order to force desegregation of transportation facilities.

Patterson said there was no effort by the state to segregate transportation facilities.

"The state does not attempt to supervise and regulate public transportation in Mississippi," he said. "The segregation laws reflect the attitude of the legislators at the time of their enactment."

**NOT IN USE**

Asked whether the segregation laws were popular or unpopular, Patterson said: "The segregation laws have not been sued since I don't know when. They are not in use."

Before adjourning until 9:30 a.m. Wednesday, the court heard testimony from Jackson Police Capt. J. L. Ray concerning the arrest of most of the 312 "freedom riders" who sought to break segregation barriers in air, rail and bus terminals during the summer.

Ray testified he arrested the riders only after they refused his order to move on, given after he decided their presence would provoke a breach of the peace.

Chief of Police W. D. Rayfield told the court he arrested the riders because "I am convinced trouble would have occurred had we not arrested them." He said he had several anonymous telephone calls before the first riders arrived May 24 advising him "police would not be needed.

**MAINTAIN PEACE**

Mayor Allen Thompson testified the city policy called for separation of the races and not segregation "to maintain the same peace and happiness that has existed over the past 100 years."

Rayfield, who has headed the city police department since 1952, said he ordered segregation signs in the Illinois Central Railroad, Greyhound Bus and Trailways Bus Terminals "to direct the races to their respective waiting rooms and to help the police maintain law and order. I put them there under the segregation ordinance."

He said riders were arrested because they refused to move when ordered by officers. He said he felt their presence would cause trouble.

Thompson said he recalled no arrests in his 12½ years as mayor under the city segregation ordinance and that separation "is agreeable to white and colored alike . . . The policy is to live together in peace and quiet."

**3-JUDGE COURT**

Part of Thompson's testimony went into the record in the event the case goes to the U.S. Supreme Court on appeal. It will not be considered as evidence by the three-judge court.

Testifying for the judges, Thompson said he had "given no instructions to the police in any manner except to maintain law and order."

The suit was filed for Jackson Negroes Samuel Bailey, Joseph Broadwater and Burnett Jacob by National Association for the Advancement of Colored People attorneys.

The suit is being tried before Judge Richard Rives, Montgomery, Ala., of the 5th U.S. Circuit Court of Appeals; District Judge Sidney Mize, Gulfport, Southern District of Mississippi; and District Judge Claude Clayton, Tupelo, Northern District of Mississippi.

# Judge Won't Let Rider Withdraw Appeal
## Mississippi Moves To Block CORE Plan

Jackson, Miss. — County Judge Russel Moore blocked a move by a Freedom Rider to drop his appeal, indicating Mississippi may prevent a CORE plan for riders to serve out their court sentences.

Judge Moore's surprise ruling came before the trial of Alexander Anderson, 33-year-old Negro minister who asked to withdraw his appeal on breach of the peace charges. The judge said the Mississippi Supreme Court has held that cases similar in nature appealed from city court cannot be withdrawn.

**Returned to Jail**

In earlier cases before Judge Moore, two New Orleans CORE leaders Jerome Smith and Julia Aaron, withdrew their appeals and returned to jail.

The Congress of Racial Equality (CORE) has issued an appeal for the Freedom Riders to withdraw their appeals and return to jail in a group. Judge Moore's ruling effectively blocks that plan.

**Sentenced**

Following Moore's ruling, an all-white Hinds County jury convicted Anderson. He received the same sentence as five other riders tried in county court, four months in jail and a $200 fine. The case is being appealed and Rev. Anderson is free on $1,500 appeal bond furnished by CORE.

MIX TRIAL

# Patterson 'Cleared' In Court

By BOB PITTMAN
Daily News Staff Writer

The NAACP and three Jackson Negroes apparently have failed in their effort to place responsibility for arrest of about 300 "freedom riders" on Mississippi Atty. Gen. Joe Patterson.

A three-judge federal court declared late yesterday Patterson was not responsible for enforcement of breach of the peace statutes in the City of Jackson, the law under which the "riders" have been arrested and convicted.

The ruling came as the National Association for the Advancement of Colored People continued a court test of segregation in public transportation facilities.

The attorney general was made a defendant in the suit, along with the City of Jackson and several transportation companies.

Presiding Judge Richard T. Rives of Montgomery, Ala., made the ruling yesterday as NAACP attorneys sought to present evidence regarding arrest of one "freedom rider" against the attorney general.

Judge Rives told the attorneys the attorney general "is not responsible for every criminal arrest in the state."

Meanwhile, the NAACP paraded a group of public transportation officials to the witness stand to have them testify segregation signs were placed at their terminals under city or state law.

Representatives of the Illinois Central Railroad, Greyhound and Trailways Bus Cos., Jackson City Lines and the Jackson Airport Authority told the court signs separating the races in waiting rooms, rest rooms and at drinking fountains appear in their facilities.

The company officials said, howeverever, their companies have no policy of racial segregation.

The suit, filed by three Jackson Negroes with assistance from the education and legal fund of the National Association for the Advancement of Colored People, is expected to take up one or two more days.

The suit was brought on behalf of the Negro race by Joseph Broadwater, Burnett Jacobs and Samuel Bailey, all of Jackson.

Testifying for the utilities were Everett Renegar, manager of the Jackson Greyhound terminal; Phillip A. Dobyns, regional manager of Southern Continental Lines (Trailways); G. E. Pickle, district passenger agent for the Illinois Central Railroad; and A. B. Smith, superintendent of Jackson City Lines.

**NOT COMPANY POLICY**

All said their companies have no policies of racial segregation and said separation of the races was carried out under state and local laws.

Capt. T. A. Turner of the Jackson Airport Authority and Cicero Carr, owner and operator of Cicero's Restaurant at the airport also testified as to separation of the races in their facilities.

Two Negroes, including NAACP field secretary Medgar Evers, told the court they had been subjected to segregation in public transportation facilities.

Tougaloo Southern Christian College student Thomas Armstrong was testifying as to his arrest as a "freedom rider" in the Trailways terminal in Jackson when Judge Rives made his ruling as to the attorney general.

# Bus Rider Case Heads For Mississippi Courts

JACKSON, Miss., Nov. 18 (AP)— The federal-state dispute over Mississippi transportation segregation is headed for state courts after a three-judge federal court refused to rule in the case.

In a 2-1 verdict, the court ruled that suits filed for three Negro "freedom riders" by the National Association for the Advancement of Colored People should first go to state courts for rulings on the state laws involved.

Judge Richard T. Rives of Montgomery, Ala., of the 5th U.S. Circuit Court of Appeals, issued a sharply worded dissent from the majority view of two Mississippi federal judges, Sidney Mize of Gulfport and Claude Clayton of Tupelo.

"The continued refusal to rule (on this case), although it has been pending since June 9, is in violation of this court's duty under the law," Rives said.

Judges Mize and Clayton made no mention of the time the court had the case under study. The suit was filed in June and testimony was taken in September.

The two district judges said the principle of routing the cases through state courts had been backed up by U.S. Supreme Court decisions.

# Justice Dept. Challenges Ala. Ride Injunction

## Suit Filed To Halt Mississippi Arrests

By CLIFF SESSIONS

JACKSON, Miss. — (UPI) —Negro attorneys filed suit in Jackson Friday to stop the arrest of "freedom riders" under Mississippi segregation laws. The Justice Department, meanwhile, went to the legal aid of the riders in Alabama.

The suit was filed in U S District Court here just a few hours after local officials stepped in and arrested another group of five riders that arrived in Jackson by train from Nashville, Tenn., and attempted to use segregated facilities.

**CHALLENGE INJUNCTION**

At Mongomery, Ala., Justice Department attorneys filed a brief in U. S. Middle District Court challenging a federal judge's injunction that, in effect, barred further "freedom rides" in Alabama.

The injunction was handed down by Judge Frank M. Johnson Jr., and was directed at sponsors of the "freedom riders." He further directed state and local officials and Ku Klux Klansmen from interferring with interstate travel.

The Justice Department contended in its brief that the riders were merely exercising their constitutional rights.

A total of 98 "freedom riders" have been jailed in Mississippi's capital city since May 24.

Friday's riders were convicted of breach of the peace in a 10 -minute trial in municipal court. They were given the maximum penalty: $200 fines and four months in jail.

Those sentenced were Patricia Bryant, 20, a Negro from Elmira, N. Y ; Heath Rush, 20, Canterbury N. J.; Del Greenblatt, Brooklyn, N. Y ; Edward Bromberg, 24, Chestnut Hill, Mass., and Winonah Beamer, 19, of Dayton, Ohio.

A Congress of Racial Equality CORE spokesman in Atlanta said, meanwhile, that the movement was gaining momentum and new rides were being organized in Nashville, New Orleans, St. Louis, Memphis and Atlanta.

The spokesman, B. E. Cox, said some of the rides would have destinations other than Jackson.

**TO "TEST" FACILITIES**

He said one group, including some "professional people," was organizing in Maryland and would set out soon for Florida, "testing" facilities in Virginia, North Carolina, South Carolina and Georgia along the way.

The Jackson suit was filed by Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People NAACP, R. Jess Brown, legal counsel for the Mississippi NAACP, and Constance Baker Motley, New York.

It asked that the city, the state and all bus lines and common carries operating in the state be enjoined from continuing to enforce the state's racial segregation laws and the city's policy of segregation in waiting rooms and rest room facilities at transport terminals.

Named as defendants were state Atty. Gen. Joe Patterson; the city of Jackson; Mayor Allen Thompson; City Commissioner Thomas B. Marshall and D. L. Luckey; Chief of Police W. D. Rayfield; Continental Southern Lines, Inc.; Illionis Central Railroad; Jackson City Lines Inc.; Southern Greyhound Lines, Inc., and Cicero Carr, of the restaurant at the Municipal Airport.



# WOMAN TESTS RIDER ARREST

A New York woman called on a federal court today to test the constitutionality of the law under which she was arrested as a "freedom rider".

Attorneys for Elizabeth Porter Wyckoff, a white woman writer, were to ask U. S. District Judge Sidney Mize today for a writ of habeas corpus to free her from the Hinds county jail where she is serving out a $200 fine.

The petition asked Judge Mize to examine constitutionality of the law under which the Wyckoff woman was convicted on a breach of the peace charge.

She is one of 118 self styled "freedom riders" who have been convicted in municipal court here since May 24.

She was arrested with several other whites and a group of Negroes at the Trailways bus terminal June 2.

**ACLU INVOLVED**

Her attorneys are Jack Young, Jackson Negro who had handled nearly all the "freedom rider" cases, and William M. Kunstler, New York City white attorney and author, who said he represents the American Civil Liberties Union in the case.

The Wyckoff woman charged in her petition that she was arrested because she accompanied Negroes into a white waiting room at the bus terminal.

She said she sought relief in the federal court because any new proceeding via Mississippi court "would be unsuccessful" and too expensive.

Young was to present her petition to Judge Mize at his home in Gulfport today.

Meanwhile Municipal Judge James Spencer yesterday sentenced six "riders" to four months in jail and handed them $200 fines on breach of the peace charges.

Five of the group—three white women, a Negro man and a white man—were arrested at the Greyhound bus station at noon yesterday and the six was arrested at the Greyhound station Wednesday.

The three men will probably join earlier "riders" in Parchman after a five day waiting period.

Arrested yesterday were Elizabeth Hirshfeld, 24, white woman, of Ithaca, N. Y., who said she is on leave from a laboratory technician job at Cornell University where she worked on a project for the Atomic Energy Commission; Kay Kytle, 18, white of Oklahoma City, Okla., a business school student; Jo Alder, 21, white, of Brooklyn, N. Y., student at the University of Wisconsin; Robert Filmer, white 19, of New York City, Cornell student; and Leon N. Rice, Negro 24, of Chicago, a University of Chicago student.

JUNE
FREEDOM RIDERS- COUNTY JAIL
JACKSON, MISS.

# Way Cleared For Transfer Of 'Riders'

JACKSON, Miss (AP) — The Hinds County Board of Supervisors authorized Sheriff J. R. Gilfoy Monday to transfer "Freedom Riders" convicted on breach of peace charges to the state penitentiary.

The county governing body said the county jail, where Negro "Riders" are housed, "is overcrowded and without suitable facilities for present county prisoners."

The board said an emergency exists and it authorized Gilfoy to transfer "Riders" to the state penitentiary at Parchman when and where a transfer is needed.

In its order, the board said "By reason of such overcrowding Hinds County is unable with its own facilities to provide necessary housing and work as required for its prisoners."

The order said arrangements have been made with the state for use of Parchman facilities as a jail for housing such prisoners. Reports indicated a barracks-style building with space for 600 persons is being readied for "Riders" if the transfers are made.

Gilfoy did not say when any "Riders" would be transferred.

The board said at Parchman "Adequate public work may be made available to them so they may lawfully receive credit for time spent in confinement.

Under the law, prisoners are given credit for $3 per day on their fines for work. The "Riders," who have not been put to work, have been credited with the time nevertheless.

At one time, "Riders" were transferred to the county penal farm, but they were returned in a short time after charges arose they were beaten at the farm. Officials said Superintendent Max Thomas had hit one while defending himself.

County officials said the "Riders" were returned to the county jail to keep them from other prisoners.

The board said any transfer to Parchman was subject to several conditions, including proper housing and food for them and work as permitted by law.

# Court Upholds Negro's Right To Criticize

JACKSON, Miss (AP) — The Mississippi Supreme Court upheld Monday Negro leader Medgar Evers' right to criticize a court action, but it labeled his statement intemperate, unwarranted and false in several respects.

In a unanimous decision written by Justice W. N. Ethridge, the court overruled circuit Judge Stanton Hall of Hattiesburg and set aside the $100 fine and 30-day jail sentence given Evers for contempt of court last December.

Evers, Mississippi field secretary for the National Association for the Advancement of Colored People, was cited for contempt for saying Hall's court committed a "mockery to judicial justice" when it convicted a Negro for theft against what he called the overwhelming weight of the evidence.

Evers accused the court of trying to put Negro chicken farmer Clyde Kennard away legally as reprisal for his ill-fated attempt to desegregate Mississippi Southern College in 1959.

Kennard was convicted of taking five sacks of chicken feed from a Hatteisburg cooperative store.

The supreme court said Evers' statement was inaccurate because the supreme court reveiwed the theft conviction and found it was not contrary to the evidence. In addition, Kennard's attorney, Jack Young of Jackson, told Judge Hall he thought the trial was fair.

After the supreme court decision, Evers issued a statement saying:

"It is encouraging that there is a court of law in our state that regards freedom of speech as a cornerstone of our American heritage, whether that speech is uttered by an official of the NAACP, the mayor of one of our major cities, or a United States senator."

Although the supreme court decision was unanimous, Chief Justice Harvey McGehee said he disagreed with the wisdom of the court in quoting some legal principles and making the observation it did in the opinion because they would "have a tendency to encourage such agitators as Evers to unjustly criticize our courts . . .upon the theory that he has a license from this court to do so."

# State Negroes Shun 'Cool Off'

Jackson Daily News
Jackson, Miss.
Sat, 5-27-61

## 27 'Riders' Begin Jail Terms Here

By W. C. SHOEMAKER
Daily News Staff Writer

Twenty-seven "freedom riders" began serving jail terms here today in payment of fines while Jackson Negroes protested a suggestion of the U.S. Attorney General that they "cool off" mix attempts in the South.

A new group was reported organizing another "freedom ride" from Nashville to Jackson. P-1

The 27 arrested in the Trailways bus station here Wednesday were convicted in municipal court yesterday of committing a breach of the peace. They were fined $200 each and given 60-day suspended jail terms.

They did not offer to pay fines or post appeals immediately and were placed in the Hinds county jail.

The fine will be reduced at the rate of $8 for each day they serve in jail.

**SMALL ATTENDANCE**

At a mass meeting called by the Jackson NAACP a few hours after the trial, the Rev. John D. Mangram, chaplain at Tougaloo Southern Christian College on the outskirts of Jackson, expressed disappointment at U. S. Atty. Gen. Robert Kennedy's request for a temporary end of "freedom rides" through the South.

"I would like to see the attorney general begin to enforce the federal laws as effectively as the state of Mississippi enforces its segregation laws," he told a crowd of about 125 persons at the Negro Masonic Temple.

It was the smallest attendance at an NAACP mass meeting here in years.

**PLAN TRAIN RIDE**

Meanwhile in Nashville, a spokesman for a Negro student group said more "freedom riders" would leave Nashville today for Birmingham with plans to continue their ride to Jackson.

"We might get to Jackson," Bob Lillard said. "But we are going to Birmingham first."

Another group was reported planning to move on Jackson by train. Jackson, Miss.

The 27 arrested Wednesday came here via Birmingham and Montgomery. Sat, 5-27-61

The group first faced charges of committing a breach of the peace and failing to obey the command of an officer, but as the trial began before Municipal Judge James Spencer yesterday City Attorney Jack Travis withdrew the "failing to obey" complaint. P-14

**ONE WITNESS**

The city presented only one witness. Veteran Police Capt. J. L. Ray, who said he ordered the group to leave the Trailways bus station and arrested them when they refused.

It was common knowledge what they did in Montgomery," Ray testified, referring to a riot which broke out when the same group alighted from a bus at the Montgomery trailways depot.

"It was common knowledge that they were in Jackson to create an incident that would start a riot," Ray continued in answer to questions from Young.

Charges against the two bus loads of "freedom riders" were filed under an anti-riot law passed by the 1960 Legislature.

The Rev. James M. Lawson Jr., of Nashville, one of the 27 arrested, complained in testimony of not being allowed rest stops between the Mississippi state line and Jackson and of the fact that armed national guardsmen were aboard the bus which brought him here.

"The bus was under the control of the National Guard," he said.

**DOOR CLOSED**

He said he noted that the door to the Negro waiting room carried an "out of order" sign and that police funneled him toward the white waiting room at the Trailways station. One of four doors leading to the Negro waiting room was out of order when the group arrived.

Lawson admitted he was once given a three year sentence as a conscientious objector from military service.

He denied he came to Jackson to create an incident but sa came "simply because I was taking a trip on a bus."

The Rev. C. T. Vivian of Nashville, another of the defendants, also complained of guard control of the bus which brought him to Jackson.

James Farmer of New York City, national director of The Congress of Racial Equality who was arrested with riders on the second bus Wednesday, claimed his group created no disturbance here.

Questioned by Travis he said he came here because of "my belief in America." I wanted to find out what Negro travelers would encounter" in a tour of the South, he continued.

R. Jess Brown, of Vicksburg, one of four defense attorneys, asked for a verdict of innocent on grounds the city showed no violation. Spencer denied his motion.

**'REFUSE TO OBEY'**

Assistant City Attorney Robert G. Nichols Jr. argued that the 27 committed a breach of the peace by failing to obey police commands to move. "You'll never have democracy unless you keep the peace," he said.

Young claimed that arrests of the 27 was a "pre-planned thing even before they left Montgomery." "The city police were parcel and part of it," he continued.

Wiley Branton of Pine Bluff, Ark., leader in the Little Rock school integration drive four years ago and a member of the defense counsel here yesterday, argued that the Negroes were arrested "because they went into a white waiting room" and the two whites were arrested "because they traveled with Negroes."

Travis charged that the 27 came to Jackson "in an attempt to breach the peace of this community and they did it." "That was the sole purpose of their trip to Mississippi."

"If these defendants had arrived in town and obeyed our state laws and observed our city ordinances they would have been welcome," he continued.

Travis suggested a maxium fine of $200 and 60 days in jail with the jail sentence suspended if Spencer ruled the 27 guilty of the breach of peace.

The law allows a maxium of $500 and six months.

Spencer said there was no question "but what the statutes are constitutional on their face. Every state and every goverment needs laws to prevent, when necessary, crowds from gathering. Every state has some such statutes," he said.

**NO SEGREGATION TEST**

"We must bear in mind we're not here trying any segregation laws or the rights of these peopl eot sit on any buses or to eat in any place," he continued.

He said the 27 "chose to take the law into their own hands and announced their intention to do so. They were not traveling for the purpose of traveling but for the purpose of violence. Their avowed purpose was to inflame the public. They sought to have people fight out legal issues among themselves," he continued.

"Their action led to mob action wherever they have been, the judge continued prior to announcing his verdict and the sentence.

During the trial about 50 policemen surrounded police headquarters where the courtroom is located. They allowed no loitering.

Jacksonians generally ignored the trial. Half of the courtroom reserved for whites was filled with news reporters and the other side was jammed with Negro reporters and the 25 Negro defendants.

Two white men arrested with the group were seated on a front row in the white section.

The trial began at 4 p.m. and ended at six. The 27 returned to the city jail, ate dinner and conferred with their attorneys, moving across Congress St. to the county jail at 8:30 p.m.

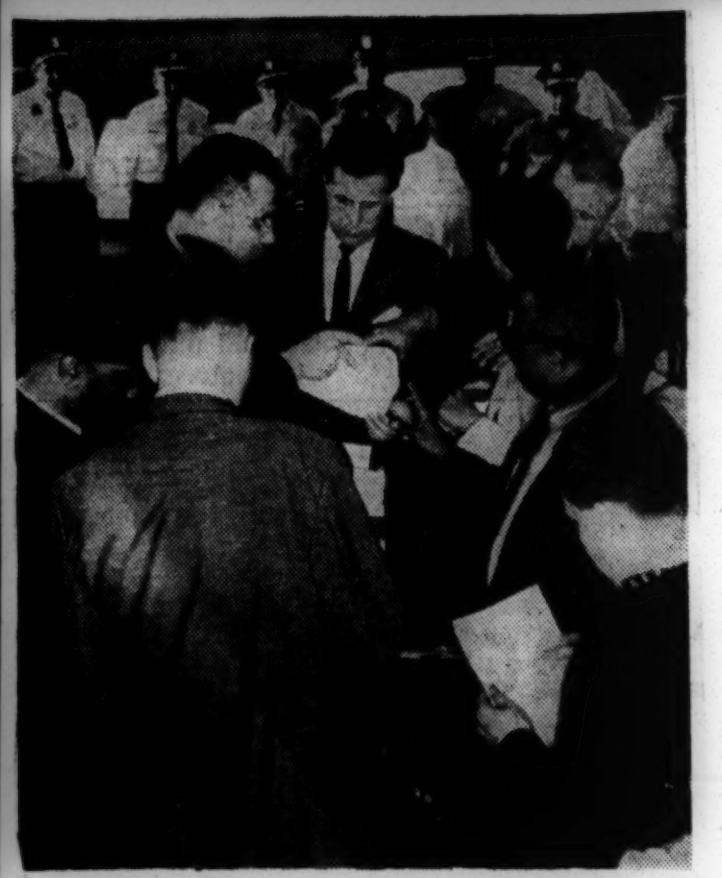
Joining Young, Brown and Branton in defense of the 27 was Charles Oldham of St. Louis, a white man who was identified as chairman of CORE.

The defendants could remain in the Hinds county jail until their fines are paid, appealed or served —or they could be transferred to the Hinds county prison farm at Raymond.

**ADOPTED RESOLUTION**

The NAACP last night approved a resolution calling on Gov. Ross Barnett to "exert the powers of his office to eliminate every legal barrier in contradiction to rulings of the federal courts and in opposition to the U.S. Constitution" and to "use his influence and executive power to secure for all citizens equal access to all public facilities of this state."

The resolution was presented by the Rev. C. A. Jones, dean of religion at Campbell College, who presided at the rally.



**RALLY INVITATIONS**—Representatives of the NAACP and CORE (Congress of Racial Equality) passed out circulars inviting newsmen to last night's NAACP mass rally yesterday in front of the city court building. Handing out the circulars here are Wiley Branton, Negro attorney for the NAACP from Pine Bluff, Ark., and Charles Oldham, CORE lawyer from St. Louis.—Daily News Staff Photo by Jack Thornell.

FREEDOM RIDERS- JACKSON
LAWMAKER- MR. MARK LANE, NEW YORK, N.Y.

# LAWMAKER HERE HELD IN JACKSON

The New York

## Mark Lane in Jailed Group of Freedom Riders

JACKSON, Miss., June 8 (UPI)—Two new groups of Freedom Riders were arrested today. They included four young while girls, a New York State legislator and the president of the New York branch of the National Association for the Advancement of Colored People.

The four white girls were in a group of nine Freedom Riders who took a train from New Orleans to Jackson. A Negro girl and four Negro males made up the rest of the group. They were also arrested.

The arrests, eleven in all, brought to ninety-two the number of integrationist riders who have been jailed for breaching the peace during the past fifteen days.

One of the girls was identified as a recent employe in the Washington office of Senator Clair Engle, Democrat of California.

The lawmaker arrested was Mark Lane, Democratic Assemblyman of Manhattan. Mr. Lane, who is white, and his companion, Perry Sutton, 40, head of the New York N. A. A. C. P., arrived in Jackson by air from Montgomery, Ala.

They were arrested when they attempted to use segregated restroom facilities at the terminal.

**In Alabama Wednesday**

The two men arrived in Montgomery yesterday and said they were in the South to get a first-hand look at the racial situation. Policemen watched while they had orange juice at the segregated lunch counter in the Montgomery bus terminal, but made no attempt to arrest them.

Neither Mr. Lane nor Mr. Sutton mentioned joining the Freedom Ride while in Montgomery, but when they arrived in Jackson they walked immediately into the terminal and through a door marked "white men."

A police officer told them to "move on," and Mr. Sutton replied:

"I am an interstate passenger."

"You're under arrest for refusing to obey an officer," Police Capt. J. L. Ray said.

The girls in the group arriving from New Orleans were arrested when they refused to leave a segregated waiting room. The four Negro men were arrested in a similar incident.

One of those arrested, Joan Harris Trumpower, 19, of Washington, said she had worked in Senator Engle's Washington office until a few days ago.

The other girls were identified as Jane Allen Rosett, 18, of Washington; Helen Dorothy Wilson, 19, of Washington; Terry Suzanne Pearlman, 19, of the Bronx, a student at City College of New York; and the Negro girl, Gwendolyn T. Greene of Washington, a student at Howard University.

The men were identified as Robert Wesby, 33, of Aurora, Ill., a Baptist minister; Jan Leighteon Triggs, 19, of New Rochelle, N. Y., a student at Howard; Stokley Carmichael, 19, or New York, a Howard student; and Travis O. Britt, 17, of Brooklyn, a cafeteria employe.

**Reform Movement Leader**

Mark Lane represents Manhattan's Tenth Assembly District in the State Assembly at Albany and is a leader in East Harlem's reform movement in the Democratic party.

He was born in the West Bronx on Feb. 24, 1927 and was brought up in Brooklyn. After graduating from Brooklyn Law School he took graduate courses in labor law at New Yorw University Law School. He opened law offices in East Harlem in 1952.

Mr. Lane was campaign manager for John Harrington, reform candidate elected as Democratic district leader for the Tenth Assembly District South in 1959. He also helped found the East Harlem Reform Democratic Club, which is affiliated with the New York Committee for Democratic Voters, an anti-Tammany group.

He was elected to the Assembly last year after defeating the Tammany incumbent in the primary.

**N. A. A. C. P. Official**

Percy E. Sutton was born in San Antonio, Texas, on Nov. 24, 1920. He attended San Antonio High School and the Hampton Institute in Virginia before serving in World War II as a captain in Air Force intelligence.

After the war he attended Columbia University and was graduated from Brooklyn Law School in 1951. He served in the Korean War as an Air Force captain of intelligence.

In 1953 he and his brother Oliver formed the law firm of Sutton & Sutton with offices in Harlem. Percy Sutton was elected president of the Manhattan branch of the National Association for the Advancement of Colored People last December, after serving on its board for three years.

Tammany reform Democratic movement in Manhattan's Eleventh Assembly District.

MISSISSIPPI

38a 1961

# Jackson Jails Seven Negroes In Mixing Try

JACKSON, Miss. (AP)—Seven Negroes sought to break the color line in Jackson Wednesday and police arrested all of them on breach of peace charges.

Four arrests came at the city park as the Negroes refused to move from a park usually used by whites. Three others were arrested shortly afterward as they sought to use the white waiting room at the Trailways bus terminal.

The four at the park were among a dozen Negroes who went into the area normally used by whites and staged a picnic. Afterwards, they strolled around the swimming pool area and were turned away from the ticket booth.

**NO VIOLENCE**

Some whites jeered at the group, but officers said there was no vilence.

Arrested on the park benches were two youths and two young women.

At the bus station, the three entered about 2 p.m. and officers ordered them to move on before they could get to the ticket counter.

The three ignored the request of Capt. J. L. Ray and the officer ordered them arrested on breach of peace charges—failure to obey the order of an officer.

They brought to 172 the number arrested since "Freedom Rider" attempts to desegregate transportation terminals began here May 24.

# 8 More 'Riders' Jailed In Jackson

## One Charged With Assault On White Man

JACKSON, Miss., July 16. — (UPI) — Eight more so-called "Freedom Riders" arrived here Sunday and one who came Saturday night was charged with assaulting a white man.

A bi-racial group of seven riders, most of them from New York, traveled here by bus and were arrested in the Greyhound Terminal's Negro waiting room. A lone Negro rider from Los Angeles came by train from New Orleans and was arrested in the depot's white waiting room.

The arrests brought to 236 the number of riders taken into custody on breach of the peace charges here since May 24.

Charged with assault was Leo Washington, 24, a Negro college student from New Orleans. He allegedly stomped a white man's toe in Greyhound's white waiting room after he and 11 other integrationists arrived Saturday night.

Washington fell back against a wall a second later, and several persons in the bus station thought the white man hit him. But officers said the man—Cecil Lindsay, a graduate student at Mississippi College—merely shoved Washington off his toe.

Lindsay, who is a teacher in Arkansas, was taken to police headquarters to sign an affidavit charging Washington with assault.

The lone rider arrested Sunday was identified as James Emerson Dennis, 25, a Negro from Los Angeles and a student at Los Angeles State College.

38a 1961

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JACKSON- FREEDOM RIDERS
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# 'Riders' Appeals May Be Dropped

## Outcome Of Trials Called 'Fairly Predictable'

WASHINGTON, Sept. 1. — (AP)—The Congress of Racial Equality gathered Friday for a four-day convention with indications it will decide to urge dropping of appeals in the so-called "Freedom Rider" cases in Jackson, Miss.

As about 150 bi-racial delegates registered for a night opening session, C.O.R.E. national director James Farmer, one of the first arrested for breach of the peace in Jackson, told a newsman that he and other self-styled "Freedom Riders" might withdraw their appeals.

But he said a final decision would be left to the convention which runs through Monday. Dropping of the appeals to the county court would mean that more than 180 riders would serve out the sentences imposed on them in city court.

The riders were convicted of breach of the peace in refusing to obey police orders to move on while attempting to end segregation of bus terminal facilities in Jackson.

Farmer said the results of the appeals trials are "fairly predictable." He said the county court juries have given the maximum sentence, compared with a lighter sentence in city court, in two of about 190 cases appealed.

"Our feeling is," Farmer said, "the authorities of Mississippi are merely harassing us by demanding that each person return to Mississippi for an individual trial.

"It seems clear that each will receive the maximum sentence in the appeal trial regardless of the sentence previously received.

"For example the two already tried in county court received two months' suspended sentence plus $200 fine originally. In the appeal trial, they received the maximum four months, nothing suspended, plus $200."

Two other riders have dropped their appeals and gone back to jail, Farmer said.

# C.O.R.E. Tells 'Riders' To Serve Terms At Jackson

## Drive Planned To End Job Discrimination

From Wire Dispatches

Washington, Sept. 4. — The Congress of Racial Equality Monday urged all "freedom riders" who have appealed their convictions of breaching the peace in Jackson, Miss., to return there and serve sentences imposed in City Court.

It said 260 now are free on bond. The cases stem from the congress' efforts earlier this year to break down racial segregation in bus, railroad, and airport terminal facilities. Most of the sentences were for two months' imprisonment plus fines of $200.

James Farmer, C.O.R.E.'s national director, said the decision to urge dropping of the appeals was made for two reasons. One was the prospect that the appeals, like those so far heard, would be lost. The other was the desire "to move into the area of nonviolent action rather than be bogged down in litigation."

Farmer added that Hinds County Recorder's Court, where the appeals are being heard, had increased sentences of some of the appellants. He said he was one of those free on appeal and that he would return to jail.

He made it plain that this would not mean the end of the "freedom-rider" effort in Jackson. The congress' annual convention here voted, he said, to begin recruiting a select "trained and disciplined" group prepared to go on more rides to Jackson and "when and if arrested stay in jail for their maximum sentences."

At the same time, C.O.R.E. announced the launching of new campaigns to end discriminatory employment practices in national retail chain stores, to get unlimited decent housing for all Americans, and to continue and intensify its campaign for registering eligible Negro voters.

It said the attack on employment practices will place "particular emphasis" on Sears Roebuck and might later include a nationwide Negro boycott of its goods.

No definite allegations were made against Sears, but a C.O.R.E. spokesman said later that numerous C.O.R.E. local groups had reported discrimination against hiring Negroes at their local Sears stores, particularly in the better-job categories and asked the national organization to help change this policy.

The spokesman said Sears stores do hire some Negroes, but C.O.R.E. wants equal opportunities on all levels, up to and including the management.

The decisions were made in resolutions adopted at the conclusion of the congress' annual four-day convention.

## CORE Urges 'Riders' To Serve Sentence

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38a 1961

# Judge Adds 23 To Jailed Riders

## Total In Prison Now 163 As Pending Cases Are Closed

By The Associated Press

JACKSON, Miss., June 26—City Judge James Spencer convicted 23 more self-styled "Freedom Riders" on breach of peace charges Monday boosting to 163 the number found guilty since the riders reached Jackson a month ago.

The group included 19 arrested at the Illinois Central Station Sunday and four arrested at the Trailways Bus Terminal Friday. Judge Spencer handed down $200 fines and four-month sentences.

Officials declined to try Robert William Mason, 17, a Los Angeles Negro arrested at the train station with Sunday's group, because he is a juvenile. He was turned over to his lawyer to be sent home.

The trial came only hours after a white rider, Kenneth Shilman, 18, of Oceanside, N. Y., told newsmen in New York that "terribly brutal treatment" was inflicted on the desegregationists at the state penitentiary.

Sheriff J. R. Gilfoy, custodian of the prisoners, termed the story exaggeration and colored-up facts, adding, "We're leaning over barkward in handling them."

**Hunger Strike Ends**

Because of crowded conditions at the Hinds County Jail here, most riders are transferred to the state penitentiary after remaining in Jackson five days after sentencing.

Sheriff Gilfoy also disclosed that Price Chatham, 29-year-old white rider from East Rockaway, Long Island, N. Y., had ended a "hunger strike."

The sheriff said Chatham began eating only three days after he was placed in a cell alone with no chance of getting food from other prisoners.

Chatham had claimed for 22 days he was not eating, but prison physician Dr. Hector Harrell said he had lost only 3½ pounds.

Dr. Harrell said he believed Chatham was eating and asked that he be isolated to permit a check of his food intake.

**All Cases Handled**

With Monday's trial and release of the juvenile rider, officials disposed of the last cases pending. Of the 163 convicted, 58 remain at the state penitentiary and 50 in Jackson jails.

Four riders have paid fines and returned home and 52 others have gained their freedom by posting $500 appeal bonds. Eight, including Shilman, posted bonds over the week end.

The latest trial was as brief as all recent ones have been.

Police Capt. J. L. Ray testified he felt it best to order the riders to move on as "they were coming to cause an incident."

He said they refused to obey his order and he ordered them arrested.

The defense asked Captain Ray if he would answer questions asked at previous trials in substantially the same manner as he answered when originally asked. Captain Ray answered in the affirmative and defense attorney Jack Young, a Jackson Negro, asked no further questions.

The trials were held on the first trial day in court after the arrests at the request of attorney Young. Riders do not get credit for time served before sentencing.

**Maximum Sentences**

Judge Spencer made no comment in convicting or sentencing the riders, saying he regarded their cases as continuations of the original rider trials and had outlined his position at that time.

The sentences were the maximum permitted by law under the charges.

The first riders received suspended jail terms, but did not pay fines and served until they posted appeal bonds. When the rides continued, Judge Spencer stiffened penalties after warning future riders they would be increased to the maximum.

# JUDGE FINDS 23 RIDERS GUILTY

## Total of Convicted Now Stands at 163

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — The total of convicted "freedom riders" rose to 163 here Monday as 23 more persons were found guilty by City Judge James L. Spencer for breach of the peace.

Spencer administered the maximum sentence under the 1960 statute—$200 fine and four months in jail.

Nineteen of those convicted had arrived by train Sunday from New Orleans and were arrested at the Illinois Central passenger terminal.

Four others were Negroes from this area who entered a white waiting room at the Trailways bus station Friday to catch a bus.

**YOUTH SENT HOME**

One Negro youth arrested Sunday, Robert William Mason, Los Angeles, was not tried Monday because he is a juvenile. The 17-year-old Mason was released and sent home.

In the group convicted Monday were mostly students under 20 years of age. Fourteen of them were Negro and the remaining nine were white.

Over the week end Hinds county Sheriff J. R. Gilfoy transferred the first group of women prisoners to the state penitentiary at Parchman.

Meanwhile, Sheriff Gilfoy said Monday Price Chatham, 29, a New York script adviser, had ended his alleged "hunger strike" at Parchman penitentiary.

**SLIGHT WEIGHT LOSS**

Chatham had notified his wife in a letter last week that he had not eaten in several weeks. But Dr. Hector Harrell at the penitentiary checked him and found he had lost only 2½ pounds.

After Chatham was isolated from other prisoners, Gilfoy said, he began eating. Chatham's wife visited him over the week end.

Gilfoy also denied charges made by white rider Kenneth Shilman, 18, Oceanside, N. Y., that "terrible brutal treatment" was given the freedom riders at Parhcman.

"We're leaning backwards in handling them," the sheriff said.

# 23 MORE RIDERS FINED AND JAILED

## Ruling by Judge in Jackson Raises Convictions to 163

JACKSON, Miss., June 26 (AP)—City Judge James Spencer today convicted twenty-three more Freedom Riders on breach of the peace charges, raising to 163 the number found guilty since the rides reached here a month ago.

The group included nineteen arrested at the Illinois Central Station yesterday and four arrested at the Trailways Bus Terminal Friday. Judge Spencer handed down $200 fines and four-month sentences.

Officials declined to try Robert William Mason, 17 years old, a Los Angeles Negro arrested at the train station with yesterday's group, because he is a juvenile. He was turned over to his lawyer to be sent home.

The trial came only hours after a white rider, Kenneth Shilman, 18, of Oceanside, L. I., told reporters in New York that "terribly brutal treatment" was inflicted on the desegregationists at the state penitentiary.

Sheriff J. R. Gilfoy, custodian of the prisoners, termed the story exaggeration adding "we're leaning over backward in handling them."

Because of crowded conditions at the Hinds County jail here, most riders are transferred to the state penitentiary after remaining in Jackson five days following sentencing.

Mr. Gilfoy also disclosed Price Chatham, 29, a white rider from East Rockaway, L. I., had ended a "hunger strike."

The sheriff said Mr. Chatham began eating only three days after he was placed in a cell alone, with no chance of getting food from other prisoners.

Mr. Chatham had contended for twenty-three days he was not eating, but prison physician Dr. Hector Harrell said he had lost only 2½ pounds.

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MISSISSIPPI FREEDOM RIDERS—JACKSON

Mr. Harrell said he believed Mr. Chatham was eating and asked that he be isolated to permit a check of his food intake. Mr. Chatham's wife was permitted to visit him over the week-end.

Meanwhile, Medgar Evers of Jackson, state field secretary for the National Association for the Advancement of Colored People, said Mississippi representatives would take part in a "freedom train" scheduled to journey July 12 from the N. A. A. C. P. convention at Philadelphia to Washington.

The N. A. A. C. P. said 1,000 white persons and Negroes would make the trip to press Congressmen to support pending civil rights legislation.

The N. A. A. C. P. has not been involved directly in the Freedom Rides at Jackson, but has offered legal aid to riders.

With today's trial and release of the juvenile rider, officials disposed of the last cases pending. Of the 163 convicted, fifty-eight remain at the state penitentiary and fifty in Jackson jails.

Four riders have paid fines and returned home and fifty-two others have gained their freedom by posting $500 appeal bonds. Eight, including Shilman, posted bonds over the week-end.

# 23 Females In 'Rides' Sent To Prison

PARCHMAN, Miss. (UPI)—Female "Freedom Riders" today began getting a taste of life at the Mississippi State Penitentiary.

Twenty-three women who had been jailed in Jackson were transferred to the penitentiary here Friday night. They and three men who came with them boosted the prison's rider population to 66.

They were the first women riders to be sent to the penitentiary, where all the integrationists are housed in the maximum security cellblock.

Most of them clad in shorts, the women climbed into a van to begin their three-hour trip. The three men came in an enclosed pickup truck.

Earlier Friday, four young Negroes walked into the white waiting room of the Trailways bus terminal in Jackson to buy tickets for a trip. Seconds later police ordered them to "move on." They refused and were arrested on charges of breach of the peace.

They were identified as Thomas Armstrong of Silver Creek, Miss., Mary Harrison of San Antonio, Tex., both students at nearby Tougaloo College, Joe Ross of Tennessee A&I University, and Elnora Price of Raymond, Miss.

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MISSISSIPPI

FREEDOM RIDERS- JACKSON
SEGREGATED PUBLIC TRANSPORTATION
NAACP
FEDERAL COURT

# State Gets Delay In Mix Showdown

P. 4 Jackson Daily News
Tues. 7-11-61

By BOB PITTMAN
Daily News Staff Writer

The State of Mississippi won a month's delay of a federal court test of segregated public transportation facilities yesterday over the objections of the senior member of the three-judge court.

The court continued until August 7 a suit in which the National Association for the Advancement of Colored People seeks to enjoin city and state officials from "continuing to enforce statutes requiring racial segregation" of transportation facilities.

The U. S. Department of Justice filed a brief in the suit as a friend of the court yesterday morning and the court rejected a motion by the stat eto prevent the federal gvoernment from participating.

Jackson

The delay granted today also caused rescheduling of other civil rights actions pending before the Southern District of federal court.

Judge Sidney Mize postponed a university integration suit from yesterday afternoon until August 10 and moved a voting suit back a week from August 7 to August 14.

The state won the delay on grounds that Asst. Atty. Gen. Dugas Shands, who heads the state's defense in civil rights cases, was "physically exhausted" and unable to appear.

Mississippi's two federal Judges, Mize of the Southern District and Claude Clayton of the Northern District, voted to permit the delay.

### TUTTLE OBJECTS

Judge Elbert P. Tuttle of Atlanta, chief judge of the U. S. Fifth Circuit Court of Appeals, voted against the continuance and made clear his objection.

"I think this delay is not justified and the decision was reached over my objections," he said. "The status expressly set forth that cases such as this should be expedited."

Judge Tuttle said he shares concern for Shands' condition with the other two judges but added "the plaintiff is presumed to have a good cause of action and should not be delayed."

Tuttle said he believes the issues "are simple" with only two issues involved.

These he said, are whether segregation laws are being enforced in Mississippi and, if so, whether they are unconstitutional.

Mize voiced his disagreement with Judge Tuttle.

"I cannot agree that this is a simple case," he said. "I think it is very important. It is a highly complicated case that should be handled by competent attorneys.

Judge Mize said he knows "personally" that Shands has conducted the states defense in civil rights actions and commented "I am not willing to force a litigant to go to trial if the attorney of his choice is unable to be in court."

Tues. 7-11-61

He cautioned the state, however, to be prepared to go to trial August 7 with or without Shands.

Judge Clayton offered no comment.

Judge Tuttle called for a five-minute, recess to determine whether the delay would be granted but the three took 28 minutes to make the decision.

On the unsuccessful motion to bar the U. S. government from the case Asst. Atty. Gen. Ed Cates argued that the government represents a class of citizens in filing the brief and contended that it "cannot by law represent a class. It must represent all the people."

He also contended that the brief was premature and "cited conclusions, not facts."

The motion was overruled and the Justice Department, represented today by Robert Owens of Washington, was permitted to file the brief.

In the suit the NAACP and three Jackson Negroes — Samuel Bailey, Joseph Broadwater and Burnett L. Jacobs—seek to enjoin state and city officials from enforcing segregation laws by arresting those who refuse to observe them.

The suit seeks to end segregation in facilities of Trailways and Greyhound lines, the Illinois Central Railroad, Jackson's city bus lines and Cicero's Restaurant at the Jackson airport.

These are the spots in which the 227 "freedom riders" who have come to Jackson have been arrested.

None, however, has been charged with a violation of segregation laws. All have been charged with breach of the peace after refusing police orders to move on.

The petition claims Negroes "have suffered and shal continue to suffer irreparable injury as a result of the enforcement or threat of enforcement of state segregation laws while they are traveling."

### 'DENIED RIGHTS'

It also alleges that Negroes are subjected to "daily public inconveniences, harassment and embarrassment in violation of their constitutional rights."

Named as defendants are Atty. Gen. Joe Patterson as chief law enforcement officer of the State of Mississippi, the City of Jackson, Mayor Allen Thompson, Commissioners D. L. Lucky and Tom Marshall, Police Chief W. D. Rayfield, Trailways Greyhound, Illinois Central Railroad, Jackson City Lines and Cicero Carr of Cicero's Restaurant.

In the school integration suit rescheduled for August 10, 28-year-old Negro James H. Meredith of Kosciusko, a student at Jackson State College, seeks to restrain officials at the University of Mississippi from preventing his enrollment.

His suit also seeks to open the doors of all state white colleges and universities to Negroes.

The voting suit was filed by the U. S. Department of Justice and seeks to end alleged discrimination in voter registration in Clarke and Forrest counties.

# U. S. Joins NAACP In Mississippi Test Of Racial Barriers

The Commercial Appeal
Tues. 7-11-61 P. 1

## Trial Due Aug. 7

Memphis Press-Scimitar

## Segregation In Bus, Rail And Air Terminals Is Target Of Suit

By KENNETH TOLER
From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., July 10.—The Federal Government Monday joined the National Association for the Advancement of Colored People in a Federal suit challenging Mississippi statutes calling for segregation of the races in bus, railroad and airport terminals.

A three-judge Federal Court permitted the Government to enter the case "as friend of the court" over the protest of Atty. Gen. Joe Patterson of Mississippi. The state official said the United States was seeking to represent a class rather than the welfare of all its citizens.

However, Robert Owens of the Washington staff of the Justice Department said the brief "merely presents legal views."

### State Wins Trial Delay

The action came just prior to the state winning a delay until Aug. 7 of the trial due to the illness of Asst. Atty. Gen. Dugas Shands, who directs civil rights litigation for the Mississippi department.

Mississippi's two Federal district judges sitting in the case approved the delay over the objection of Chief Judge Elbert Tuttle of Atlanta, of the United States Court of Appeals, third member of the panel. Favoring the delay were Judges Claude Clayton of Tupelo and S. C. Mize of Gulfport.

Judge Tuttle, after about a 30-minute conference of the judges, announced "the court has reluctantly and over my objection granted the delay."

"However, I don't think the delay is justified because the courts have held that cases of this kind should be expedited," Judge Tuttle said. "I personally think the issues are simple and the attorney general could answer."

Judge Mize, speaking for the majority, countered that "this is a very important case and should be fully tried by attorneys who are prepared to handle it."

### Request Is Defended

"I know personally that Mr. Shands has directed all civil rights actions and others on his staff are not fully capable of going to trial without him," Judge Mize said. "I am not willing to force the litigants to go to trial without a lawyer of their choice and a slight delay will not impair the rights of the complainants."

Later, Judge Mize postponed until Aug. 10 a suit by James Meredith, 28-year-old Negro of Kosciusko, seeking to transfer from Jackson State College for Negroes to the all-white University of Mississippi. It had been scheduled to follow the transportation segregation case and likewise is being handled by Asst. Atty. Gen. Shands.

Judge Mize also announced a Federal Justice Department suit filed against registrars of Clarke and Forrest Counties for asserted discrimination against registration of Negroes for voting would follow the university case.

# Government Joins In Suit By NAACP Against Mississippi

BY CLIFF SESSIONS
United Press International

JACKSON, Miss., July 10—The Federal government entered today a suit which seeks to strike down Mississippi's travel segregation laws. It charged local authorities have gone "beyond the scope of their lawful power" in the arrests of "freedom riders."

The state tried to block the government from entering the suit, which was brought by the National Association for the Advancement of Colored People and constitutes an all-out assault on Mississippi segregation laws.

But a three-judge Federal panel agreed to accept the Federal government into the case as "a friend of the court."

The panel simultaneously agreed to accept a motion by the state to delay hearing of the suit until Aug. 7. The trial was to have started today.

A total of 216 "freedom riders" have been arrested in Jackson since the integrationists began challenging segregation practices in air, bus and train terminals last May.

The suit filed by the NAACP asks for a permanent injunction against the City of Jackson, the State of Mississippi and various bus and railroad lines barring them from "continuing to arrest, haress, intimidate, threaten or coerce Negroes" in connection with their use of interstate and interstate transportation facilities.

In the complaint filed today the Federal government pointed out that the Supreme Court has consistently ruled that racial segregation in interstate commerce was unconstitutional.

"The United States is concerned when Federal civil rights and liberties are violated on a massive scale and continuing basis," it said.

The complaint contended that there was no legal basis for the arrest of persons for refusing to observe segregated travel customs.

"The state and its officials are acting beyond the scope of their lawful power if they made such arrests and obtain such convictions," the complaint said.

It asked for an injunction to prohibit future arrests based on

FREEDOM RIDERS- JACKSON
JUSTICE DEPARTMENT

# Justice Dept. Wants Miss. To Stop Jailing Freedom Riders

## 3-Judge court sets hearing for Aug. 7; arrests near 250

JACKSON, Miss. — The U.S. Department of Justice entered the Freedom Riders controversy last week by filing a friend-of-the-court brief.

In it, Justice Department attorneys ask a three-judge federal court to declare Mississippi's travel laws unconstitutional and to stop colored persons merely for using bus and train station facilities marked "white only."

The suit was originally filed by the NAACP asking an injunction to keep the state from arresting Freedom Riders. The three judge court voted to delay the case until Aug. 7 because Mississippi's assistant attorney general handling the case has a cold.

Cold or not, the state tried to block the Justice Department from entering the case but was overruled by the court.

* * *

**THE FREEDOM RIDERS** case attacks the Mississippi laws which require segregation in bus terminal lunch counters, waiting rooms and rest rooms. The state requires that terminals have segregated facilities for intrastate passengers and also facilities for interstate passengers.

This confusion was created by the state after a Supreme Court ruling that segregation of interstate passengers is illegal. Mississippi laws, however, are so constructed that anybody, whether inter-or intrastate, can be arrested for using the "wrong" facility.

In its brief, the Justice Department said these laws are unconstitutional and conflict with federal laws; that railroads and bus lines must not discriminate.

Mississippi's laws, the brief says, have "no purpose other than to accomplish that which the federal courts have repeatedly said may not be done.

"Such defiance of law not only fails to promote lawful behavior but also breeds a cynical disregard for the commands of the law which must be obeyed if the fabric of the constitutional society established 172 years ago is to be preserved."

The Department said that the Freedom Riders' arrests are illegal. To a Mississippi judge's contention that the Freedom Riders were not arrested for breaking segregation laws but for creating a condition under which the peace might be broken, the Department said:

"The obligation of the state in such a situation is not to violate the Constitution by arresting those who act under it, but to punish those who would interfere.

Constitutional rights would be frail indeed if the courts were to cease protecting them because a mob willed it so."

* * *

**WHILE THIS CASE** is pending, however, Mississippi continues to stock its jails and prison farms with Freedom Riders. By last weekend, the total number arrested approached the 250 mark.

With Jackson still the principal objective, Freedom Riders opened a "second front" in Arkansas

After being arrested and detained in jail, a group of four Riders continued their journey with Shreveport and New Orleans, La. as their destination.

They were first arrested in the Little Rock for refusing to leave a bus station waiting room when ordered by police. City Judge Quinn Glover sentenced them to six months in jail and fined them $500 each.

After spending the night in jail, the four accepted the judge's offer to suspend the sentences and fines if they left the state and stopped segregation tests.

The four were: the Rev. B. Elton Cox, 30, Highpoint, N.C., CORE field secretary; Mrs. Janet Reinitz, 23, New York; Miss Bliss A. Malone, 23, St. Louis and the Rev. John C. Raines, 27, Setauket N.Y.

Police Chief R. E. Glasscock said that the bus station had been integrated without incident for three years. He said he only arrested the Freedom Riders because of "advance publicity."

* * *

**AS THE ARRESTS** mounted, the Interstate Commerce Commission refused to enter the issue on the grounds that it might not have the power to issue anti-segregation regulations.

Everett Hutchinson, ICC chairman, said a hearing would be held Aug. 15. He said most cases of travel segregation had been referred to the Civic Rights division of the Justice Department.

* * *

**STILL ANOTHER** aspect of the nation-wide passive resistance movement cropped up as "wade-ins" were staged in Gulfport, Miss. and Chicago, Ill.

In Gulfport, officers from the highway patrol, sheriff's office and city police were present but did not bother any of the 24 swimmers.

A federal suit is pending which asks that the beach, a public one, be desegregated.

In Chicago, wholesale arrests were made as disorder accompanied the visits of interracial parties to Rainbow Beach. The demonstrations are sponsored by the local NAACP youth group.

White youths assaulted and molested the swimmers.

* * *

**A SEQUEL TO** one of the earliest Freedom Rides was played in Montgomery, Ala. Frederick Gach was fined $25 and his wife, Mrs. Anna Gach was fined $50 on being found guilty by a jury.

They were charged with disorderly conduct when they protested the beating of a colored Freedom Rider who was lying unconscious on the ground during the Montgomery disorder.

Police said they used profanity; they denied this charge.

* * *

**MEANWHILE, RECRUITS** for Freedom Rides came forward from every part of the country — despite the certainty of being arrested and jailed.

Five left New York and headed for Chattanooga and Alabama. A Milwaukee, Minn. pastor, the Rev. Raymond Lathan, is recruiting 100 from his area to journey to Montgomery and Jackson.

A 12-member, interracial delegation left Los Angeles headed for Jackson and Shreveport, La. Officials closed the terminal on learning that another group was headed there by bus.

3°a 1961

MISSISSIPPI

# Can Mississippi Afford To Retain Political Prisioners

Last week, Edward R. Murrow, the distinguished journalist, radio and television commentator, now head of the U. S. Information Service, spoke about the difficulties U. S. Representatives are having to face in attempting to properly present the nation's image in foreign lands, as a result of the violence in Alabama, and the arrest and imprisonment of Freedom Riders in this state.

For those Mississippians of intelligence who look to world leadership by the United States to properly present the ideal of democracy and freedom, and thus save the world from communist domination; in the light of Mr. Murrow's remarks, the question should immediately arise, Can political prisoners be retained in Mississippi, or anywhere else in the United States for that matter, while at the same time hoping for high appreciation for the nation's image in foreign lands.

We intelligent Mississippians are not fooling ourselves anymore than we are fooling the peoples of foreign lands with the legal rationalizations made to justify the arrest and imprisonment of Freedom Riders in this state.

We can appreciate the reluctance of those in positions of high elective political offices to move in the opposite direction, after so many statements pledged to maintain the status quo in racial segregation in the state, but we would suggest that Mr. Murrow's remarks makes it all to evident that the future welfare of the nation has become to be of far more importance than maintaining the status quo in racial segregation in this state.

We can also appreciate the reluctance of those in high political position to act as though being forced to such action by the NAACP, CORE, or by the Communist, but there appears no alternative to what Mr. Murrow has pointed out but to remove the segregation signs in bus and railroad stations, and other public facalities in the state.

We hasten to point out to those who have a deep seated and irrevokable hatred and objection to the idea of integration, that no white person would be forced to sit by, talk with, or otherwise associate with Negroes, in public places open to free and unsegregated use by all citizens. White people in Mississippi can conduct themselves toward Negroes exactly as is done in other sections of the country where no signs and no segregation laws have ever existed.

In conclusion, and in spite of the militant speeches loud hand-clapping, and boasting, at NAACP and other Negro meetings, we recognize the real challenge of Mr. Murrow's remarks as being directed to those who occupy the positions of power and responsibility in this state; for neither today nor tomorrow, if its image is to be a model for the rest of the world, political prisoners cannot be retained in Mississippi, nor any where else in this nation.

# Federal Judge Declines To Stop Arrests Of Freedom Riders

Biloxi, Miss., June 28 — Federal District Judge Sidney Mize, Tuesday, declined to hear a plea filed to stop the arrest of Fredom Riders.

The plea was brought before Mize by two attorneys who claimed state courts are "behind segregation" and the matter should be "pried out of their hands" by federal courts.

A total of 164 riders have been arrested here since May 24 after attempting to integrate waiting rooms in bus, train and plane terminals. They have been convicted on breach of the peace charges.

Judge Mize said he rejected the plea because remedies in state courts have not been exhausted. He said an act of Congress prohibits the entrance of Federal courts into such a matter unless state remedies have been exhausted or do not exist.

"The right of appeal is available to them" in state courts, he said.

However, attorneys William M. Kunstler of New York and Jack Young of Jackson, in their plea, claimed Mississippi authorities are using the breach of the peace statute illegally to enforce racial segregation.

The plea was brought on behalf of Elizabeth Wycoff, 45, a free lance writer from Greenwich Village, N. Y. who was arrested here June 2 with an interracial group of riders.

In a hearing on the plea last week Kunstler told Mize it was his duty to issue the writ even though Miss Wyckoff had not exhausted her legal remedies in state courts. "State courts are not going to be of any assistance to her," he said.

Attorney Tom Watkins of Jackson, arguing for the state, claimed that issuance of such a federal writ would "pervert the entire system of state courts."

Watkins said Kunstler was wrong in claiming Miss Wyckoff would not get a fair hearing in Mississippi courts and he said Kunstler owed "an apology to the state courts of Mississippi."

Mize upheld Watkins' argument

*U.S. ENTERS CASE*

# Federal Panel Postpones Mississippi Racial Suit

JACKSON, Miss. (AP)—A three-judge federal panel—with one dissenting — Monday postponed a suit asking for a halt to the arrest of segregation-testing "Freedom Riders" in Mississippi.

The National Association for the Advancement of Colored People filed the court action, and the Justice Department joined forces as a "friend of the court."

Despite objections lodged by Chief Justice Elbert Tuttle of the U.S. 5th Circuit Court of Appeals, the panel postponed the case until Aug. 7 because of the illness of a Mississippi assistant attorney general.

Since the first of the Freedom Riders began May 24, 27 whites and Negroes have been arrested on breach of the peace charges for trying to desegregate bus, train and air terminals in Jackson, Mississippi's capital city.

The suit attacked what it called unconstitutional state laws requiring segregation in railroad cars, buses, rest rooms, waiting rooms and other areas. And such laws, the suit said, subject Negroes to daily "public inconvenience, harrassment, and embarrassment . . ."

The Justice Department's "friend of the court" brief asked for an injunction to stop Mississippi from enforcing nine state laws calling for racial segregation of travelers, and called such laws clearly unconstitutional.

**ASK LAW HALT**

The department also asked that Mississippi authorities be stopped from invoking valid laws, such as breach of the peace statutes, to enforce what the department called illegal segregation.

The Mississippi attorney general's office asked for the delay in Monday's scheduled hearing because of the illness of Asst. Atty. Gen. Dugas Shands who has been handling race cases.

Federal District Judges Sidney Mize of Gulfport and Claude Clayton of Tupelo voted to postpone with Tuttle disagreeing.

Mize said the case was not simple, as Tuttle said. The slight delay, Mize added, "would allow the attorney general to have Shands or another attorney ready and it would not cause undue harm to the plaintiffs."

In other racial developments Monday:

Five more Freedom Riders — two whites and three Negroes — were scheduled to leave St. Louis by bus to test segregation practices at terminals in Arkansas, Louisiana and Mississippi.

The group was to go to Little Rock, Ark., Shreveport, La., and New Orleans and return by train through Mississippi, Tennessee and Illinois.

One of the five was the Rev. B. Elton Cox, a Negro who is field secretary for the Congress of Racial Equality.

Judge Mize also set Aug. 10 for a hearing on a Negro's suit asking for admission to the all-white University of Mississippi.

The hearing was to have come up Monday, but it was postponed because of Mize's participation on the three-judge panel considering the NAACP request.

Attorneys for James Meredith had filed a motion for preliminary injunction which would have allowed him to enter the university for the second summer session.

The matter was to have been considered Tuesday but Mize said Shands' illness prohibited this.

# 3 Judges To Hear Rider Suit Monday

By BEN McCARTY
Associated Press Staff Writer

A three-judge federal court will hear a suit Monday to prevent police from arresting "freedom riders" and other Negroes who attempt to use all-white public facilities in Mississippi.

Since May 24, 198 freedom riders have been arrested for attempting to crack segregation barriers at bus, train and plane terminals. They were all charged with breach of the peace.

Numerous Jackson Negroes have been arrested on the same charge after using park benches reserved for whites, for sit-ins at the white city library and for taking front seats on city buses.

Chief Judge Elbert P. Tuttle of the 5th Circuit Court of Appeals ordered the court to hear the injunction request filed by the National Association for the Advancement of Colored People.

Tuttle, of Atlanta, and Federal District Judges Sidney Mize of Biloxi and Claude Clayton of Tupelo will serve when the court convenes.

The suit was filed in the name of Samuel Bailey, Joseph Broadwater and Burnett L. Jacob, Jackson negroes. They have not been arrested for desegregation attempts.

Defendants named were Atty. Gen. Joe Patterson, Mayor Allen Thompson and the City Council, Police Chief W. D. Rayfield, the Trailways, Greyhound and Jackson City Bus lines, the Illinois Central Railroad, and the Airport Restaurant.

At least eight of those named as defendants had been served subpoenas by the U. S. Marshal's office Saturday as witnesses when the case begins Monday.

They include G. E. Pickle, district passenger agent, Illinois Central Railroad; A. B. Smith, manager, Jackson City Lines; T. A. Turner, secretary-manager, Jackson Municipal Airport Commission; Everett Renegar, local manager, Southern Greyhound Lines Inc., Joe T. Patterson, attorney general of Mississippi; J. L. Ray, Jackson Police Department, Ray Atherton, Interstate Commerce Commission and Cicero Carr, owner-operator, Cicero's Airport Restaurant.

# Mize Upholds Rider Arrests

## U.S. Judge Says Breach Of Peace Law Was Used Properly

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., July 3.—Mississippi's use of a breach of the peace statute in the arrest of self-styled freedom riders was upheld Monday by a Federal district judge.

Judge S. C. Mize in so ruling said that use of the statute, which "is common to many states," apparently prevented "bloodshed" and racial violence when the protest riders invaded Jackson.

He cited that when the riders, in protest to Southern segregation customs in bus, railroad and airport terminals, invaded Montgomery, Ala., that "bloodshed" resulted when the white and Negro groups disregarded state anti-mixing laws.

Judge Mize pointed out, however, that the riders had not been arrested in Mississippi for a violation of any law with reference to integration or segregation, but for breach of the peace in refusing to disperse and move on under the direction of a lawful officer.

**Writer's Plea Denied**

The decision was given in refusing to release Elizabeth Porter Wyckoff, a white woman free-lance writer of New York, from jail. She was sentenced in Jackson Municipal Court June 5 along with other protest riders, and has failed to make bond or pay her fine.

Judge Mize pointed out that Miss Wyckoff has legal avenues available to gain her release through posting of bond and appealing. He said if she does not have the money for that purpose, she can take a pauper's oath and appeal without posting bond. On that premise, Judge Mize said, there was no emergency in her appeal.

Pointing to the state breach of the peace statute, Judge Mize said, "the wisdom of this statute is exemplified by the oral arguments of her counsel when he refers to the bloodshed that occurred in Montgomery, Ala."

"No such occurrences happened in Mississippi, but had it not been for the orderly enforcement by the officers of the state under the provisions of this statute (breach of the peace) such occurrences could have happened," Judge Mize said.

**Common Statute**

He said "this statute, or one similar, is common to many states in the Union and is a very wise exercise of police powers of the state."

"Petitioner's own state, New York, has a very similar statute and with the same purpose as is the Mississippi statute," he said.

Judge Mize said Miss Wyckoff's contention that her arrest was to prevent integration or to enforce segregation "is without merit." He said she was not arrested for that "but for breach of the peace in refusing to disperse and move on under the direction of a lawful officer."

He said that the Federal courts, as well as Congress, are reluctant "to interfere with the enforcement of the criminal statutes of a state, but leave that function to appropriate action of each state."

"Every question of procedural due process of law—with its far-flung and undefined range—would invite a flanking movement against the system of state courts by resort to the Federal forum, with review if need be by . . . (the United States Supreme) court to determine the issue," the opinion cited by Judge Mize stated.

## Five More 'Riders' Arrested in Jackson

JACKSON, Miss., July 2 (AP)—Five "freedom riders" arrived by bus from Montgomery, Ala., today and police arrested them shortly after they entered the terminal's white waiting room here.

The riders"—three white and two Negro—brought the number of arrested travelers in Jackson to 169.

Capt. J. L. Ray ordered the group arrested when they failed to respond to his order to move on. Police charged them with breach of the peace.

## JACKSON ARRESTS 7 WHO TEST COLOR BAR

JACKSON, Miss., July 5 (AP)—Seven Negroes sought to break the color line in Jackson Wednesday. All were arrested on charges of breach of the peace.

Four arrests took place at the city park after the Negroes had refused to move from a bench usually used by white persons. Three others were arrested shortly afterward when they sought to use the white waiting room at the Trailways bus terminal.

The four at the park were among a dozen Negroes who entered the area normally used by white persons and picnicked. Afterward, they strolled around the swimming pool area and were turned away from the ticket booth.

Some white bystanders jerred at the group, but the police said there had been no violence.

At the bus station, officers ordered the three Negroes to move on before they could get to the ticket counter. The three ignored the request of Capt. J. L. Ray. He ordered them arrested.

They brought to 172 the number arrested since attempts by Freedom Riders to desegregate transportation terminals began here May 24.

## FOUR NEGRO RIDERS JAILED AT JACKSON

JACKSON, June 23 (UPI)—Four young Negroes were arrested in a Jackson bus terminal here Friday—before starting a Freedom Ride.

Unlike the 140 riders already arrested here, the Negroes had not just arrived in town, but were trying to catch a bus out of town.

They entered the Trailways Bus Terminal's white waiting room and were ordered to move on by the police. They ignored the order and were arrested for breach of the peace.

Richard Haley, a Congress of Racial Equality spokesman, said the four young people were joining the Freedom Rider movement to show that Jackson Negroes support the riders who have come to Mississippi from elsewhere.

Also at Jackson, a 13-year-old Negro girl, arrested with six companions after trying to integrate Jackson zoo benches yesterday, was charged with assault today.

The police said a white woman filed a complaint that the girl pushed her 4-year-old child away from a water fountain at the zoo.

The Jackson zoo is integrated, but by local custom only whites sit on zoo benches and use the water fountains.

## Five More 'Riders' Get Routine Trials

### New Cases Are Continuation Of Old, Judge Says

JACKSON, Miss., July 3 — (AP) — City Judge James Spencer convicted five new self-styled "Freedom Riders" on breach of peace charges Monday, bringing to 168 the number found guilty since the rides began May 24.

Judge Spencer handed down $200 fines and four-month sentences to the riders, who were arrested as they sought to desegregate the Trailways bus terminal here Sunday.

Only 10 persons witnessed the trial, four of them newsmen, three police officers and three spectators.

Capt. J. L. Ray, who arrested the five, was the only witness. He testified he had information the group was coming to create an incident and ordered the five to move on. When they ignored his order, he said, he arrested them.

Judge Spencer said he had made the court's position in the rider trials clear at earlier proceedings and would have no statement. He said he regarded Monday's trial as a continuation of the earlier ones.

MISSISSIPPI

FREEDOM RIDERS- JACKSON

# Mississippi Still Is Key Battleground

Mississippi remained the main battleground in the Nationwide desegregation struggle last week as state officials charge that "Freedom Riders" arrested at the Jackson bus terminal were under Communist influence.

T. B. Birdsong, Mississippi Commissioner of Public Safety, told the Associated Press he had ordered the State Highway Patrol to investigate the backgrounds of Freedom Riders in an effort to discredit them in the eyes of the Nation.

The disclosure came as the patrol charged that two Freedom Riders had gone to Cuba to attend a seminar conducted by Soviet agents and dealing with methods of arousing racial tension. The two were identified as Katherine Pleune, 21, of Chicago, and James Robert Wahlstrom, 24, of Milwaukee.

Wahlstrom said in Madison, Wis., his attorney, Franklin P. Hall, had wired Birdsong denying the charges and demanding a public retraction.

In New York, Gordon Carey, field director of the Congress of Racial Equality (CORE), also denied the charges and called Birdsong's statements a "smear campaign." Carey admitted Miss Pleune had been in Cuba but denied that "she or any other Freedom Riders was trained or inspired by any foreign agents."

Also in Mississippi, James Meredith, a 27-year-old Negro Air Force veteran, asked a Federal court to prevent the all-white University of Mississippi from barring him because of his race.

Meredith, of Kosciusko, Miss,. sought a preliminary injunction against the university and the state that would allow him to enroll in a summer term beginning July 17.

In other parts of the Nation there were these development last week:

• Negro attorneys in Jacksonville, Fla., lost a bid to have city recreation officials cited for contempt of court for closing four public swimming pools last month.

A Federal judge rejected the attorneys' motion, which said the closings violated a Federal court order forbidding segregation of city-owned facilities. The city said the pools were closed because of a thunderstorm.

• The school board in Atlanta, Ga., cut short a hearing on appeals by 38 Negro students who have been refused admission to white high schools.

The hearing ended when attorneys for the students tried to get board staff members to testify regarding the criteria used to turn down the Negroes. The board refused to allow the testimony and adjourned abruptly, saying it would rule on the appeals sometime this week.

• In Memphis, Tenn., two Negro photographers, E. C. Withers and G. E. Hardin, each were fined $26 for taking pictures of lunch counter sit-in demonstrators at a downtown drug store. They had been charged with disorderly conduct.

• The Illinois legislature meeting in Springfield passed and sent to Gov. Otto Kerner the first fair employment practices legislation in the history of the state.

The bill would apply only to employers of 100 or more persons the first two years it is in effect. In succeeding two-year periods, it would apply to employers of 75 and 50 persons.

• Chicago Police Supt. Orlando W. Wilson ordered an inquiry into police conduct at a racial disturbance outside a South Side church last week.

Some witnesses have charged that police allowed a crowd to form outside the Holy Cross Lutheran Chrch and threaten 75 Negroes, who had been given shelter after their hotel was burned out. Police, who made no arrests, said the crowd was orderly.

• The National Education Association, meeting in Atlantic City, pledged its continued support of Supreme Court rulings on school desegregation.

Some 6000 members of the NEA's Representative Assembly passed the resolution after a two-hour debate in which southern delegates argued heatedly against the move.

Prison gets 'clean bill'—

# Eight more riders go to jail in Jackson mixing attempt

By The Associated Press

Another attempt to crack the segregation barrier at Jackson, Miss., has brought to 198 the number of freedom riders arrested in the Deep South city.

The arrest of eight additional persons occurred the same day Minnesota officials reported five riders from that state had not been mistreated at the Mississippi State Penitentiary at Parchman, 130 miles northwest of Jackson.

**The eight charged with breach of the peace at Jackson yesterday were described as the first group to stage a freedom ride from Montgomery, Ala., to Jackson since July 2.**

TOM GAITHER, field secretary for the Congress of Racial Equality, said CORE sponsored the trip and that one white woman, three white men and four Negro men took part. No incidents were reported.

While the biracial group was making the trip, Acting City Judge W. B. Fontaine of Jackosn convicted 20 riders and handed down $200 fines and four-month jail sentences. The riders were arrested earlier this month.

**At St. Paul, Minn., Asst. Atty. Gen. John Casey Jr. and Mrs. Wright Brooks, chairman of the Minnesota Human Rights Commission, reported on an investigation they made of the Mississippi Penitentiary at the request of Gov. Elmer L. Andersen. The governor said he had received some reports the five white persons had been mistreated.**

"A TOUR OF THE prison facilities has convinced me that there have been no examples of mistreatment or abuse," Mrs. Brooks told a news conference.

She said the riders voiced "some good natured chiding about the food, but no serious complaints as to the adequacy of the diet." She also said the young people needed exercise in the jail yard but had not been permitted to join other prisoners in work.

**Mrs. Brooks said prison authorities explained the young Minnesotans were not allowed to work because of possible clashes with other prisoners who do not share their integration views.**

AT OCALA, FLA., James R. O'Conner, 31-year-old economics instructor at Barnard College in New York City, was convicted of unlawful assembly by a Marion County court jury. He is slated to be sentenced July 17.

O'Conner, a white man, was the second person convicted in connection with a scuffle at the Ocala bus station June 16 when a group of freedom riders stopped on a bus trip to test integration practices.

**Edward B. King Jr., head of the Student Non-Violent Coordinating Committee, said at Roanoke, Va., the group will sponsor a "freedom walk" from Baltimore to Washington Sunday, July 16.**

THE COMMITTEE has headquarters in Atlanta. King said the walk is to focus attention of government leaders on "imprisoned freedom riders in Jackson and continuing segregation of interstate facilities."

In Washington the Justice Department was reported planning a new move toward reopening the public school system in Prince Edwards County, Va., closed the past two years in an integration dispute. However, Justice officials declined comment on what the move might be.

**The Chapel Hill, N. C., school board assigned about 40 Negro pupils to first grades in schools for white children. The board also was expected to act favorably on requests for assignment to white schools of Negro pupils in the third, eighth and ninth grades.**

THE FIRST SCHOOL integration occurred at Chapel Hill last year when three Negro first graders were admitted to the Estes Hill School. They were promoted and will be in the second grade this Fall.

At Greenville, Miss., three Negroes picketed three Greenville variety stores for about 40 minutes, protesting alleged discriminatory hiring practices by the firms. No incidents were reported. Police patrolled the area in cars and on foot and one officer had a dog on leash.

In Cleveland, Mrs. Frances Lander Spain, president of the American Library Assn., said she could point with pride to "the wonderful advances already made in Southern cities in regard to integration" in library facilities.

# 17 Riders Arrested in Mississippi Jailing in Tests Pass 200 Mark

JACKSON, Miss. (AP) — The number of "freedom riders" arrested in Jackson soared over the 200 mark Sunday as 17 travelers tried unsuccessfully to integrate terminal waiting rooms.

Nine riders—eight Negroes and one white—came here by train from New Orleans. They were arrested when they refused to obey police orders to leave a white waiting room.

**8 FROM MONTGOMERY**

Less than three hours later, seven white and one Negro riders came in by bus from Montgomery, Ala. Police took them into custody when they sought to integrate the Negro and the white waiting rooms.

Jackson police now have arrested 216 riders since May 24.

About a third of the riders are out on bond. Eighty-two are held at the state prison at Parchman and 52 are in Jackson jails.

The Alabama group had announced they came to talk over segregation policies with Mississippi Gov. Ross Barnett with a view toward mediation and a fruitful exchange of views."

**WOULD GO TO JAIL**

If they failed to meet with Barnett, a spokesman said they would go to jail.

After getting off the bus in Jackson, the Negro woman rider approached police Capt. J. L. Ray and asked if a representative of the governor was present.

When told he wasn't, she asked if the group could see the governor Sunday afternoon.

"It is my information," Ray answered, "that he's very busy and he can't see you."

Five white riders then entered the Negro waiting room. The Negro woman and two white riders went into the white waiting room.

**ORDERED TO LEAVE**

Police ordered them to leave and arrested them as they tried to get service at crowded cafeteria counters.

Earlier, Gov. Barnett said he would be out of town Monday through Thursday and indicated he would not talk to the riders Sunday.

"I don't see any need of wading in with that crowd and discussing these things," Barnett said when reached by telephone.

"I'll be tied up all afternoon. I'm extremely busy."

Before arriving, the Alabama riders had succeeded in getting service at both white and Negro lunch counters in Montgomery. A dozen policemen watched as white riders were served at a Negro counter for the first time.

In New Orleans, detectives watched the group as they bought tickets in the New Orleans terminal. The riders did not test New Orleans facilities. They were not bothered.

# Five More Riders Go To Jail

Five more "freedom riders" were to go on trial here this afternoon bringing to 169 the total arrested here since May 24.

The new group, three whites and two Negroes, entered the Trailways bus terminal white waiting room yesterday afternoon and were arrested after refusing to obey police orders to leave.

The ride originated at Montgomery, Ala.

The new arrivals were identified as Negroes Barbara Jane Kay, 35, of Inglewood, N. J., a housewife, and Leotus Thornton, 23, of San Jose, Calif., a student at San Jose City College; and whites Michael Leon Pritchard, 18, of New York City, a student at San Francisco City College; Harry Pete Stoner, 22, of Chicago, a student at the University of Chicago; and Robert Allen Miller, 22, of Warren, Mich., a student at Duke University.

They were to be tried on breach of the peace charges in city court this afternoon.

While new attempts were being made on Jackson, state prison Supt. Fred Jones denied reports six Minnesota Freedom Riders were being mistreated at the state prison at Parchman. He added, however, he's "not going to turn the prison into a country club."

Minnesota Atty. Gen. Walter F. Mondale had telegraphed Mississippi Atty. Gen. Joe Patterson and asked him to investigate reports the riders were "incarcerated like felons." Mondale told Patterson he had been told they were not allowed to have privacy.

Mondale's concern stemmed from a letter written by one of the riders, a 22-year-old University of Minnesota coed, Claire O'Connor of St. Paul, to her parents.

Miss O'Connor said their the riders' privacy was invaded because they are under constant supervision of male prison guards.

Jones said at Parchman that four matrons—one hired employe and three women trustees—supervised the women riders, who are isolated in a separate wing of the maximum security unit.

"Male guards bring in their meals, but the guards tell them in advance, they're coming," he added.

The parents of Miss O'Connor said the letter received from her was written on a prison mimeographed form saying "no visitors allowed in this unit."

Jones said the prison does not have enough spare employes to supervise visits for the Freedom Riders. Every visitor has to be screened for contraband articles, he said.

"If they the riders show no respect for the customs and laws of Mississippi," Jones said, "I'm not going to turn the prison into a country club."

Jones said the six were being treated "like any other prisoners that come here to Parchman" They were arrested June 11 at a Negro lunch counter in a Jackson bus depot. They are all white.

In another development, Brig. Gen. T. B. Birdsong, head of the Mississippi Highway Patrol, denied making any statement about James Wahlstrom, a 24-year-old Madison, Wis., Freedom Rider who is now out or bail.

Walstrom has denied a charge that he learned Freedom Ride techniques from Russians in Havana.

Birdsong was reported as saying that Wahlstrom and Katherine Pleune, 21, of Chicago, had attended a Soviet-directed seminar in Cuba.

The names of the two came up at a news conference last Thursday. Art Richardson, patrol public information officer, identified Wahlstrom as one of the two and said to quote Birdsong as making the identification. Birdsong made no objection.

Wahlstrom's lawyer telegraphed Birdsong from Madison and in reply, Birdsong wired back, in part:

"When being interviewed by the press with respect to so-called 'Freedom Riders' on last Thursday, it was mentioned that a Katherine Pleune and another rider had been among a group of approximately 200 Fair-Play-

For-Cuba committeemen who recently spent a considerable length of time in Havana being lectured by Castro and a group of Russian Communists.

It was stated by someone other than myself that Wahlstrom was that person."

Birdsong said, however, Wahlstrom could clear up the misunderstanding if he would reveal the truth or untruth of the matter, "what transpired in Cuba and who financed the trip to Cuba and to Mississippi.

"Since the statement was erroneously credited to me, I would appreciate this and any other information about Wahlstrom so that I can make a correct statement."

The Wisconsin Freedom Rider said he went to Cuba last December but denied there was a "Soviet seminar for Freedom Riders. As far as I know I never talked with a single Russian during my entire Cuban visit."

And, in Minneapolis, Minn., Mrs. Caren Rockowitz of St. Paul, chairman of the University of Minnesota Students for Integration (SFI) committee, said another group of riders from that state may head South late this month.

SFI sponsored the first busload of Minnesota riders.

*MONTGOMERY GROUP CHARGED*

# Jailed 'Riders' Number Over 200 In Jackson

JACKSON, Miss. (AP)—The number of "Freedom Riders" arrested in Jackson soared over the 200 mark Sunday as 17 travelers tried unsuccessfully to integrate terminal waiting rooms.

Nine riders—eight Negroes and one white—came here by train from New Orleans. They were arrested when they refused to obey police orders to leave a white waiting room.

Less than three hours later, seven white and one Negro riders came in by bus from Montgomery, Ala. Police took them into custody when they sought to integrate the Negro and the white waiting rooms.

Jackson police now have arrested 216 riders since May 24.

The Alabama group had announced they came to talk over segregation policies with Mississippi Gov. Ross Barnett with a view toward mediation and a fruitful exchange of views."

If they failed to meet with Barnett, a spokesman said they would go to jail.

After getting off the bus in Jackson, the Negro woman rider approached police Capt. J. L. Ray and asked if a representative of the governor was present.

When told he wasn't, she asked if the group could see the governor Sunday afternoon.

"It is my information," Ray answered, "that he's very busy and he can't see you."

*JUDGE'S SUGGESTION*

# Jury May Visit Riders In Pen

By BILL COPPENBARGER
Daily News Staff Writer

A Hinds County Grand Jury committee may visit Parchman before the weekend to inspect conditions affecting Hinds County Freedom Rider prisoners there following a charge by Circuit Judge Leon Hendrick yesterday.

Judge Hendrick told the newly empanelled grand jury that one of their main functions was to inspect the county jail, and since the so-called Freedom Riders which have been transferred to the State Penitentiary are Hinds county prisoners, they are still under county supervision.

"I particularly want to congratulate and commend Sheriff Bob Gilfoy, his deputies, the police officers of the City of Jackson and officials here for their handling of that provoking situation which has developed here during the past few weeks," he said.

"These people had the deliberate intent of provoking our people, and what is behind it I don't know, but I suggest you send a committee to Parchman to check conditions there."

He further requested that when they submit their report, they bring in one or two paragraphs making mention of the excellent handling of the recent racial agitation move here.

Judge Hendrick dwelt at length on the increase of crime in the and distribution of pornographic literature as the three greatest menacing contributors to crime. nation, listing gambling, drinking

He said that observance of traffic laws was also another greatly needed item, although he admitted he didn't "know a thing the Grand Jury could do about traffic laws except educate the people about their obligations."

He deplored the 496 traffic deaths reported over the Fourth of July holiday in the nation, and said this was the largest number of fatalities ever.

He further charged the jury to look into between 40 and 50 felony cases to be presented by District Attorney Bill Waller, and to make inquiry into any other matters which they feel should be investigated.

W. E. Tillman was chosen foremen of the jury which includes W. B. Ryan, John Q. McCann, Robert R. Berry, Guy Deweese, Ernest Chappel, W. T. Hays, Jr., M. M. Buffington, Curtis Cox, Norman Lemmons, G. R. Hall, Louis A. Borgas, M. B. Littell, Pat L. Gilliland, Curtis L. Beard, Dewey W. Taylor, Charlie Veal, and W. N. Townsend.

MAYOR TELLS FAIR

# Jackson To Stand Firm In Segregation Fight

Jackson Daily News 1-12

By JIM CLEVELAND
Daily News Staff Writer

PHILADELPHIA, Miss. —Jackson Mayor Allen Thompson went down a checklist of areas in which integration attempts and segregation protests have been made in Jackson yesterday at the Neshoba County Fair and said neither the city nor Mississippi would tolerate any of them.

Thompson, speaking for the crowd on hand as Neshoba fair folks rolled out the welcome mat for Jackson Day, followed Governor Ross Barnett to the podium. Earlier in the day, the Jackson Day program, provided by the Jackson Chamber of Commerce, delighted a packed and overflowing pavilion crowd with an array of top talent. Fair-8-11-61

"Unlike Germany, Japan and many other countries," Thompson said, "the South pulled itself together after a war without any help from the federal government." He said the South didn't need any help now and would not tolerate any reconstruction.

"We've got money in Jackson to fight it, and if we need money, we know you folks will give it to us."

He said the unsuccessful efforts of CORE to cause violence and bloodshed in Mississippi has been "the most humiliating thing ever to happen to that organization," and he called the NAACP, "the most dangerous organization that ever existed in the United States."

In emphasizing that the policies of the Capitol City would remain firm and unchanged, Thompson added that any boycott to merchants in Jackson would fall on "deaf ears."

Wilson, Miss.

JAIL AGAIN PROMISED

"We have the wholehearted endorsement of our merchants who say if they can't make a living as merchants, they'll make a living some other way." And if those nearly 200 Negroes coming back to Mississippi to post appeal bonds break our laws again, they're going right back to jail."

He said these are the most dangerous and turbulent times in Mississippi since reconstruction and is "no time for moderates."

"I've been in sections where there is discontent, unhappiness, stagnation and fear to get on the streets at night. We have no reason to apologize for the way we live, our policies, or our tremendous progress in Jackson and in Mississippi."

Thompson earlier had turned down a speaker's invitation because of a Southern Municipal Officials' Conference in Memphis, but decided to stop at the fair en route to the Bluff City.

ENTERTAINMENT PROVIDED

The much applauded Jackson Day program featured music by the Jerry Lane Orchestra, and singing duet Nanette Workman and Jean Ann Bishop. The Coachmen from Millsaps College furnished the folk singing air and Neshoba County Fair officials presented a special plaque to the wholesale committee of the Jackson Chamber of Commerce who have brought the program to fairgoers for over 25 years.

W. F. Bond, former state superintendent of education delivered the other afternoon address. Bond, 79, is an annual fixture at the historic campgrounds.

COLEMAN ON HAND

Superintendent of Education J. M. Tubb, a scheduled speaker, was unable to atteend yesterday due to a conflicting conference on Mississippi blind institutions, and Lt. Governor Paul Johnson and former Governor J. P. Coleman turned up as routine fairgoers.

Coleman laughed, talked and shook hands and replied to queries if he would speak, that he was just "meetin', eatin' and greetin'." Numerous requests couldn't get him to the speaker's rostrum.

# Judge Hears Rider's Plea For Freedom

Jackson Daily News 8-14-61

By THE ASSOCIATED PRESS

County Judge Russell Moore was scheduled to hear arguments today on whether Richard Haley, 45-year old Chicago Negro "Freedom Rider" official. should be freed from the state penintentiary.

The hearing was set for 10 a.m. in Moore's Hinds County Court, but may be delayed slightly because opposing attorneys have a federal court appearance during the morning. Fair-8-14-61

William Kunstler, New York lawyer handling several rider cases, filed Wednesday for a court order to free Haley on grounds his arrest was not constitutional.

Haley was arrested on breach of peace charges—Failure to move along as ordered by police—while the hotel where several southern governors met to discuss segregation July 28.

Jackson, Miss

Kunstler said in his petition to the court that Haley was guarantees by the constitution the right to picket peacefully on any public street.

Haley, an official of the Congress of Racial Equality, which sponsors Freedom Rides had been in Jackson coordinating the riders.

# 180 riders face court in Jackson

Birmingham News 8-14-61

JACKSON, Miss., Aug. 14—(AP)—More than 180 convicted "freedom riders," raddied by hymn-singing sympathizers, appear in Hinds County Court today for appeal trials.

County Judge Russel Moore convenes court at 2 p.m. and under a year-old rule all 192 riders who posted appeal bonds following their breach of peace convictions were required to appear or forfeit their $500 bonds.

BUT AT LEAST five of the segregation-defying riders earlier announced their attention of not appearing. Their attorney petitioned federal court to receive the five cases and they were automatically transferred to U. S. District Court.

Officials of the ride-sponsoring Congress of Racial Equality (CORE) said at least 180 of the riders were in Jackson Sunday night.

The convicted riders returned to this Mississipp capital city in the same methods they had used to travel here earlier. But this time, they refused to enter any segregated facilities.

**The total number of arrested riders swelled to 307 yesterday, however, as two more persons tested segregation barriers in a bus terminal here. They were arrested by Jackson police as quickly as the earlier riders.**

Jailed were Pauline Simes, 22, a white New York resident and George Raymond Jr., 18-year-old New Orleans Negro.

POLICE PLANNED to block off a two-block area around the courthouse before trials began and promised a quick trip in the paddywagon for any demonstrations. Several months ago, a hand-claping crowd of Negroes was dispersed by trained dogs when they gathered outside city court for the trials of Negro students who attempted to desegregate a for-white-only public library.

**Last night more than 1,500 persons, including the riders, attended a rally called to give moral support to the integrationists.**

OTHER RACIAL decelopments:

A CITY-WIDE drive aimed at peaceful school desegregation Dallas, Tex., was described one preacher as a "conspiracy by money-changers and international Jews."

But other Dallas ministers urged their congregations to give full cooperation to city and school officials for orderly and quiet integration when school opens Sept. 6.

**Dr. J. A. Lovell, pastor of the First Covenant Church, lashed out at the program, called "Operations Crossroads," in his sermon. The drive was launched several months ago the Dallas Citizens Council, an organization composed of business and civic leaders.**

Lovel told his congreation "Operations Crossroads" was a downtown conspiracy by moneychangers and international Jews who feared that business would suffer" if opposition developed to integration.

DR. DEAN HARRISON speaking at the Rosemont Christian Church said that "operation Crossroads" offered "the common sense and practical approach as well as the Christian solution to a problem."

At Houston, four "freedom riders" from California were released under $500 bonds after they said white prisoners in the Harris County jail beat them. The four white persons had planned to remain in jail until their trials.

JACKSON- FREEDOM RIDERS

# Jackson Court Holds Freedom Rider Again

Evening Star 8-3-61 Thurs

JACKSON, Miss., Aug. 3 (AP).—City Judge James Spencer convicted Freedom Rider James Robert Wahlstrom on breach of peace charges yesterday. It marked Wahlstrom's second conviction in two efforts to crack segregation at transportation terminal facilities here Washington D.C.

The 24-year-old Madison (Wis.) white man received a $200 fine and 4-month jail term.

Patrolman E. C. Rosamond, jr., testified he arrested Wahlstrom in a telephone booth ininto the third day of their sitthe Negro waiting room of thein at the Wisconsin Capitol. Greyhound bus terminal Mon-Among those occupying the 16 day. He said a group of people chairs in the Capitol rotunda outside the room pointed and were an 86-year-old woman made gestures toward Wahl-whose parents were born in strom. slavery, the sister of Gov. Gaylord Nelson and the wife of Wisconsin's only Negro legislator.

**Robert Kennedy Quoted**

Patrolman Rosamond said he ordered Wahlstrom to move and he refused to do so.

Judge Spencer, in handing down his decision, quoted Attorney General Robert Kennedy as saying he did not think it proper for officers to wait 10 or 12 minutes before taking action in a situation. He said he felt the officer acted correctly in stopping the action before it got out of hand.

In Madison, demonstrators supporting State anti-discrimination legislation were well

**Eight Plead Not Guilty**

Eight men indicted on charges of flogging three white persons last May pleaded not guilty at their arraignment in Talladega, Ala. Seven asked that their trials be held in another county because of publicity given the case.

Two Negroes were fined $10 each and the cases against

three others accused of participating in a "race rumble" were dismissed in District Court at New Bedford, Mass.

Authorities in Montgomery, Ala., say they have checked every possible lead and are giving up the investigation of the reported beating of a Negro family, one member of which is said to have written a letter to the editor of a newspaper dealing with race problems. The sheriff's department said it was awaiting further developments.

In Huntsville, Ala., a white woman says she was removed from the board of the county Democratic women's division because of membership in a biracial organization. A leader of the Democratic group denies it.

# 'Riders' Lose Attempt To Skip Court Date

Jackson Daily News
8/14

Attorney William Kunstler planned to confer with a U.S. district judge here today after transferring the cases of five convicted "Freedom Riders" into federal court.

Tue 8-14-61

Kunstler, representing the American Civil Liberties Union, Thursday lost his bid to avoid a mass trek of Freedom Riders back to Mississippi to start appeal proceedings in state courts.

The New York attorney attempted to win modification of a Hinds County Court order requiring all defendants to be present on the opening day of court—Aug. 14.

Jackson, Miss.

Both Circuit Court Judge Leon Henderick and State Supreme Court Justice William Ethridge Jr. said they did not have the power to tell County Judge Russel Moore how to run his court

Some 187 convicted riders are free on $500 appeal bonds after being convicted in city court for breach of peace. Under Judge Moore's rulling—instituted more than a year ago—they would forfeit the bonds if they failed to appear next Monday. The actual appeals trials won't begin until Aug. 21 and are expected to last 18-20 weeks.

Kunstler, in a surprise move, filed proceedings to transfer the cases of five of the segregation-cases of five of the segregation-defying riders to federal court. He charged that the arrests were "blatant attempts by the state to enforce its outright segregation statutes."

Kunstler said he selected the cases of five riders who probably would not return for the appeal trials.

The federal court proceedings were filed under a 1958 civil rights act which, Kunstler, said, made the removal of the cases to federal court automatic. The act previously had been used in vote discrimination cases elsewhere.

# 'Riders' Flock Back To Jackson

The Hinds County
P. 8-B

JACKSON, Miss. (AP)—Scores of "riders" renewed acquaintances in the sweltering heat of Mississippi's capital Sunday as they flocked here to appeal convictions for crossing color lines.

Over 100 of 187 riders due here had arrived by bus, plane, train and auto. All have posted $500 bond and are to start appeals of their breach of peace convictions Monday.

Mon. 8-14-61

The riders were to meet with their attorneys to go over procedural matters and attend a rally Sunday night in a Negro Masonic temple.

About 100 riders—Negro and white—were quartered in Tougaloo Southern Christian College, a Negro school just north of Jackson. Others stayed in private homes.

Lunching at a campus grill, girls wore pedal pushers and many went barefooted in the oppressive 90-degree heat.

One rider strummed a guitar and they sang Rider songs as they greeted returning travelers who had unsuccessfully tried to integrate transportation terminals.

Charleston, S. C.

"We don't have any expectations," one told a newsman. "We're here to find out what's going to happen."

The rides started here May 24. Since then, 293 travelers have been convicted of breach of peace charges.

A little over 100 are serving sentences. The remainder posted appeal bonds and gained their freedom. These are the riders who returned this weekend to start their appeals.

James Farmer, 41, Negro National director of the Congress of Racial Equality, earlier charged that a requirement that the riders must appear in person for the setting of trial dates amounted to an economic reprisal against CORE.

AUGUST
JACKSON- FREEDOM RIDERS

MISSISSIPPI

UNDER CR LAW

# Aim For U.S. Court With 4 Rider Cases

Jackson Daily News
Fri. 8-11-61

By THE ASSOCIATED PRESS

Atty. William Kunstler of New York said yesterday he would file action to transfer the cases of four convicted "freedom riders" to federal court.

Kunstler said he would act under a little used federal statute of 1948 to move the cases into the court of District Judge Sidney Mize.

Jackson, Miss.

Under the Civil Rights law, Kunstler said, the transfer was automatic and the state would have to petition the federal court for the return of the cases.

He said he would use the cases of four riders not expected to return to Jackson for their trials, scheduled to begin in the court term opening next Monday.

The four included the cases of: Shirley Smith, 34-year-old New York City white woman who said she had prior commitments in Washington where she works for a group placing American teachers in Africa. She said she hoped for a stay so she could appeal her case here later.

Orville Luster, a Daly City, Calif., Negro on the American Friends Service Committee and member of a group of religious leaders who tested segregation here July 20 after meeting to discuss the moral and religious aspects of segregation.

Elmer Brown, 20-year-old Akron, Ohio, Negro student who was bonded out after attempting suicide in jail.

Dr. Cecil Thomas, 44-year-old Albany, Calif., white man, a YMCA secretary who attended the meeting of religious leaders and was arrested four days later during another desegregation attempt.

All four were convicted on breach of peace charges, failure to obey the order of an officer to move along.

# Jackson Court To Hear 186 Ride Appeal Cases

Jackson Daily News
Pub. Thurs. 8-10-61

JACKSON, MISS. — Approximately 186 persons from every section of the country are scheduled to go on trial here next Tuesday on charges growing out of their participation in Freedom Rides.

Jackson, Miss.

James Farmer, National Director of the Congress of Racial Equality (CORE), said the state of Mississippi indicated last week that all of the people on cash appeal bond must return for the trial.

Wyatt Tee Walker, Director of the Southern Conference Leadership Conference, said that the trials should be held individually and would probably last some several weeks.

The Freedom Ride Co-ordinating Committee meeting in emergency session this week at Atlanta, was aimed at mobilizing the forces for the mass return via chartered buses and car pools to Jackson.

Attending the conference were Farmer, Rev. Walker, Miss Diane Nash, of the Nashville Christian Leadership Council; Edward B. King, Executive Secretary and Charles Sherrod, Field Secretary of the SCLC and Rev. James Lawson, staff consultant to the SCLC.

Rev. Lawson, chairman of the committee, declared "the freedom rides will continue despite this move on the part of the state of Mississippi. They will be," said the minister, 'no relenting in our initiative in bringing the redeemed community to our nation."

Thurs. 8-10-61

Simultaneous rallies will be held in Atlanta and New Orleans, prior to the returning Freedom Riders departure for Jackson on August 12.

Meetings will be held in such key Northern areas as: New York, Chicago, and Los Angeles. An H-Hour meeting will be held in Jackson a day prior to the trials in the appelate court of the city.

# Rider Trials Set To Start Aug. 22

The Commercial Appeal

## 189 Enter Innocent Pleas At Arraignments In Jackson

Tues. 8-15-61

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Aug. 14. — Hinds County Judge Russel Moore Monday set trials of so-called "Freedom Riders" to begin Aug. 22 and continue at a two-a-day pace until next Jan. 18.

Memphis, Tenn

He set the dates as 189 riders filed before him to brand as unconstitutional breach of peace statutes under which they were arrested in refusing to leave segregated terminals. They entered pleas of innocent.

Their personal appearances were on appeals from convictions in the Jackson Municipal Court and sentences ranging from fines of $200 to four months in jail. Many of the riders, who filled Jackson jails, have been held at the state penitentiary pending their appeals.

Judge Moore took no action on the contentions of the defendants, which he said had been prematurely raised.

Three other riders, detained in New Orleans where they had been arrested en route to the trial, will be arraigned Tuesday to bring the total set for trial to 192.

Six other riders failed to appear personally as required in Judge Moore's court and their $500 cash bonds each were declared forfeited. An appeal is planned.

William M. Kunstler, New York attorney for the rider-sponsoring Congress of Racial Equality, withdrew a formal petition challenging constitutionality of the statutes with the understanding it will be refiled when the trials begin. He also withdrew temporarily a motion for a change of venue on grounds the defendants can not receive a fair trial in Hinds County with an agreement with Chief Prosecutor Jack Travis that the issue will be argued Aug. 22.

MARCH TO COURT — Self-styled Freedom Riders marched up the steps of the Hinds County Courthouse in Jackson, Miss., yesterday to hear trial dates set. They were brought to the courthouse in buses such as the one in the background.

# 189 Riders Appeal Jackson Conviction

The New York Times

By RICHARD H. PARKE

Special to The New York Times.

JACKSON, Miss., Aug. 14—One hundred and eighty-nine Freedom Riders appeared in the Hinds County Court today to appeal their convictions for breach of the peace.

They came by bus, train and plane from all parts of the country. All had been arrested in recent weeks for challenging racial barriers here. They had been released in $500 bond each, most of them after having served a portion of their sentences.

Judge Russel Moore began the proceedings in the heavily guarded court house by setting next Tuesday for the opening of arguments.

He announced, with the consent of attorneys for both sides, that he would dispose of the appeals on what amounted to virtually a day-to-day basis. He said he would hear two cases a day, with some exceptions, until a final session, now scheduled for Jan. 18, 1962.

The first week, beginning Tuesday, should, in the opinion of court observers, set the pattern for the defense arguments, and could result in a curtailment of the long schedule.

Only four defendants are to appear next week. Two, Henry Thomas, 19 years old, a Howard University student, and Julie Aaron, 20, of New Orleans, will appear on Tuesday. Joseph Carter, 22, of 98 Liberty Avenue, Brooklyn, and John Robert Lewis, 21, of Troy, Ala., are scheduled to appear Thursday. All are Negroes.

The two-a-day schedule prevails generally thereafter, except for time out to enable the defense to appear in Federal Court here. The cases of five of the Freedom Riders have been transferred there by petition.

William M. Kunstler, specia counsel for the Congress of Racial Equality, said the defense would cite the Federal Judiciary Act, which provides that civil rights cases may come under Federal jurisdiction. The Defense must prove, however, that testing segregation facilities involves a question of civil rights.

The appeal hearings beginning here inext wek will take the form of trials, since the municipal court in which the defendants were convicted originally is not a court of record. Thus the cases will be explored from every legal angle.

Associated Press Wirephoto

**FREEDOM RIDERS AT RALLY: Freedom Riders attend a reunion rally at Tougaloo Christian College for Negroes. Later a hundred and eighty-nine of the Freedom Riders appeared in the Hinds County Court House in Jackson, Miss., to appeal convictions.**

### Defense Maps Line

The defense is understood to be planning to base its arguments on two points of law. One is a Supreme Court decision in a Richmond, Va., case, the other an attack on two Mississippi laws governing breach of the peace.

In the Richmond case, the court last winter overturned the conviction of Bruce Boynton, a Negro law student, for staging a sit-in at a restaurant. Mr. Boynton was arrested under a state breach1of-peace law, but the Supreme Court ruled that the law had been invoked in his case to maintain segregation in interstate travel facilities.

In all, 307 Riders have bee arrested here since May 24. Th total includes two persons wh were arrested here last night fo testing segregation in a bus ter minal. They identified them selves as Pauline Sims, 22, o New York, who is white, anc George Raymond Jr., a New Orleans Negro.

There was no disorder in the courtroom today. The defendants sat quietly until their names were called. They were brought to the courthouse in buses and escorted by the motorcycle police.

38a 1961

# HALEY CASE TESTED

# Riders Determined To Enter U.S. Court

By JAMES SAGGUS
Associated Press Staff Writer

Mississippi's "Freedom Rider" legal cases seem destined for the federal courts if their attorneys can push their strategy to success.

Questions of federal law have been raised in several rider and related cases and riders attorneys have hinted they expect to see all of the cases before the Supreme Court eventually.

In his unsuccessful attempt to gain the freedom of rider official Richard Haley in Hinds County Court Friday, attorney William Kunstler of New York submitted a written memorandum to support his case. It went into several federal law questions that could be raised in other cases.

Haley, who was in Jackson to coordinate rides, was arrested on breach of peace charges for picketing a southern governors meeting. The charge—failure to move as ordered by an officer—was the same as that lodged against Freedom Riders.

Kunstler said the prosecution witness against Haley, Police Capt. J. L. Ray, testified "he saw no violence, heard no remarks or saw no signs that a breach of the peace had occurred."

Ray testified merely that he heard murmurs from the 15 onlookers and that their faces looked angry, Kunstler said. He charged arrests under such circumstances put freedoms "in the hands of a police chief" because he could arrest on ground something might happen.

Many of the Freedom Rider arrests have occurred with fewer onlookers and no display of emotion.

The state could be expected to counter in federal court along same lines it met Kunstler's arguments in county court— that under conditions existing "a breach of peace could have resulted."

The Freedom Rides to Jackson began after they had met violence in Alabama and the first riders received heavy escorts. Some officials say privately that things might have been different had not the escort been provided.

Kunstler said after losing his county court fight that he would appeal to the federal courts if necessary, either on Haley's conviction or on the denial of the writ Friday.

In arguing before Judge Russel Moore in county court, Kunstler said he felt that the Haley case would be overturned in federal court—that he felt it had less chance to stand up before the Supreme Court than the rider cases would have.

The statement came only one day after Kunstler filed proceedings which transferred the cases of five riders to federal district court under the 1948 Civil Rights Act. The filing automatically placed the cases in federal court and the state will make its effort to get them back in a hearing before U.S. Dist. Judge Harold Cox next Saturday.

If Cox rules the cases should remain in federal court, all other rider cases may follow the same route.

In the petition to transfer the cases, Kunstler, an American Civil Liberties Union lawyer, charged their arrests were "blatant attempts by the state to enforce its outright segregation statutes."

Kunstler said in his arguments for Haley's release that Chief Justice Harvey McGehee of the State Supreme Court said in a St. Louis talk Aug. 6 that state courts "are. . .favorable to maintaining segregation."

In seeking the freedom of rider Elizabeth Wyckoff of New York in a federal habeas corpus hearing recently, Kunstler argued the attitude of state courts on segregation made appeals through them usless.

The federal court turned Miss Wyckoff down, but on grounds it did not have the power to issue such an order.

Almost all of the riders now free on appeal bonds will return to Jackson this weekend preliminary to opening the new term of county court, which will hear their appeals. The first of their trails will begin a week later.

The procedure will be simpler in federal court when and if federal courts get jurisdiction. All cases would probably be considered together.

But the appeal procedure and one by one trials in state courts could delay matters a long time if the trials themselves are the basis for the appeal to the federal courts.

MISSISSIPPI

AUGUST

JACKSON-FREEDOM RIDERS

# FREEDOM RIDERS STAGE 2ND INVASION

BY FRANK HUNT

JACKSON, Miss. — The lid is clamped tight on Jackson, Miss. and even though officials predict that no violence will greet the arrival of some 187 Freedom Riders, there is an air of expectancy about the town.

Both police officials and CORE are keenly aware of the explosive situation involved in the presence of the young civil rights fighters in this bastion of segregation and both camps are taking precautions to avoid possible incidents.

Hinds County Sheriff J. R. Gilfoy said there would be an "adequate number" of men on hand to discourage troublemakers.

"We don't expect any trouble. So far none of those people has received a scratch here. We're going to keep it that way."

* * *

**"AN ADEQUATE** number" promises to be Gilfoy's full corps of 75 deputies plus a large portion of M. B. Pierce's (chief of detectives) men.

Gilfoy said the men would be "properly deployed" and there would be no loitering in the courthouse area Monday, or in the area of the Masonic Temple, where the Riders held their mass meeting Sunday.

No spectators are to be allowed in the courtroom during the trial, with exception of certain corps officials.

* * *

**THE FREEDOM** Riders were converging on the city in answer to the order that they must be present for the opening of the term of court during which their cases will be heard.

Actually, it will be impossible for all the cases to be heard on Monday. Attorneys for the Riders went before Circuit Judge Leon Hendrick last week asking that all of the Riders not be required to come at the beginning of the term but should only be required to be present when their trials are actually scheduled.

Judge Hendrick refused to grant the request. His refusal is being appealed to the state supreme court which is currently in summer recess.

In making their plea, the Riders' attorneys were seeking to have Judge Hendrick either waive or modify the court rule requiring all defendants to be present at the beginning of the court term.

Pleading for the Riders were William Kunstler and Carl Rachin of New York; opposing them were Jack Travis and Bob Nichols, city prosecutors.

The trials, two per day, beginning Aug. 21, are expected to last from 18 to 20 weeks.

* * *

**IN A SMALL** secnnd floor office at 1114 Lynch St., Thomas Gaither sat behind a crowded desk, shirtsleeved, and phone to ear. The office was the headquarters of the Jackson Non - Violent Movement, an offspring of the Freedom Riders assault on the city.

Mr. Gaither, a CORE field secretary, said CORE is doing its best to avoid friction.

"The police will hold sternly to their right to keep us from using first-class facilities as their way of alleviating trouble," he said.

He added that Riders have been advised to keep off the streets as much as possible and to fraternize only in the privacy of local homes rather than public places.

Police broke up an integrated group of Riders eating in a Lynch St. restaurant whose patrons are predominantly colored, and one Rider was threatened with police dogs for posting a placard announcing the rally on a telephone pole Saturday afternoon.

* * *

**RIDERS ARE** being housed at Tougaloo College, about eight miles from Jackson, and at Campbell College, on Lynch St., about 10 blocks from the courthouse. Private homes are also being used.

Although they were not due in until Sunday, Riders began arriving early Saturday morning. About midnight Saturday, about 25 Riders had arrived.

Mr. Gaither praised the "cooperation of the Jackson community." The massive task of housing Riders has largely been facilitated by the new organization, Womanpower Unlimited.

The New and Observer

**Appeal Convictions**

# Freedom Riders Gathering

JACKSON, Miss. (AP)— Scores of "Freedom Riders" renewed acquaintances in the sweltering heat of Mississippi's capital Sunday as they flocked here to appeal convictions for crossing color lines.

Mon. 8-14-61

Over 100 of 187 riders due here had arrived by bus, plane, train and auto. All have posted $500 bond and are to start appeals of their breach of peace convictions Monday.

Raleigh N.C.

The riders were to meet with their attorneys to go over procedural matters and attend a rally Sunday night in a Negro Masonic temple.

**At Negro School.**

About 100 riders—Negro and white—were quartered in Tougaloo Southern Christian College, a Negro school just north of Jackson. Others stayed in private homes.

Lunching at a campus grill, girls wore pedal pushers and many went barefooted in the oppressive 90-degree heat.

One rider strummed a guitar and they sang Freedom Rider songs as they greeted returning travelers who had unsuccessfully tried to integrate transportation terminals.

"We don't have any expectations," one told a newsman. "We're here to find out what's going to happen."

The rides started here May 24. Since then, 293 travelers have been convicted of breach of peace charges.

**Serving Time.**

A little over 100 are serving sentences. The remainder posted appeal bonds and gained their freedom. These are the riders who returned this weekend to start their appeals.

James Farmer, 41, Negro National director of the Congress of Racial Equality, earlier charged that a requirement that the riders must appear in person for the setting of trial dates amounted to an economic reprisal against CORE.

Most of the riders will have to make another trip for their actual trial dates.

The Hinds County sheriff's office and Jackson police said they were taking extra precautions to see there were no outbreaks of violence. There has been no violence in Jackson.

The Commercial Appeal

## Protest Riders Hold 'Reunion'

P. 13

Mass Court Appearance Is Scheduled Today In Jackson

Mon. 8-14-61

By United Press International

JACKSON, Miss., Aug. 13. — About 170-so-called "Freedom Riders" arrived by bus, train and plane from throughout the nation Sunday and held a "reunion" prior to their mass appearance Monday in court.

All but a few of the 187 riders free under bond will be on hand for a hearing at 2 p.m. Monday in the Hinds County Courthouse. They had been jailed for breach of the peace for making protest rides here but got out on $500 bonds. Failure to appear Monday would mean forfeiture of the bonds.

The riders came here in orderly fashion. Police stood by in case they repeated integration attempts at transportation facilities but none occurred.

Meeting Chapel

The integrationists met at mid-afternoon in the chapel of Tougaloo Christian College for Negroes just north of here. It was a closed session and afterwards James Farmer, national director of the Congress of Racial Equality, said the group had a "first reunion, renewed acquaintances and decided on the purposes of our being here."

"We discussed the question of decorum, morale and behavior," said Farmer. "We do not seek to repeat our arrests and we hope such does not occur while we are here but we are prepared to face any eventuality with dignity."

Farmer said it had been estimated that the trips to Jackson for the mass court appearance would cost C.O.R.E. as much as $45,000, "but we were not under any illusions that freedom would come cheaply."

He said attorneys briefed them on how to act when they appear in court Monday. Before the meeting began the group sang sit-in songs published by C.O.R.E. and distributed on the campus.

C.O.R.E. held a rally for the protest riders Sunday night in a Negro meeting hall on Lynch Street.

Only about a dozen of the 187 riders will apparently miss the court date Monday. Five have had their cases transferred to Federal court and apparently will not be required to be on hand.

Three of the missing were detained by police in New Orleans. The three — all-white — were charged with vagrancy, simple escape, simple battery and aggravated battery.

**In Negro's Home**

They were staying in a Negro home in New Orleans awaiting a Sunday morning train to Jackson when the arrests were made. Police said they had no visible means of support.

The three — George Blevins, 24, Los Angeles; John Dolan, 20, Berkley, Calif., and Frank Nelson, 25, New York—were taken in a police paddy wagon to police headquarters for fingerprinting and mug shots.

In the wagon, they got into a fracas with another prisoner, police said.

# 170 'Riders' Into Court

Jackson Daily News

P. 1

By BOB PITTMAN
Daily News Staff Writer

More than 170 "freedom riders," cheered on by hymn-singing sympathizers, appear in Hinds County court here this afternoon for appeals of their convictions in Jackson city court.

"The "riders" poured into Jackson from across the nation yesterday to appear in county court at 3 p.m. today.

Mon. 8-14-61

All have been convicted for breach of the peace in Jackson after refusing police orders to move on in public transportation facilities.

They are part of the 300 "freedom riders" who have come to Jackson since May 24.

County Judge Russell Moore convenes court at 2 p. m. and has required all "riders" who posted bonds after convictions to appear or forfeit their $500 bonds.

Officials of the Congress of Racial Equality (CORE), which sponsors the rides, said more "riders" were expected today.

Set for call in county court were 182 cases in which "riders" were arrested.

Jackson, Miss.

Some have elected to serve their sentences rather than post bond and these are in the Hinds County jail or at Parchman State Penitentiary.

Sentences range from $200 fines and suspended two month jail sentences to $200 fines and jail sentences of four months.

**POLICE ALERT**

City police, who have handled the "freedom rider" attacks on segregation of transportation facilities without incident, were determined to maintain that record today.

Officers announced a two-block area would be blocked off around the courthouse before the trials and promised a quick trip in the pady wagon for any demonstrators.

The "riders" came back to Jackson yesterday and held a mass rally last night without incident.

They arrived just as they did when they came to test segregation policies—in public transportation facilities.

But the "riders" were careful this time to obey all laws and signs.

They waited outside at the Illinois Railroad and Greyhound and Trailways Bus terminals to be picked up by automobiles.

All were arrested previously when they entered the waiting rooms.

P. 6

**SHUN TROUBLE**

The "riders" attended a "planning session" at Tougaloo Christian College yesterday afternoon and received instructions to stay clear of additional arrests.

More than 1,000 persons attended a "freedom rally" called last night to hail the "riders."

Police stood guard at the racially mixed meeting but there was no disturbance.

The audience clapped, sang and shouted as officials of CORE, the National Association for the Advancement of Colored People, and the Southern Christian Leadership Conference spoke.

**RIDES 'REVIVED'**

James Farmer, national director of CORE and himself a convicted "freedom rider," told the crowd that the movement had almost "run out of steam" but Mississippi officials saved it by demanding that the "riders" appear together in court.

"The 'freedom rides' now must continue no matter how much it costs," he said.

Farmer estimated that CORE spent $45,000 returning the "riders" to Jackson for appeals of their convictions.

Another convicted "rider," Negro minister Wyatt Tee Walker of Montgomery, Ala., said Negroes used to sing "Old Black Joe" but now sing:

"I'm coming, I'm coming.
"And my head ain't bending low.
"I'm coming, I'm coming,
"I'm America's new Black Joe."

Most of the "riders" were lodged at Tougaloo last night although several, both Negro and white, spent the night at homes of Negroes in Jackson.

They will have to return to Jackson to face trials.

After the docket is set today Judge Moore has said trials will be held two each day, five days per week beginning next week.

**FIVE GIVE UP**

Five "freedom riders" won't be here. They have filed petitions to remove their cases to federal court.

8-14-61

Meanwhile, two "freedom riders" were arrested here yesterday but this was their first trip to Jackson.

Jailed were Pauline Simes, 22, a white New York girl, and Negro George Raymond Jr., 18, of New Orleans.

They were arrested in the white waiting room of the Trailways terminal.

The Negro youth got off a bus and walked into the waiting room where the girl was waiting for him. They stood together until police arrested them.

# Rider Chief Loses Plea For Freedom

By THE ASSOCIATED PRESS

County Judge Russel Moore denied a request yesterday to order the release of "freedom rider" official Richard Lee Haley and Haley's attorney said the case would be appealed to federal courts if necessary.

Moore held that the order sought by Haley could not be issued because it would "in effect circumvent the accepted procedure of appeal."

Atty. William Kunstler of New York, who represented Haley, said he would appeal the 45-year-old Chicago Negro's case to the U. S. Supreme Court if necessary. He said he had not decided whether to appeal the conviction or Judge Moore's action.

Haley, an oficial of the Congress of Racial Equality which sponsored freedom rides, was arrested July 19 as he picketed a Jackson hotel, where a group of Dixie governors met to discuss segregation.

He was charged with a breach of the peace—failing to move as ordered by an officer. He received a $200 fine and 4 months in jail.

Kunstler charged testimony at the City Court trial showed 15 persons watched the picketing and there were murmurs. But, he said there was nothing to show violence was impending.

"If this is to be standard," he said, "freedom of speech means absolutely nothing."

Kunstler also said the removal of Haley to the state penintentiary violated the state constitution, which provided for those convicted in misdemeanors to serve their time in county jails or penal farms.

Tom Watkins, one of three attorneys for the city handling the case, said the court order—a writ of habeas corpus—could not be used where an appeal of the conviction and sentence was available. He said Haley had not appealed.

Watkins also quoted several court cases supporting his argument that a breach of the peace could occur without physical violence taking place.

Haley, he said, carried signs "insulting and libelous" to the governors and "under the circumstances a breach of the peace could have resulted."

Haley was in Jackson coordinating the freedom rides.

Watkins also held that the law premitted the transfer of prisoners in cases of necessity. Officers said earlier that the riders were tansferred from the Hinds county jail because of cowded conditions and were placed in the maximum security unit at the state penitentiary because other prisoners might harm them.

# Rider Appeal Centers On Breach Statutes

Attorneys for 187 convicted Freedom Riders in Jackson, Miss., will base their arguments for appeal of the breach of the peace convictions today on an attackon the breach of the peace statutesthemselves.

Some 300 Riders have been arrested under those statutes in Jackson since May 24.

The attorneys will invoke a U. S. Supreme Court decision in a Richmond, Va., case to the effect that breach of the peace statutes were inappropriately applied to the maintenance of segregation in interstate travel.

Also in Jackson, U. S. Supreme Judge Sidney Mize granted another delay in a Negro suit to desegregate the University of Mississippi.

He left open the question of whether the suit, brought early in the summer, applies to the regular school year or only to the summer school term which has already ended. He will hear arguments on this question when the case resumes today.

Racial developments elsewhere in the Nation include:

In rural St. Helena Parish, La., public schools will open today o na segregated basis. A court order to desegregate the schools is being held up while the Federal Fifth District Court called on the attorneys general of all 50 states to submit briefs on the question of state termination of public education. The predominantly white voters of the predominantly Negro county voted to close the schools rather than desegregate them.

The Alabama Senate gave swift approval Saturday to a House-passed bill prohibiting "freedom rides" in the State. The statute establishes up to $300 in fines and six months in jail for anyone who announces and then carries out a challenge to Alabama's racial barriers.

In Fort Lauderdale, Fla., the City Commission has filed suit for an injunction barring the NAACP "and others" from organizing wade-ins at the city's public beach.

Fort Lauderdale's police chief spoke in favor of the action and said police efforts to preserve the peace would be aided if agitators were kept from the beach.

St. Louis swimming pool and a restaurant were ordered by the St. Louis Council on Human Relations to end discrimination against Negroes. Refusal or failure to comply could result in fines up to $500.

The International Association of Milk and Food Sanitarians will hold its convention in Des Moines, Iowa, this week after it ran into segregation problems twice in Georgia. The meeting, originally scheduled for Jerkyl Island, Ga., was switched to Savannah, Ga., "to avoid trouble." It switched again when it ran into "trouble."

Two Negro families, attempting to move into a predominantly white Bloomsfield, N. J., house, have run into opposition. One woman has received death threats and a cross has been burned on the property. One of the men is a school teacher in Orange, N. J., and the other is an insurance underwriter.

## APPEAL HEARINGS START MONDAY

# 'Freedom Riders' Converge For Jackson Protest

Advertiser-Journal

JACKSON, Miss. (AP)—"Freedom Riders" — coming by bus, train, plane and cars — began arriving in Jackson Saturday before their appeals start Monday in county court on breach of the peace convictions. P. 1 D

Over 180 riders who posted $500 appeal bonds after unsuccessful desegregation attempts of transportation facilities were expected in Jackson by Sunday night.

A giant Freedom Rider rally will be held at 7:30 p.m. Sunday in the Negro Masonic Temple in Jackson under the sponsorship of the Jackson Nonviolent Movement. Sun. 8-13-61

The Hinds County Sheriff's Office and Jackson police prepared to prevent any outbreak of violence while the integrated group is in the city.

"We are taking extra precaution to see that proceedings are completed in an orderly manner," said Sheriff J. R. Gilfoy. "No loitering or congregating will be allowed around the courthouse Monday. No one will be allowed inside the courtroom except the defendants, their counsel, the prosecutors, the judge and the press.

Gilfoy said the citizens of Hinds County "have done a great job so far in letting the law take its course. I will be grateful if you will stay away."

Chief of Detectives M. B. Pierce said "we will have adequate policemen on hand to assist the sheriff at the courthouse and to see that if any laws are broken, whether it be by freedom riders or not, the persons involved will be arrested."

**NEWSMAN SLUGGED**

Earlier in New York, a white youth knocked down a newspaperman and a staff member of the Congress of Racial Equality just after 31 riders left by bus for Washington, D.C., on the way to Jackson.

The assailant, who escaped with a white companion, struck William Doolittle, a reporter for the New York Post, and Marvin Rich, 31, community relations director of CORE. Both were taken to a hospital for treatment.

The New York bus, was headed by James Farmer, 41-year-old Negro, CORE's national director. The bus was to pick up six more riders in Washington.

Riders began arriving in Jackson Saturday individually and in small groups, but the largest delegation was expected at 10:10 a.m. Sunday on the "City of New Orleans" train. New Orleans was one of the major gathering points for riders.

Two chartered buses carrying riders were scheduled to leave Nashville at 9 p.m. Saturday night.

John Lewis, acting chairman of the Nashville student No-Violent Movement, said "we have the entire Minnesota delegation and some from Chicago and Cincinnati."

The Rev. Ralph D. Abernathy said only three riders would leave from Montgomery for Jackson. They went to Mobile Saturday afternoon and were expected to arrive in Jackson at 4 p.m. Sunday.

Freedom Riders will meet with their lawyers Sunday afternoon and attend the rally that night.

Some of the riders will be housed at Tougaloo Southern Christian (Negro) College just north of Jackson and others in private homes.

Farmer charged it was an "economic reprisal" against CORE for Mississippi officials to require the defendants to appear in person for the setting of trial dates. It will require another trip for most of the riders to attend their actual trial.

Meanwhile, the Justice Department revised the proposed regulations it is asking the Interstate Commerce Commission to adopt to ban segregation in interstate bus transportation.

Under the revision, the department suggested that the sign to be displayed on buses say that "seating aboard this vehicle is without regard to race, color, creed or national origin."

The department said the original language might mislead a passenger to believe that he has an absolute right to any seat at any time regardless of his personal comportment or the convenience of other passengers.

Atty. Gen. Robert F. Kennedy petitioned the ICC last May 29 to issue the regulations. Oral argument on the petition is set for Aug. 15.

## Governor Expecting No 'Rider' Violence

Jackson Daily News P. 2

By ROB PITTMAN
Daily News Staff Writer

Gov. Ross Barnett aid yesterday he is confident Jackson police officers can handle an invasion of up to 200 "freedom riders" scheduled to return to the city next Monday. Wed. 8-9-61

There will be no change in the successful method of handling "riders" employed by the state and city the past two months, he said. Jackson Miss

As many as 200 could return Monday when appeals of their city court convictions for breach of the peace are called in Hinds County court.

Officials of the Congress of Racial Equality (CORE), the organization which sponsors the "freedom rides," has indicated some of those returning may test local segregation laws again.

In connection with Monday's court activity, the National Association for the Advancement of Colored People has asked U. S. Atty. Gen. Robert Kennedy to send federal marshals into Jackson to "protect" the returning "riders."

Gov. Barnett said he has had no word from Kennedy about that request.

Kennedy declined to send federal marshals into Mississippi early in the "freedom rider" campaign in May when state and city officials assured him the situation could be handled by local officers.

"We don't need any federal marshals. We don't want any federal marshals," the governor said.

"We will handle "freedom riders" who violate local laws in the usual manner."

The "usual manner" has been for city police officers to order the "riders" to move out of transportation terminals and place them under arrest for breach of the peace when they refuse.

Although National Guard personnel accompanied the first group of "riders" into Jackson there has been no threats of violence and city police since that time have handled them in routine fashion.

UNDER POLICE GUARD

## 'Freedom Riders' By Score Roll Into Jackson To Appeal

The Montgomery Advertiser P. 1

JACKSON, Miss. (AP)—Scores of "Freedom Riders" renewed acquaintances in the sweltering heat of Mississippi's capital Sunday as they flocked here to appeal convictions for crossing color lines. Montgomery

Over 100 of 187 riders due here had arrived by bus, plane, train and auto. All have posted $500 bond and are to start appeals of their breach of peace convictions Monday. Mon. 8-14-61

The riders were to meet with their attorneys to go over procedural matters and attend a rally Sunday night in a Negro Masonic temple.

About 100 riders—Negro and white—were quartered in Tougaloo Southern Christian College, a Negro school just north of Jackson. Others stayed in private homes.

Lunching at a campus grill, girls wore pedal pushers and many went barefooted in the oppressive 90-degree heat.

One rider strummed a guitar and they sang "Freedom Rider" songs as they greeted returning travelers who had unsuccessfully tried to integrate transportation terminals.

"We don't have any expectations," one told a newsman. "We're here to find out what's going to happen."

The rides started here May 24. Since then, 293 travelers have been convicted of breach of peace charges.

A little over 100 are serving sentences. The remainder posted appeal bonds and gained their freedom. These are the riders who returned this weekend to start their appeals.

James Farmer, 41, Negro National director of the Congress of Racial Equality, earlier charged that a requirement that the riders must appear in person for the setting of trial dates amounted to an economic reprisal against CORE.

Most of the riders will have to make another trip for their actual trial dates.

The Hinds County sheriff's office and Jackson police said they were taking extra precautions to see there were no outbreaks of violence. There has been no violence in Jackson.

38a 1961

MISSISSIPPI

FREEDOM RIDERS-JACKSON
MR. LEON DANIEL HORNE (FREE RIDE FROM CHICAGO TO MISSISSIPPI (HOME)

# Negro Says C.O.R.E. Junket Was Free Ride Home To Him

To Commercial Appeal
P. 34
Wed. June 14, 1961

By United Press International

JACKSON, Miss., June 13.—A jailed Negro said Tuesday he took a bus ride from Chicago with the so-called "freedom riders" simply to get a free ride back to Mississippi.

"To those others it might have been a freedom ride, but to me it was just a way to come home," Leon Daniel Horne, 24, told newsmen.

Horne could draw a four-month jail term for breaching the peace, said, "I'd rather be in jail here than free in Chicago."

Horne, who first told officers he was from Chicago, admitted that he is from the Jackson area after he was confronted with a bill he owed here.

Authorities arranged a news conference for him at the police station.

**Stranded In City**

Horne said he went to Chicago about two weeks ago after losing a seasonal job in a Florida restaurant, but could not find a job there. "I was stranded, and up there they'll let you lay on the sidewalk and die. I knew if I could get back home, everything would be all right. But I didn't have any money to make the trip."

He said he met a representative of the Congress on Racial Equality in Chicago last week and agreed to take a "protest ride" to Jackson. He did not tell C.O.R.E. he was from Mississippi, Horne said.

Horne, wearing a neat sport shirt, criticized the riders in his news conference, attended by 10 reporters and a few officers. "They are a radical group," he said.

Horne said that Rev. Martin Luther King, a Negro integration leader, is "a shrewd fellow—if he wasn't, he wouldn't be making as much money as he is off the Negro."

**Larger Collections**

He said racial incidents in the South make it possible for integration forces to take up larger collections in the North, "then King can buy a new pair of shoes and Mrs. King can buy a new dress."

Chuckling over his free ride home, Horne said, "C. O. R. E. is making a fool out of some Negroes; why not turn this thing around?"

He said C. O. R. E. gave him $20 for a bus ticket to Nashville and there gave him $15 more to come to Jackson. He was arrested here Saturday with five other riders in a "white only" waiting room.

One of his companions, he said, told him she had been associated with the Communist Party. He said riders were "demoralized characters." He said, "they say God is on their side, but He's not."

Some of them, he said, are "gradually changing their attitude" in jail. "They don't think it's such a picnic anymore."

Horne said he was glad Mississippi Neroes had not entered the "rider" movement. "He knows his economy lies in you-all's hands," he told the white newsmen.

38a 1961

MISSISSIPPI

FREEDOM RIDERS-JACKSON
MINNESOTA OFFICIALS BEGIN
PROBE OF 'RIDER' TREATMENT

# Minnesota Officials Begin Probe Of 'Rider' Treatment

JACKSON, Miss. (AP) — Two Minnesota officials launched an investigation Thursday into Mississippi's treatment of "Freedom Riders" arrested in efforts to desegregate transportation terminals here.

Representing Minnesota Gov. Elmer Andersen in the firsthand check were Mrs. Wright Brooks, chairman of the Minnesota Human Rights Commission, and Asst. Atty. Gen. John Casey Jr.

The two conferred with Gov. Ross Barnett and went on a guided tour of Jackson jails and schools before leaving for the state penitentiary at Parchman, where most of the convicted riders are held.

The Minnesota study began as Federal District Judge Sidney Mize turned down a bid by convicted white rider Elizabeth Wyckoff, 45-year-old New York writer, to appeal his ruling last week, denying her effort to get into federal court. He said she must exhaust state remedies first.

Mayor Allen Thompson an
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nounced the city would close parks and recreational areas if the courts rule "we cannot uphold our law."

**MORE ARRESTED**

Police arrested six Jackson Negro riders in the white waiting room of the Illinois Central Railroad terminal as they sought to buy tickets to Canton, 25 miles to the north. They brought to 184 the number arrested since the riders reached Jackson May 24.

The Justice Department filed suits here seeking federal court orders to halt what it charged was discrimination against Negroes seeking to register to vote in Forrest and Clarke counties. The government charged qualified Negroes were denied registration.

A group of Negro students completed plans for their organizational meeting of the Jackson Student Nonviolent Movement Thursday night, with the Rev. Martin Luther King of Atlanta as speaker.

The National Association for the Advancement of Colored People suggested to Hinds County officials here that Negroes be included on any grand jury making a study of treatment of riders in the county or at the state penitentiary, where the county supervises those transferred because of crowded conditions here. Circuit Judge Leon Hendrick charged the jury Wednesday with such an inspection.

The Minnesota officials began their inspection tour in Jackson after conferring with Barnett. They maintained silence about their impressions.

38a 1961 MISSISSIPPI JULY
FREEDOM RIDERS- JACKSON
FEMALE 'RIDERS' MISTREATED (?)

# Prison Head Denies Report Female 'Riders' Mistreated

PARCHMAN, Miss. (AP) – State Prison Supt. Fred Jones Sunday denied reports six Minnesota women "Riders" were being mistreated but added he's "not going to turn the prison into a country club."

Jones said the six were being treated "like any other prisoners that come here."

Minnesota Attorney General Walter F. Mondale Saturday night asked the Mississippi attorney general to investigate reports the young women were "incarcerated like felons."

Mondale, in his wire, said he was told the women were not allowed visitors and that their privacy was invaded because they are under constant supervision of male prison guards.

The women riders were arrested June 11 at a Negro lunch counter in a Jackson bus depot. All six are white.

Sentenced to four months on charges of breach of the peace, they were transferred to the state prison after masses of riders poured into the Jackson jails.

Jones, in a telephone interview, said the women are not allowed visitors for security reasons and in keeping wit the rules of the maximum security unit.

Jones said the prison did not have enough spare employes to supervise visits for the riders. Every visitor has to be screened for contrabrand articles, he said.

38a 1961

MISSISSIPPI

FREEDOM RIDERS- JACKSON
9 RELIGIOUS RIDERS CONVICTED

# 12 Integrators Receive Terms In Jackson

Montgomery Advertiser
38 Sat 9-22-61
Montgomery Ala

JACKSON, Miss. (AP) — City Judge James Spencer Friday convicted nine religious leaders and four "Freedom Riders" for breach of peace in their attempts to desegregate an airport terminal and a bus station.

He sentenced all 13 to $200 fine and 4 months in jail, the maximum sentence.

The four riders offered no testimony, according to an agreement between their attorney and the city attorney that their trial was a continuation of earlier riders trials that convicted 243 others.

Rabbi Allan Levine of Bradford, Pa., one of the religious leaders arrested at the airport, testified that after seeing a group of fellow ministers off on an airplane Thursday night, he and eight other ministers tried to get coffee in the airport cafe.

He said Police Capt. J. L. Ray stopped them short of the door, ordered them to move out of the terminal and arrested them when they refused.

Defense Atty. Jack Young asked Levine if he intended to breach the peace and Levine answered: "I don't appreciate or like belligerence of any sort."

He said he was in Jackson to attend a meeting of religious leaders discussing racial problems in the north and South.

Before the meeting broke up Thursday, a spokesman for the group said some of the ministers planned to act individually and test the state segregation laws at the transportation terminals.

Such testing landed the 243 riders in jail.

38a 1961

MISSISSIPPI

JULY
FREEDOM RIDERS- JACKSON
SUICIDE TRY (?)

# Didn't Mean Suicide Try 'Rider' Says

JACKSON, Miss. (AP) — Elmer Brown, a Negro "Freedom Rider" who tried to hang himself in Hinds County Jail the day before he was freed on bond, Friday described the attempt as a despair of the moment.

"I didn't mean it," he told the Associated Press in a telephone interview set up by the ride-sponsoring Congress of Racial Equality (CORE).

"It was an act to try to relieve pressure, or something."

Brown, 20, a University of Akron, Ohio, student, was sentenced to $200 fine and four months in jail for breach of peace in desegregating a Trailways bus station July 7.

**LET HIM DOWN**

Sheriff J. R. Gilfoy said Brown tried to hang himself Thursday with his belt but he was cut down by jailers before he could hurt himself.

Earlier Thursday, Brown accused CORE of letting him down when he didn't get the $500 bond money he had requested.

CORE officials said they had been working on the bond but that it took time to process.

Brown said in the interview he was under pressure of the sheriff during a press conference when he told newsmen CORE had let him down.

'I was sort of threatened with other charges if I didn't give in to what he (Gilfoy) was saying," Brown said.

**'FUNNY SPOTS'**

The other charges to which he referred apparently were implications that he had taken narcotics. Gilfoy said he found 17 pills in Brown's Bible case and was having them analyzed.

Gilfoy said he had small needle spots on his arm.

"I never used narcotics," Brown said. "I never will. But I have needle spots on my arm and I don't know how they got there. I don't know when this occurred."

38a 1961 MISSISSIPPI AUGUST

## Because of World Pressure

# Is Mississippi Handling Freedom Riders With Care?

*EDITOR'S NOTE: This is a frank, revealing article which The Courier has pieced together, based on evidence. It shows that even vicious, ignorant, segregation-steeped Mississippi "can be different" when it serves its evil purpose so to do!*

JACKSON, Miss.—Those Freedom Riders . . . Negro and white . . . who have been jailed in Mississippi, are being given the VIP treatment.

By this, we don't mean that Mississippi has suddenly changed its segregationist beliefs. Far from it!

But with the eyes of the entire country . . . and other countries . . . on her, she is showing a restrained courtesy to people for whom she has nothing but utter contempt.

Mississippi believes in separation of races. It's a belief based on the ignorance of its citizens . . . an ignorance which gives the state the lowest I. Q. rating in the nation.

But Mississippi saw what happened in Alabama!

Six . . . seven weeks ago, when "Freedom Riders" served notice that they would invade Mississippi, stronghold of monolithic segregation, they figured to get smart.

Result is that these things have happened:

Police officers have been warned against using force and violence in making arrests.

Freedom Riders are treated as "special guests" who must be looked upon as violators of the law, but who are to be handled with kid gloves.

Mississippi is determined to protect the "image" of a tourist heaven for the state . . . an "image" she has been selling with some success.

Mississippi is hoping that the Freedom Riders just go away . . . because the cost is beginning to be felt. Promised reduction in city taxes on autos withdrawn because of drain on city cash.

Latest rumor . . . Freedom Rider battalions movement was hatched in Cuba early this year, with mine Soviet agents on hand.

■

**THE JAILS?** Theye're not comparable to the big hotel chains. In fact, they're among the worst in nation. But those where "Freedom Riders" are guests, are better than average in these parts.

**FOOD?** It's best at City Jail, where riders are first taken after being arrested . . . and held until convicted.' This jail sits atop the new municipal court building here.

When the riders are moved across the street to the Hinds County Jail, things get roughter. There the Sheriff and his deputies take over. Food isn't as good. The County Jail doesn't have adequate facilities to take care of the complete "guest list."

Facilities for women are totally inadequate, with 20 white women crowded into a cell that had four permanent bunks.

Even less adequate (you know it, too) are accommodations for Negro "guests." There's one toilet to serve 20 persons, and it won't work part of the time.

Privacy for men or women is impossible.

An exhaust fan stirs up the breeze, but when the temperature hits 90 degrees outside . . . the cells become veritable sweat-boxes.

Freedom Riders can work out their fines in County Jail at $3 per day. But they've stopped sending them to the county work farm. Reason for this is the brutal treatment which the work farm guards accord any person whose skin is black.

The 77 Riders now at Parchman (State Penitentiary) are housed in the section where maximum security is practiced.

This is the part of the prison which houses the lethal gas chamber and death row, used only for the most vicious and hardened criminals.

The only reading material is the Bible.

They can write two letters . . . and receive two letters . . . weekly.

The cells are stark . . . bare!

Plumbing is minimal . . . They say . . . because deathly weapons might be fashioned.

Only two prisoners to each cell.

MISSISSIPPI'S MOTTO:—HANDLE WITH CARE!

JACKSON-FREEDOM RIDERS

# Court Postpones Segregation Suit

## Three Federal Judges Allow NAACP Time To Itemize Charges In Jackson

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., Aug. 7.—A three-judge Federal Court Monday postponed until Sept. 25 a suit challenging segregation in transportation terminals in order to give the National Association for the Advancement of Colored People time to pinpoint certain allegations of discrimination charged against Mississippi officials.

The case arose following the arrests of more than 300 self-styled "Freedom Riders" in Jackson for breach of the peace when they entered segregated facilities. It is designed to stop further use of the statute in enforcing segregation under state statutes.

The delay was ordered by the court after counsel for the state and City of Jackson contended the accusations needed clarification in order to properly defend the issues.

**Broad Scope**

Circuit Judge Richard T. Rives of Montgomery, Ala., who presided, said the scope of the case is so broad that it necessitates amendments in some of the allegations filed by the NAACP on behalf of three Jackson Negroes charging violations of Federal laws against segregation in bus, railroad and airport terminals.

Sitting with Judge Rives were Dist. Judge Claude Clayton of Tupelo and Dist. Judge S. C. Mize of Gulfport. The action was ananimous, in contrast to a delay granted July 10 when Chief Judge Tuttle of the Circuit Court of Appeals opposed such action based on illness of the state's chief counsel in civil rights cases. Judge Tuttle later recused himself and designated Judge Rives to sit with the two district judges.

In announcing postponement, which was ordered after counsel for the NAACY agreed to amend the suit to clarify accusations against the Illinois Central Railroad and the Jackson city lines, Judge Rives said when the case resumes it will be carried to a conclusion.

The court took under study two state motions, one for dismissal of the suit and the other for dissolution of the three-judge court on grounds that the issues involved should first be tried in the state courts or by a single district Federal judge.

**Motions Overruled**

Motions by the state to include all common carriers, instead of singling out the Illinois Central Railroad and the Trailways and Greyhound bus lines, and to require the NAACP to provide more definits statements as to conspiracy of the officials, were overruled by the court.

Tom Watkins, chief of the defense counsel, in asking for dissolution of the three-judge court, said the suit seeks to involve state statutes on breach of the peace in its challenge of the constitutionality of state laws on segregation in transportation facilities.

"The gist of the controversy is not the constitutionality of the segregation statutes bu the enforcement of the breach of the peace law," Mr. Watkins said. "For that reason, it is not a case for a three-judge court."

He was joined in that position by Asst. Atty. Gen. Ed Cates.

Mrs. Constance Baker Motley, NAACP attorney of New York, said the suit seeks a temporary injunction against enforcement of several segregation statutes on the basis of policy, custom and usage of discrimination.

**U. S. Backs NAACP**

She said the breach of the peace statutes, under which the self-styled "freedom riders" have been arrested, is not attacked as such but is referred to in relation to the use of that law in enforcing segregation.

She asked that the court decide the issue as speedily as possible. She opposed both delays since she said the temporary injunction should be heard without going into the merits which would be done when the issue of a permanent injunction is considered.

The Federal Department of Justice entered the case on the side of the NAACP. Robert Owens of the Washington staff was in the court room.

# Blind Mixer Tries Orleans Train Depot

A white blind woman who has failed in two desegregation attempts here charged today that Jackson police officers discriminated against her by refusing to place her under arrest.

Mrs. Norma Wagner, 33, of Rochester, N. Y., sat in Negro waiting room of the Trailways bus terminal for five hours Saturday and ate at the Negro lunch counter but officers ignored her.

She sat with Earl C. Bohannon Jr., 21-year-old Chicago Negro. Police ignored both.

Late yesterday Mrs. Wagner and her Negro male companion left Jackson for New Orleans where they announced they would attempt to desegregate the Union railroad terminal.

Mrs. Wagner declared from the Jackson Negro waiting room Saturday that "we plan to sit here until we get arrested."

She said she felt police discriminated against her by not arresting her just because of her handicap.

Police said the pair were not arrested Saturday because there was no violation of the law since no police officer ordered them to move.

The 300 "freedom riders" who have been arrested in Jackson have been charged with a breach of the peace after refusing to move on under police orders.

If the pair Saturday had been ordered to move on and refused, an officer said, they would have been arrested.

Saturday's attempt was the second time Mrs. Wagner has sought unsuccessfully to get arrested in Jackson.

On July 29 she arrived with several other "freedom riders" at the Trailways terminal.

Police removed her from the Negro waiting room and made some arrests but would not arrest her.

# Three Judges Open Mixing Case Today

Segregation in Mississippi's public transportation facilities was put to the test again today but a batch of preliminary motions was expected to slow the federal court action to a snail's pace.

A three-judge federal court reopened the case this morning in which the National Association for the Advancement of Colored People seeks to enjoin city and state officials from enforcing segregation in bus, rail and air facilities.

Atty. Gen. Joe Patterson, the City of Jackson, Cicero's Restaurant at the Jackson airport and the Illinois Central Railroad, Trailways, Greyhound and City Bus Lines are named as defendants.

The suit opened July 10 but was delayed when the state asked for additional time on grounds Asst. Atty. Gen. Dugas Shands, who heads the state's defense team in civil rights matters, was ill.

Shands was expected to appear in court today although Atty. Gen. Joe Patterson has retained another assistant, Charles Clark of Jackson, to assist in civil rights matters.

The federal government entered the suit on the July 10 opening date, filing a brief in which it claimed the city and state are enforcing segregation with breach of the peace laws.

The state objected to the filing of the brief but the three-judge court overruled the objection.

The state was expected to offer several preliminary motions today and the city has others to offer once the state has completed its motions.

District Judge Sidney Mize of Gulfport and Claude Clayton of Tupelo agreed July 10 to the continuance but Circuit Judge Elbert Tuttle of Atlanta objected.

Tuttle has since withdrawn from the case and named to replace him Circuit Judge Richard T. Rives of Montgomery, Ala.

# Judge Convicts 22 More 'Riders'

## German Is Freed After Court Hears His Explanation

By The Associated Press

JACKSON, Miss., July 31.—City Judge James Spencer Monday convicted 22 so-called "Freedom Riders" of beach of peace in desegregation attempts and released a German magazine photographer as innocent of the same charge because he became confused.

"This court does not intend to use the forces of law to prevent anyone in good faith from writing a story," Judge Spencer said.

He released Hilmar Ehrenfried Pabel, 50, of Munich, Germany, photographer for Quick Magazine in Germany.

The 22 riders were sentenced to $200 fine and four months in jail, the maximum penalty for breach of peace by disobeying a policeman.

Police Capt. J. L. Ray testified he arrested the riders for refusing to obey his order to move out of the terminal, nine in Greyhound bus terminal, and the rest in Illinois Central terminal.

Officer Ray said he arrested the riders because he felt their presence would tend to cause a breach of peace.

He said he arrested Mr. Pabel because Mr. Pabel refused to obey his order to move on and insisted in carrying on a conversation about the order.

Earlier Officer Ray said Mr. Pabel had sought to enter the patrol wagon with the arrested riders and had to be ejected by force.

Mr. Pabel testified that he was acting in his professional capacity and sought only to do his job of reporting the facts objectively.

The police had allowed Mr. Pabel to shoot as many photographs of the arrest as he wanted and did not arrest him until he refused to leave the colored waiting room at the Greyhound bus terminal.

In handing down his decision, Judge Spencer said he was giving Mr. Pabel every benefit of the doubt because he was a foreigner in a strange country with some language barrier to overcome.

He said he assumed Mr. Pabel was working in good faith and was unfamiliar with United States customs and language and "became confused and got in the way."

At the same time, Judge Spencer said, Officer Ray arrested Mr. Pabel in good faith because he gave him every opportunity to keep from getting arrested. Judge Spencer said Officer Ray arrested Mr. Pabel only when he could see no other course of action.

38a 1961

MISSISSIPPI

JACKSON-FREEDOM RIDERS
BONDED RIDERS RETURNING TO JACKSON

# Bonded Riders May Test Anew Mississippi Laws

The Montgomery Advertiser
P. 3B

JACKSON, Miss. (AP) —Some of the 175 convicted and bonded "Freedom Riders" returning to appeal to Hinds County court may challenge anew Mississippi's segregation laws when they begin arriving Aug. 13.

Tom Gaither, field secretary for the ride-sponsoring Congress of Racial Equality, told the Associated Press: "There is every possibility that they will attempt to desegregate facilities because they will be using first class transportation."

Sat 8-5-61

If they do, they probably will be arrested. Jackson officials have promised to arrest anyone refusing to obey police orders to move out of bus, rail and air terminals.

All of the convicted riders were convicted on charges of breach of peace by refusing to obey police orders to move out of terminals.

Montgomery, Ala.

Since the rides began May 24, 294 persons have been convicted. They received $200 fines and jail terms, suspended for some of the earlier riders.

In Atlanta, the Rev. James M. Lawson, chairman of the Freedom Ride Coordinating Committee, said plans were being made to return all of the 175 bonded riders to Jackson by Aug. 13.

A Hinds County Court order entered more than a year ago requires all bonded appellants to appear in court in person on opening day—Aug. 14 this year—or be liable for their bonds.

The Rev. Wyatt Tee Walker of Atlanta, executive director of the Southern Christian Leadership Conference, said the state must guarantee protection for the returning riders because "Some Jackson people may not welcome our return."

Walker, a bonded rider himself, said the state "Won't guarantee protection, we'll have to get it somewhere—maybe from U.S. Marshals."

Chief of Detectives M. B. Pierce of Jackson said the police force assigned to bus, rail and air terminals would be adeqdate to handle any situation and maintain law and order.

He said any violations of the law would result in arrests.

Gaither said plans were being worked out for housing and feeding riders whose return would be paid for by CORE.

MISSISSIPPI

JACKSON-FREEDOM RIDERS
SEPT. 25,1961 DATE FOR PERMANENT
AND PRELIMINARY INJUNCTIONS

38a 1961

# Mississippi Rider Suit Hearing Set

JACKSON, Miss. (AP)—Federal Judge Richard T. Rives Monday set Sept. 25 as the date for hearing both preliminary and permanent injunctions that would stop police from arresting "Freedom Riders" on breach of the peace charges.

Rives overruled motions for more definite information concerning the charges, but ordered the National Association for the Advancement of Colored People to furnish Jackson City Lines within 10 days the names and circumstances of bus drivers ordering Negroes to sit in the rear of the bus.

Rives denied a motion for immediate hearing on a preliminary injunction because of the addition of the Jackson City Airport Commission as a defendant. The commission, included Monday, was given until Aug. 27 to file information and until Aug. 17 to file motions in the case.

**DEFINITE DATA**

Attorneys for the Illinois Central Railroad, Trailways and Greyhound bus companies, Jackson City Lines and the attorney general's office had asked for more definite information concerning the charges by the NAACP.

Ed Cates, assistant attorney general, said the information was necessary "if we are to be able to answer the charges. Otherwise, we don't know how to properly defend ourselves against the preliminary injunction."

Mrs. Constance Baker Motley, NAACP attorney, said of the charge, "this is not a new or novel issue. That segregation is being enforced is common knowledge."

During the afternoon, several of the Negro spectators dozed in the courtroom.

Earlier, Asst. Atty. Gen. Charles Clark asked the court to delay the case until all bus and railway companies were made a party to the case. He said the NAACP wanted the case to cover all carriers, but had named only four.

Rives, of Montgomery, Ala., president of the three-judge panel, announced the decision turning down the motion. Rives, from the 5th Circuit Court of Appeals in New Orleans, said the decision in the case would be binding only on those named in it.

The NAACP filed the suit for three Jackson Negroes, who said they acted in behalf of all Negroes.

JACKSON- FREEDOM RIDERS
JIMMY WARD- COLUMNIST
JACKSON DAILY NEWS

38a 1961 MISSISSIPPI

Oct. 1-2-1961

**Covering the CROSS-ROADS**

**with Jimmy Ward**

Capt. J. L. Ray, the versatile, smiling, polite police officer who has been in charge of greeting most of the "freedom riders" who have invaded Jackson, has done a commendable job thus far, but CORE is about to pull a fast one on him. Traveling with the next batch of crackpot hip-to-hip restroom mixers is a chap from Indonesia named Wiejonarko Gjokroadisumurto. If you were an arresting officer, how would you like to step up and say, "Wiejonarko Gjokroadismurto, move on or I'll have to arrest you?"

Jackson Daily

CORE apparently is having trouble getting recruits trying to crack the restroom barrier down heah in Dixie. After several days of peace and quiet, CORE is shipping another gang into town. One is a blind woman from Rochester, N. Y. What's the matter? Has CORE run out of preachers and prostitutes and is now dragging blind people off the streets of New York?

P. I.

* * *

Attention Associated Press, United Press International and newspapers across the land: CORE has dug up some money and has bonded 16 "freedom riders" out of Parchman. Get ready to be called into press conference across the land and hear some real sad lies about how horrible they were treated while vacationing at Mississippi Parchman "plantation."

In every big news story there is considerable behind-the-scenes activity involving police officers, the press and others in close contact with developing facts. This has been true in the now well-publicized "freedom rider" stuff. Today, we're going to relate an interesting sidelight on CORE's cute little heroes.

We do so, we know, at the risk of boring you with this enduring subject.

Upon arriving at the office Friday morning, there was another story (it happens sometimes several times a day) off the wire about how Mississippi has been mistreating the "riders." This story came out of Los Angeles, where CORE—with clockwork precision—has assembled four erstwhile residents of Parchman to tell the Los Angeles press of the prison wickedness down heah in Deep Dixie. They spouted off according to CORE's plan, just as others have done upon release from prison.

Jackson Miss.

Sheriff Bob Gilfoy has been asked some 20 times to comment on these wild falsehoods spawned in the warped mind of some CORE official.

Anyway, after reading the sob story off the wires, a check was made on the four complainers. Records reveal that one of them had a long record of burglary, narcotics traffic, traffic violations, and probation violations, while a deah, deah "lady" rider had been booked extensively for burglary, vagrancy, narcotics traffic and—if you'll pardon the expression—prostitution, procuring and other illicit activities, including public drunkenness.

Contact was made via the Associated Press and a telephone call to a newspaper editor in Los Angeles to confirm these reported violations with the Los Angeles Police Department.

Mrs., a "freedom rider" and the beloved, ever-loving wife of one of CORE's precious heroes, then don't be surprised if CORE's publicity chief commits suicide and leaves a note describing how that mean ol' place known as Dixie did it to him in violation of his "Rights."

Word began to flow back that two of these "riders," John Rogers, 30, Negro boxer, and his mate, Janice Rogers, 23, were picked upon April 20, 1961, on the LA freeway for traveling too slow. After book-ed on a narcotics charge. A few weeks later both show up here in Jackson as "freedom riders" alongside some Cloud 9 ministers who left their crime-packed congregations and communities to take a ride with dopeheads and prostitutes.

A Los Angeles reporter, his curiosity aroused by a Daily News inquiry yesterday, found out that Rogers, when booked last April, was carrying the identification of a white naval reserve lieutenant, Ralph Rogers of New Brunswick, N. J. Further investigation by this reporter revealed that the same white Lt. Rogers, a teacher at Douglas College and Rutgers university in New York, is also in jail in Mississippi as a "freedom rider." Jackson police records reveal a Ralph Rogers, said to be a reserve Navy lieutenant, is now in Parchman.

Now, newspaper people and police authorities in both Los Angeles and Jackson are wondering—and intending to find out—how Fighter Rogers, a Negro from Los Angeles, happened to have a military ID card of Lt. Rogers, a white college professor in New York last April, when the former was arrested for narcotics investigation way out yonder in California while the professor was presumably teaching his college students all about good government and such stuff up yonder in New York. Strange, isn't it? But that's not all!

Police authorities are also, for some "strange" reason, checking on a gal named Sally Roberts who was picked up in Oakland, Calif., for prostitution and a gal named Michelle Lamar who was picked up, also for prostitution, in Denver.

If these two names turn out to be the same dark-skinned

MISSISSIPPI

JACKSON- FREEDOM RIDERS
15 FREEDOM RIDERS- STUDENTS FROM
THE UNIVERSITY OF CALIFORNIA
LOS ANGELES, CALIFORNIA

# 15 More Riders Jailed In Jackson

JACKSON, Miss. (AP)—Police arrested a biracial group of 15 "Freedom Riders" in Jackson Sunday—most of them students from the University of California at Los Angeles.

The 10 white and five Negro riders were taken into custody when they sat in the train station's white waiting room. They were booked on the usual breach of peace charges.

Since May 24, 296 riders have come to Jackson by bus, train and plane. All but two—a blind woman and an Indonesian exchange student—have been arrested.

# Gilfoy Answers Rider Protests

## One Negro 'Troublemaker' Has Long Record, Says Hinds Sheriff

By The Associated Press

JACKSON, Miss., July 28.—Hinds County Sheriff J. R. Gilfoy said Friday protest rider John Rogers of Los Angeles was the wrong man to complain about Mississippi jails.

"He's got a record that goes back 10 years," said Sheriff Gilfoy.

The sheriff made the statement after Rogers, 28, his wife, Janice, 23, and Marcia Rosenbaum, 23, of Los Angeles, and Rita Carter, 18, of Berkeley, Calif., complained during a press conference Thursday of mistreatment in Mississippi jails.

**Freed On Bond**

Miss Rosenbaum is white; the others are Negroes. All were convicted of breach of peace in attempting to desegregate the Jackson railroad station last month. They were sentenced to $200 fine and four months in jail but posted $500 appeal bonds and were freed.

Sheriff Gilfoy called Rogers, a former protessional lightweight boxer, a troublemaker.

"He led a lie-down at the state penitentiary," Sheriff Gilfoy said, "until I threatened him with another charge of disobeying an officer."

On his return from the penitentiary to Jackson, Sheriff Gilfoy said, Rogers threatened to beat up police Capt. J. L. Ray, his arresting officer. Later, Rogers apologized, said Sheriff Gilfoy.

Of Miss Rosenbaum's accusation that she was served horse meat and an improper diet at the jail, Sheriff Gilfoy said:

"That's absurd. With the price of horses in Mississippi, we can't afford it."

**Some 'Complaints' Correct**

Sheriff Gilfoy said Miss Rosenbaum's complaint that her outer clothing was removed was correct. "We strip all prisoners when they go in there," he said, "but we give them prison garb. All of them."

He denied her complaint that male guards reviled the women and that no women guards were on duty.

"We've got more to do than sit up there and castigate those people," he said. "And you know we have matrons up there."

Rogers complained that his clothing and mattress were taken from him and he was confined to a death row cell once with three other Negroes.

The freedom riders are housed in the maximum security unit to relieve crowded conditions in the Hinds County Jail.

Sheriff Gilfoy said every prisoner was issued a mattress and no clothing but underwear because they don't work and don't leave the cellblock.

"And the only time mattresses are removed is when prisoners misbehave," he said.

In addition, maximum security rules prohibit smoking and the only reading matter allowed in the cells is a Bible.

During his press conference, Rogers vowed to return to Mississippi.

Sheriff Gilfoy commented: "I doubt it. I don't think he's coming back. But he must like it here or he wouldn't have said that."

Pulse of the Public

# Mississippi Authorities Showed the World They Were the Authorities, Texan Says

Fort Worth, Tex.—Let me commend the recent editorial by Ralph McGill in criticism of the way the Alabama authorities managed — or mismanaged — the freedom riders affair.

He is a Southern leader aware that we are facing with a grueling climacteric in our history and that many cancerous walls must tumble. If we are to insist upon states rights we must face up to states responsibilities.

After the freedom riders left Alabama they passed over into Mississippi. Whatever else may be said of the Mississippi authorities in that state, they showed the world that they were the authorities. They did not abdicate. They did not turn the situation over to the goons.

HAL COLLIER.

# U.S. Backs Race Suit In Jackson

JACKSON, Miss. — (UPI) — The federal government entered a suit which Monday seeks to strike down Mississippi's travel segregation laws. It charged local authorities have gone "beyond the scope of their lawful power" in the arrests of "freedom riders."

The state tried to block the government from entering the suit, which was brought by the National Association for the Advancement of Colored People (NAACP) and constitutes an all-out assault on Mississippi segregation laws.

But a three-judge federal panel agreed to accept the federal government into the case as "a friend of the court."

The panel simultaneously were lodged in the maximum agreed to accept a motion by security cellblock near the lethal the state to delay hearing of gas chamber. She also charged the suit until Aug. 7. The trial was to have started Monday. "women riders" submitted to search."

# Rider Acquitted, Also Sentenced

## Judge Dismisses Charge Of Assault, But Fines And Jails Agitator

By United Press International

JACKSON, Miss., July 17 — City Judge James L. Spencer Monday acquitted a Negro protest rider who was charged with assault for allegedly stepping on a white man's foot in a bus terminal.

Judge Spencer concluded after one hour of testimony that Leo Washington, 24, of New Orleans, "inadvertently" stepped on the foot of Cecil Lindsay at the Greyhound Station Saturday night. Lindsay shoved him back against a wall.

### 214 Sentenced

The judge found Washington, a college student, not guilty of the assault charge but convicted him along with 19 other riders of breach of the peace in connection with their test of Mississippi segregation laws. They were sentenced to 244 days in jail, bringing the number so convicted here since May 24.

One, Mrs. Rose Schorr Rosenberg, an attorney of Los Angeles, made a statement during the trial protesting being sent to Parchman State Penitentiary, where other convicted riders were sent when the Jackson jail was filled.

### Treatment Opposed

She said the penitentiary was for felons but those riders convicted of a misdemeanor were treated worse in that they were denied use of the library or reading material from it and forced to obey police orders to leave a white waiting room.

# ARRESTS NOW 216 IN JACKSON RIDES

## 17 More Held in 2 Groups —Barnett Views Sought

JACKSON, Miss., July — (AP) — The number of Freedom Riders arrested in Jackson soared over the 200 mark today as seventeen travelers tried unsuccessfully to integrate terminal waiting rooms here by nine white—came here by bus and one Negro—eight Negroes from New Orleans. They were arrested when they refused to obey police orders to leave a white waiting room.

### Six Negroes Arrested In Georgia Buses

COLUMBUS, Ga., July 17 (UPI)—At least six Negroes were arrested here Monday in an attempt to integrate Columbus Transit System buses.

The Negroes, some of them students, were arrested at two different locations by police after they allegedly refused the orders of drivers to move to the rear of the buses. They were charged with violating the state's bus seating law.

A Negro attorney said bond of $100 was posted for each of the defendants. Seven Negroes were released without any charges being filed.

The bus integration attempt was taken into custody but one was followed a warning by a Negro spokesman who informed City Commissioner Bryson that attempts Columbus would be made by Negroes to integrate city buses.

Monday afternoon that attempts would be made by Negroes to integrate city buses.

Rev. E. B. Bryson said Rev. E. B. Bryson said there is another group of impatient citizens who will be riding your buses today as a protest against segregation."

### 12 Seized in Chicago

CHICAGO, July 9 (UPI)—Twelve persons were arrested today during a "wade-in" demonstration at Rainbow Beach, a city-owned beach on Lake Michigan.

The police said the twelve had been arrested because they refused to obey orders of the police task force patrolling the area. Those arrested were eleven white persons and one Negro girl. They were charged with disturbing the peace, the police said.

MISSISSIPPI

Less than three hours later, seven white and one Negro riders came in by bus from Montgomery, Ala. The police took them into custody when they sought to integrate the white waiting rooms.

Jackson policemen now have arrested 216 riders since May 24.

### About one-third of the riders are out on bond. Eighty-two are held at the state prison farm. Parchman and fifty-two are in Jackson jails.

The Alabama group had announced that they came to talk over segregation policies with Gov. Ross Barnett, with a view toward mediation and a "fruitful exchange of views." If they failed to meet with Mr. Barnett, a spokesman said, they would go to jail.

### Ask to see Governor

After getting off the bus in Jackson, the Negro woman rider approached Police Capt. J. L. Ray and asked if a representative of the Governor were present. When told he was not, she asked if the Governor could see the group this afternoon.

"It is my information," Capt. Ray answered, "that he's very busy and he can't see you." Earlier, Governor Barnett said he would be out of town Monday through Thursday and indicated he would not talk to the Riders today.

"I don't see any need of discussing things," Mr. Barnett said when reached by telephone. "I'll be tied up all afternoon. I'm extremely busy here. I'm in with that crowd and watching in the Riders today."

Before arriving here, the Alabama group had succeeded in getting service at both white and Negro lunch counters in Montgomery. Ala. A dozen detectives were served at a Negro counter for the first time as they watched the group leave for New Orleans, in the New Orleans terminal. The Riders bought tickets in New Orleans facilities. They were not bothered.

FREEDOM RIDERS—JACKSON

The so-called Freedom Riders, seventy in all, including whites and Negroes, stayed on the beach for almost two hours and then left under police escort. As they left, others on the beach, numbering thousands of persons, cheered.

### Test in Detroit Suburb

DEARBORN, Mich., July 9 (AP)—A group of Negroes and whites forty-nine invaded this Detroit suburb for a discrimination test of public facilities during the week-end and away, saving the group had encouraged.

Those who participated in the interracial Freedom-Ride, included members of the Michigan Youth Congress of Racial Equality, and Detroit and Ann Arbor chapters of Democrats. The group concentrated its efforts on restaurants. Service was directed at only two of twenty-three places tested, a spokesman said yesterday. In a third, service was not refused but Negroes were met with hostility and insults, the spokesman said.

### Oak Park Effort Fails

OAK PARK, Mich., July 9 (UPI)—About fifty boys and girls, both Negro and white and mostly students, today tried unsuccessfully to integrate a swimming club in this Detroit suburb.

Oak Park policemen kept a watchful eye on the group throughout the day and there was no trouble.

Henning Rylander, manager of the Crystal Pool, closed the pool when the first Negro appeared in the group with a membership card. He took the card and the group left. The group returned later with only one card by a Negro member.

Mr. Rylander said the club, in existence for twenty-six years, was a private organization, operated by a corporation. If we like their looks we let her in," he said. "No. There Riders" have never been any Negroes here May 24.

### NO VIOLENCE

Some whites jeered at the group, but officers said there was no violence.

Arrested on the park benches were two youths and two young women.

At the bus station, the three entered about 2 p.m. and officers ordered them to move on or get to the booths.

The three ignored the request and the officers ordered them arrested on charges of failure to obey the order of an officer. They were brought to 172 since "Freedom attempts to desegregat transportation terminals bega

# Jackson Ja... Seven Negroe... In Mixing Try

JACKSON, Miss., (AP)—Seven Negroes sought to break the color line in Jackson Wednesday and all of them were arrested on breach of peace charges.

Four arrests came at the city park as the Negroes refused to move from a park usually used by whites. Three others were arrested shortly afterward as they sought to use the white waiting room at the Trailways bus terminal.

The four at the park were among a dozen Negroes who went into the area normally used by whites and staged a picnic. Afterwards, they strolled around the swimming pool area and were turned away from the ticket booth.

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# Two Negro Mix Leaders Draw New Terms

JACKSON, Miss. (AP) — City Judge James Spencer convicted two Negro leaders Wednesday for contributing to the delinquency of minors who were arrested on breach of peace charges in desegregation attempts.

The two leaders were James Luther Bevel, 24, of Itta Bena, Miss., field secretary for the Congress of Racial Equality; and Bernard LaFayette, 20 of Tampa, Fla., field secretary for the Jackson Nonviolent movement. Both were free on $500 bond pending appeal of their own convictions for "Freedom Riding" May 24.

Bevel was convicted on three counts and LaFayette on two. They were sentenced to $500 fine and 6 months in jail on each count making a total of 2 years in jail and $2,000 fine for Bevel and 1½ years in jail and $1,500 fine for LaFayette. They were convicted Tuesday on another charge of contributing to the delinquency of a Negro for a sit-in.

Bevel posted a $2,000 appeal bond and LaFayette posted $1,500.

One of the minors involved was sentenced to $200 fine and 4 months in jail and the other three were placed on probation by youth court.

# Freedom Rider Arrests Hit 163, Plan TV Appeal

JACKSON, Miss. (ANP) -- Federal Judge Sidney Mize on Tuesday overruled the petition of a Freedom Rider, Miss Elizabeth Wyckoff, who challenged the Mississippi "breach

she must exhaust remedies in Mississippi state courts before bringing her case to federal court. She was convicted of breach of the peace in an attempt to desegregate bus terminal facilities June 2 and was sentenced to a $200 fine which she is working out at $3 a day.

Her attorneys, William M. Kuntsler, New York, and Jack H. Young, had filed the petition charging her civil rights were violated. They took the case to federal court on the basis that she was a short-term prisoner and did not have time to exhaust legal remedies in state courts.

RIDES TO CONTINUE

Leaders of the Freedom Riders, however, displayed tenacity of purpose last week during a private talk-session with Atty. Gen. Robert F. Kennedy who urged that they shift their emphasis from travel facilities to voting registration.

Kennedy told the seven Congress of Racial Equality leaders -- six Negroes and one white -- that the bus riders had made their point, that no further advantage could be gained in continuing the protest campaign.

FAILED TO BE SWAYED

Leaders failed to be swayed by the attorney-general's views and the Freedom Rides continued.

Jackson, Miss., is still the focal point for Freedom Rides. Sunday, Jackson police arrested 20 riders who had left New Orleans by train that morning. They were carted off to jail after they took seats in the white waiting room.

City Judge James Spencer on Monday convicted 24 Freedom Riders bringing to 163 the total found guilty of "breach of the peace." One person tried Monday was 17-years-old and was dismissed because of his age.

More than 50 of the convicted Freedom Riders have been transferred from the Hinds County jails at Jackson to the state penitentiary at Parchman, Miss.

CORE national director James Farmer, one of those held in the penitentiary, reported last week, "We are treated decently enough by Mississippi standards...The cells are 6 by 9 and each has two prisoners...No printed matter is allowed..."

Since the letter was written, Prison Supt. Fred Jones has announced that he will move the Freedom Riders into isolation cells.

BACK TO ALABAMA

Freedom Riders returned to Montgomery, Ala., last week, after a federal ban was lifted. They were met by almost 100 armed police officers and an orderly but sullen mob of whites. This was a marked contrast to the violence which erupted there last month.

In New York, CORE will sponsor a television appeal July 7 over WNTA-TV to seek financial support to continue the Freedom Rides. The telecast, to be aired continuously for 16 hours, will feature the entire cast of the off-Broadway play, "The Premise," and other famous personalities.

## NEW ATTACK PLANNED

# 'Rider' Invasion Fails As Jackson Notes Fourth

JACKSON, Miss. (AP) — A Negro leader promised Tuesday that the "Freedom Rider" movement would expand into new fields for a frontal attack upon racial segregation in the South.

The leader, James Farmer, 42, national director of the Congress on Racial Equality, said the new assaults would include more Freedom Rides and "much more to follow along this and different lines in the spirit of nonviolence."

He did not elaborate.

Meanwhile, this capital city of 150,000 quietly observed Independence Day as threats of a mass invasion of the segregation-defying riders failed to materialize.

LAWS INTACT

The state's rigid "Jim Crow" barriers are apparently just as firm today as they were 42 days ago when the first biracial group of riders came to Jackson.

No violence has occurred in the state as police quickly jailed the integrationists.

Farmer, who posted a $500 appeal bond Monday night after spending three weeks in jail, called in newsmen Tuesday for a news conference.

Earlier, he huddled with CORE field directors to discuss training of future riders.

Asked what had happened to the announced CORE plan to fill up Jackson jails with hundreds of riders by Independence Day, Farmer would only say:

"I've been in jail."

SLACK SOUGHT

At that point in the news conference, James McCain of New Orleans, a CORE field director in charge of training activities, said he had called for a slack "because we need more time to screen the applicants more thoroughly."

Last week, the Mississippi Highway Patrol said its investigators had found evidence of Communist planning and participation in the Freedom Rides.

The charge brought an immediate rebuttal from CORE officials.

One leader of the movement, Dr. Walter Bergman of Detroit, forecast on June 1 that the Freedom Riders would successfully obtain their goal of integrated transportation facilities in the South by July 4.

"By then, we want real independence for the South," said the former Wayne State University professor. Bergman, who is white, was roughed up by segregationists in Alabama in mid May.

GOAL REACHED

One of Bergman's goals for the Freedom Riders has been accomplished. In that Chicago press conference, he said that the organizations sponsoring the desegregation assaults planned to make law enforcement agencies at Jackson farm their prisoners out.

Hinds County Sheriff J. R. Gilfoy has sent 92 of the convicted Freedom Riders to the sprawling state penitentiary at Parchman in the Delta. Confined in the prison's maximum security section, they are serving their sentences.

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MISSISSIPPI

FREEDOM RIDERS- JACKSON
THREE JUDGE COURT

# Federal Court Hears Crucial Mixing Cases

## Three-Judge Court Sits Here Today To Weigh Rider Law

**BULLETIN**

**The Federal Government today joined the NAACP in a court move to halt the arrest of "freedom riders" and to eliminate segregation in public transportation in Jackson.**

**The government's request to enter the case was filed by an assistant attorney general and was approved by Elbert P. Tuttle, chief judge of the U. S. Fifth Circuit Court of Appeals.**

**By BOB PITTMAN**
**Daily News Staff Writer**

A three-judge federal court was scheduled today to hear a petition asking an end to segregation of public transportation facilities in Mississippi.

The petition, filed by the NAACP, also seeks to enjoin city and state officials from arresting persons who refuse to observe state law requiring segregation of waiting rooms and other facilities.

Judge Elbert P. Tuttle of the U. S. Fifth Circuit Court of Appeals of New Orleans headed the three-judge court. Also scheduled to sit were federal district judges Sidney Mize of the Southern District of Mississippi and Claude Clayton of the Northern District.

The suit seeks to end segregation in facilities of Trailways and Greyhound bus lines, the Illinois Central Railroad, Jackson's city bus line and Cicero's Restaurant at the Jackson airport.

**RIDER ARRESTS**

These are the spots in which the 227 "freedom riders" who have come to Jackson have been arrested.

None, however, has been charged with a violation of state segregation laws. All have been charged with a breach of the peace after refusing police orders to move on.

The suit was filed by the NAACP on behalf of three Jackson Negroes arrested at the terminals.

The petition claims Negroes "have suffered and shall continue to suffer irreparable injury as a result of the enforcement or threat of enforcement of state segregation laws while they are traveling."

It also alleges that Negroes subjected to "daily public inconveniences, harrassment and embarrassment" in violation of their constitutional rights.

Named as defendants are Atty. Gen. Joe Patterson, the City of Jackson, Mayor Allen Thompson, Commissioners D. L. Lucky and Tom Marshall, Police Chief W. D. Rayfield, Trailways, Greyhound, Illinois Central Railroad, Jackson City Lines and Cicero Carr of Cicero's Restaurant.

The city has asked to be removed from the suit on grounds that a city cannot violate any law and because the complainants have failed to show a denial of rights or injury because of their arrests.

Jackson City Lines has asked for more definite information in order to prepare an answer.

The three-judge hearing was scheduled to open at 10 a. m.

Meanwhile, Judge Mize was to hear this afternoon additional testimony in a suit in which 28-year-old Negro James Meredith of Kosciusko seeks to enroll at the all-white University of Mississippi.

Meredith's case was opened at Biloxi several weeks ago and continued until today.

He seeks to restrain University officials from preventing his enrollment and, at the same time, seeks to open the doors of all white state colleges and universities to Negroes.

# 'Rider' Suit To Come Before Court Monday

JACKSON, Miss. (AP)—A three-judge federal court will hear a suit Monday attempting to prevent police from arresting "riders" and other Negroes who attempt to use all-white public facilities in Mississippi.

Since May 24, 1958 riders have been arrested for attempting to crack segregation barriers at bus, train and plane terminals and charged with breach of the peace.

Numerous Jackson Negroes have been arrested on the same charge after using park benches reserved for whites, for sit-ins at the white city library and for taking front seats on city buses.

Chief Judge Elbert P. Tuttle of the 5th Circuit Court of Appeals ordered the court to hear the injunction request filed by the National Association for the Advancement of Colored Poeple.

The suit was filed on behalf of Samuel Bailey, Joseph Broadwater and Burnett L. Jacob, Jackson Negroes. They have not been arrested for desegregation attempts.

Defendants named were Atty. Gen. Joe Patterson, Mayor Allen Thompson and the City Council, Police Chief W. D. Rayfield, the Trailways, Greyhound and Jackson bus lines, the Illinois Central Railroad, and the Airport Restaurant.

The petition is a class action asking the court to consider the request for protection against arrest of Negroes seeking to use all public facilities.

The suit attacked what it called unconstitutional state laws requiring segregated railroad cars, buses, rest rooms, and waiting rooms and the posting of segregation signs at terminals.

City Judge James L. Spencer has said the riders and others were not arraigned for breaking segregation laws, but their presence in these places create a condition "whereby a breach of the peace may be occasioned therefrom."

# U. S. Brings 2 Vote Suits In Mississippi

## Action Claims Negroes Being Denied Rights

By The Associated Press

Jackson, Miss., July 6.—The Federal Government whacked Mississippi Thursday with two suits charging discrimination against eligible Negro voters in two counties.

Mississippi Governor Ross Barnett promptly labeled the action as interference with local self-government.

Attorney General Kennedy said in Washington that Justice Department investigations showed "a clear-cut pattern of discrimination."

**Other Probes Pending**

The suits, he said, were field Thursday "because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

The legal maneuver contended eligible Negroes in Clarke and Forrest counties, in south-central Mississippi, were denied voting rights.

Other voting-rights investigations, the Justice Department said, are pending "in a number of additional Mississippi counties."

District Judge Sidney C. Mize set a hearing on the Government's petition for preliminary injunction for August 7, probably at Jackson, the State capital.

This was the first such action brought in Mississippi and came under the 1957 and 1960 Civil Rights acts. Similar suits have been filed in Louisiana, Alabama, Georgia, and Tennessee.

**No Complaints, Clerk Says**

Clarke County Circuit Clerk A. L. Ramsey, who is the County's registrar of voters, said he knew of no complaints from Negroes.

"We haven't had any Negroes ask to vote," Ramsey said.

Circuit Clerk Theron Lynd of Forrest declined comment. John Doar of the Justice Department's Civil Rights Division said that at least 54 Negroes in Forrest have tried to register and failed. He claimed none of them were permitted to file applications to vote.

In the Clarke County case, the Government charged that although there are 2,988 Negroes of voting age in the county, none are now on the voting rolls.

In Forrest County, the suit alleged, there are only 25 of 7,495 Negroes of voting age on the rolls.

# VOTING BARRIER SUITS LAUNCHED

## Justice Department Cites Miss. Counties

By W. F. MINOR
(Times-Picayune Staff Correspondent)

JACKSON, Miss.—The justice department launched a long-awaited frontal attack on alleged Negro voting barriers in Mississippi, filing suits in Forrest and Clarke counties under federal civil rights acts.

**"I'm not surprised," declared Atty. Gen. Joe T. Patterson. "All I can say is we're going to try the lawsuits and employ the full facilities of this office."**

Gov. Ross Barnett, on his way out of town, said: "I don't understand why they want to interfere with local self government."

Announcement of the voting suits was made in Washington by Atty. Gen. Robert F. Kennedy Thursday morning. Later United States marshals here served process on Patterson and circuit clerks of the two counties.

**Governor Barnett was to be served Thursday afternoon, but because he was out of town, marshals planned to call on him Friday.**

The government charges that only about 25 of the more than 7400 Negro adults in Forrest county are registered to vote, and no Negroes have been registered in the past 12 years.

**'SIX REGISTERED'**

In Clarke county, the federal suit charges that none of the 2988 Negro adults in the county have been registered to vote.

**Circuit clerk A. L. Ramsey of Clarke county contended later: "We haven't had any Negroes ask to vote. We have six registered this year. One of them sat on a trial jury in circuit court."**

Circuit clerk Theron Lynn of Forrest county would make no comment on the suit naming him for "arbitrarily denying Negroes the opportunity to register to vote."

The suits seek injunctions under the 1957 and 1960 civil rights acts to prevent the clerks from preventing registration of "any Negro applicant who possesses the same or similar qualifications of the least qualified white person who has been registered."

**The Clarke county suit charges that since 1950 at least 10 Negroes have made "one or more attempts" to register to vote and have not been permitted to apply for registration.**

In Forrest county, the federal suit charges that in the last 12 years at least 34 Negroes have sought to register but were not permitted.

**REJECTION CHARGED**

The litigation accuses the circuit clerks as registrars of the two counties of "failing and refusing to afford to Negro applicants for registration the same or equal opportunity to register to vote as is afforded to white applicants," and with "failing and refusing to register Negroes who possess the same or similar qualifications as white applicants who have been deemed qualified and who have been registered."

The Forrest county suit says a majority of the 22,431 white persons of voting age are registered to vote but "only about 25" of the 7495 Negro adults are registered.

A 1954 survey of Negro voter registration made for the state legal educational advisory committee in Mississippi showed 16

Negroes registered in Forrest county. The survey showed no Negroes registered in Clarke county.

**The justice department said it would produce records to show that Forrest county officials have been "applying different and more stringent standards to Negroes than to white applicants," and rejecting qualified Negroes.**

A federal suit was filed in Jefferson Davis county on behalf of a Negro whose registration had been rejected during a re-registration in 1956, after he was previously registered.

A three judge federal court had ruled that the Negro was not apparently qualified and had properly been rejected by the circuit clerk.

# Jackson suit seeks to ban rider arrests

By The Associated Press

A suit to prevent police from arresting "freedom riders" and other Negroes seeking to use public facilities in Mississippi headed for a federal court test at Jackson today as the number of riders arrested soared to 227.

A three-judge federal court planned to hear the injunction request filed by the National Assn. for the Advancement of Colored People.

**The suit attacked what it called unconstitutional state laws requiring segregated railroad cars, buses, rest rooms and waiting rooms and the posting of segregation signs at terminals.**

Such laws, the suit contended, subject Negroes to "daily public inconvenience, harassment, and embarrassment [and] violate rights secured . . . by the due process clause of the 14th Amendment to the U. S. Constitution."

POLICE IN Jackson contended the presence of the riders, after announcing their intentions to violate a law, was a breach of the peace, and was compounded by refusal to move on as ordered by officers.

City Judge James L. Spencer said recently the riders were not arraigned for breaking segregation laws but because their presence created a condition "whereby a branch of the peace may be occassioned. . . ."

Nine riders from New Orleans and eight from Montgomery, Ala., were arrested yesterday when they tried unsuccessfully to desegregate terminal waiting rooms.

**Eleven more were arrested in Jackson late last night on breach of peace charges. This raised the total number arrested since May 24 to 27.**

The riders—All Neroes and six of them juveniles—attempted to buy tickets at the Trailways Bus terminal for Canton, some 20 miles north of Jackson. They were taken into custody when they refused to move on when ordered to do so by a police captain.

ABOUT A THIRD of the 28 riders arrested since May 24 out on bond. A total of 82 are held at the state prison at Parchman, 130 miles from Jackson, and 63 are in Jackson jails.

A spokesman for the Congress of Racial Equality (CORE) said five "freedom riders" planned to leave St. Louis today to test bus and railroad facilities in Arkansas, Louisiana, Mississippi, Tennessee and Illinois.

The Rev. Raymond Lathan, pastor of the New Hope Baptist Church at Milwaukee, said he hoped to recruit as many as 100 riders for a trip South. The Negro pastor did not set a date for the start of the journey.

In another development, two Negro integration leaders urged the federal government to take a firmer stand on civil rights issues.

The Rev. Martin Luther King, Jr., of Atlanta, president of the SSouthern Christian Leadership Conference, said at Pittsburgh that there is a need for a federal fair employment practices act. He also called for federal legislation to end literacy tests for voting and poll taxes in the South.

Roy Wilkins, executive secretary of the NAACP, told a news conference at Philedelphia that President Kennedy has sought to implement the nation's present civil rights laws by executive order "and this is very fine." Then he added:

"But we need more laws immediately, not only action under existing laws . . . a complete attack on civil rights by the Kennedy administration requires new legislation besides executive action."

# Judge Denies Appeal in Riders' Case

BILOXI, Miss., July 6 (UPI) U. S. District Judge Sidney Mize today rejected a new attempt to have arrests of the "Freedom Riders" ruled unconstitutional.

Mize turned down attorney Jack Young's request that he be allowed to file an appeal in the case.

The Judge ruled last week against Young's plea for a writ of habeas corpus to free one of the Riders, Elizabeth Wyckoff, 45, of New York City. Such a writ would, in effect, void arrests and convictions of all Riders on breach-of-the-peace charges.

Mize said last night that it would be improper for him to enter the case until it had been taken through the State courts and he repeated his opinion today.

In the appeal hearing, Young claimed that State courts are behind segregation and could not be expected to render a fair verdict.

Shortly after Mize ruled against the Freedom Rider appeal, six more Negro college students were arrested at Jackson when they tried to buy tickets in the white waiting room of the Illinois Central railroad terminal.

The six, all members of Jackson's "nonviolent movement," were trying to buy tickets to Canton, Miss., and refused police orders to "move on."

Two officials representing Minnesota Gov. Elmer L. Andersen went to the Mississippi State Prison at Parchman today to inspect living conditions for five Freedom Riders from Minnesota. And Mississippi Gov. Ross Barnett called a meeting of high State officials to discuss "Freedom Riders and Communism."

# Probers Link Ride Training With Red-Inspired Figures

Another positive link between the CORE training centers for Jackson-destined Freedom Riders and Communist-inspired instructors was revealed today in testimony presented before the United States Senate Internal Security subcommittee.

Alva Buxenbaum, 25-year old native of New Orleans, and identified as an officer in the NAACP and student at Fisk University in Nashville, Tenn., where she was a member of the student council and active in student sit-ins to desegregate railroad coaches, was definitely identified as chairman of the Progressive Youth Organizing Committee in the hearing.

Testimony presented before the committee to investigate the administration of the internal security act and other internal security laws, under the direct chairmanship, of U. S. Sen. James O. Eastland, of Mississippi, with U. S. Sen. Thomas J. Dodd, of Conn. vice-chairman conducting the hearing, bought voluntary and full details from a Herbert Romerstein, of New York City, who said he had been a member of the Communist Party, joining when 15½ years old but left the movement in 1950 after having been expelled in 1949.

He told the investigating group that an organization called Advance was formed in New York in 1960 for the purpose of organizing youth in the city of New York for Communist activity.

He identified Alva Buxenbaum as being from Philadelphia and produced a bulletin published by the Progressive Youth Organizing Committee which contained the pictures of the Buxembaum woman and Marvin Markham, identified as vice chairman of the youth group.

Another bulletin published by the Advance youth organization said this: "We are part of an emerging national youth movement to protest against the House Committee on Un-American Activities in San Francisco; of citizens in the South, and of Easter peace marches throughout the land. We are one of the cooperating organizations of the Progressive Youth Organizing Committee that is helping to organize hundreds of groups all over the land."

The registrar at Fisk University in Nashville disclaimed any knowledge of the Buxembaum woman, told the Daily News that they had never had a student by that name, did not have an instructor by that name, and so far as they could determine had never had anyone in their race relations classes by that name.

The school official said it was possible she might have attended under another name, or perhaps by a married name, but they had no record of her attendance.

The document identifying her with Markham was placed in the official record of the Senate investigation and shows their pictures, together with original captions and the official form for soliciting funds for the group.

Many of the so-called Freedom Riders who have arrived in Jackson and subsequently gone to jail for violation of the peace ordinances were trained in CORE-sponsored and financed classes at Fisk University in Nashville thoroughly indoctrinated in how to act, what they might expect in official and public reaction when they attempt to cause racial disturbances and agitation.

**SPECIALLY RECRUITED**

Most of this CORE-trained element has been specifically recruited for activity in Jackson and former sit-in demonstrators, racial agitation leaders and veterans of jail terms for their interracial disturbances are used as instructors.

In detailing his testimony to the Senate committee on Communist party youth activity in the United States, Romerstein said the last nationwide Communist youth organization in the United States were called the Labor Youth League. "During the faction fight within the Communist Party, USA, in 1956-57, the Labor Youth League suffered great losses, and in 1957 was dissolved. So from 1957 to date, there has been no nationwide Communist youth organization. In 1958, some attempts were made by the Communist youth, some of whom were not members of the Communist Party but were ideologically friendly to the party, to set up an organization.

"This was frustrated by the Communist Party because they felt that these young people were not yet ready for such an organization, and there is reason to believe that these young people were affiliated to a faction of the party that was not in accord with the national leadership.

"So, at a meeting held in 1959 in New York City, where these young people attempted to form a Marxist-Leninist youth organization, the Communist Party sent two national committee members, Herbert Aptheker, and Irving Potash. They instructed these young people that the Communist Party looked with disfavor on the formation of a Marxist youth organization at that time, and they desired them to delay the formation of this organization.

"In February of 1960, in New York City, an organization called Advance was formed, which has the function of organizing youth in the City of New York. Similar organizations were setup in various parts of the country."

He went on to list officers of Advance and their headquarters, a building where "there are certainly a considerable number of legitimate tenants, but there are quite a number of Communist-front organizations in this building."

**CUBA MOVE**

Romerstein also said there had been frequent connections between Advance and the Fair Play for Cuba Committee, which now claims to have student chapters on the campuses of at least 37 colleges and universities.

"When young people get involved in the Communist-led marches to ban the bomb or in the Fair Play for Cuba Committee activities, and so on," he testified, "where they just run through the streets shouting, they have no idea that the Communists are leading them. This was true at the San Francisco riot against the Un-American Activities Committee."

"But they are whipped up to a state of hysteria," he told the committee. "The Communists pick out those who seem most susceptible and bring them slowly closer and closer to the Communist Party, and finally into the Communist Party."

Many of those arrested in Jackson in the "Freedom Rider" program have denied being Communists, while others have refused to answer at all.

**EXPELLED BY REDS**

Romerstein said he was expelled from the party for some minor deviations and for asking some questions about the Communist Party policy. I remained in the Communist youth organization."

He said he began some study on his own as to what the Communists believed and how they operated, and by 1950, was "pretty well disgusted with the Communist organization and I contacted some outside people to tell them what I knew."

The committee also called on a number of other witnesses, including Markham, who repeatedly refused to answer any questions of a direct nature, and consistently hid behind the first and fifth amendments, when he wasn't deliberately rambling in his answers.

He used the fifth amendment 44 times to refuse answer to questions regarding his party affiliations, his association with other known communists, and just minor questions.

# Effectiveness Of 'Rider' Attack Remains In Doubt

By DOUGLAS STARR
Associated Press Staff Writer

The effectiveness of the massive "Freedom Rider" attack upon Mississippi segregation laws apparently remained sufficiently in doubt after eight weeks to cause a group of religious leaders to urge more widespread attack and a broad follow-up campaign.

More than three dozen clergy and lay leaders from throughout the nation met this week at Tougaloo Southern Christian (Negro) College near Jackson for two announced reasons:

1. To search for constructive steps to relieve racial tensions throughout the nation.

PLAN MORE RIDERS

2. To seek means of carrying forward the Freedom Rider movement and of following up with sit-ins and kneel-ins as well as with more rides.

Also, nine members of the group were arrested on breach of peace charges for attempting to use the white-only airport restaurant.

The existence of such a meeting showed doubt was cast on the effectiveness of the movement.

In the eyes of many Mississippians, this state has remained the last bastion in the struggle to retain segregation in all phases of society, despite the actions of the riders.

In the first eight weeks of the ride movement, 260 men, women and children, Negro and white, have been arrested in Jackson on breach of peace charges. Not one was arrested, charged or convicted of anything hinting at segregation.

Arresting officers and city officials say the Riders' presence in Jackson, after announcing their intention to break the law, is an occasion whereby a breach of peace could occur.

Although the Negro and white riders mingle obviously in the transportation terminals and wave to each other in court during their brief trials, county officials say that's as far as it goes.

Sheriff J. R. Gilfoy says when the riders are released from jail on bond, the Negroes and whites segregate themselves both to change into civilian clothing and for the long truck ride from state penitentiary to Jackson.

LACK OF ATTENTION

Another angle of the possible lack of effectiveness of the rider movement is the lack of attention the riders draw from local citizens upon their arrival in the city.

So far, only persons in the terminals on legitimate business watch the riders arrive, desegregate, and get arrested. No violence has erupted.

Although the rider movement, sponsored by the Congress of Racial Equality (CORE), is described as a nonviolent action, the riders are schooled for the possibility of volence. Violence did erupt in some Southern cities, but not in Mississippi.

A third angle is the fact that the riders are not saturating the jails as they claimed they would.

Of the 260 arrested, only five riders have elected to serve out their whole sentences.

A fourth angle is that four paid their fines, admitting they broke the law by paying the penalty.

And a fifth angle is the defection of three riders:

The Rev. Richard Gleason, a white Chicago Baptist, who paid his fine and left Jackson, advising "anyone thinking of joining the rides to look them over carefully" before deciding.

He told newsmen he would "not knowingly be a part of any questionable group."

Leon Daniel Horne, 24, a Madison County, Miss., Negro who said his only interest in the rides was to get home from Chicago where he was stranded.

Horne told newsmen he would advise anyone against affiliation with the riders. "They are making fools out of some Negroes," he said.

And the third rider, Elmer Brown, 20, of Akron, Ohio, a Negro university student, who accused CORE of deserting him when he requested bond and, according to jailers, attempted suicide in his cell with a belt.

CORE came through with the bond money after Brown was in jail only 11 days.

The general agreement between the riders and CORE is that they will remain in jail 39 days—the maximum before bond is cut off—to give CORE time to raise the $500.

Whether the added push by the religious leaders can help the Freedom Rider movement remains to be seen.

REFUSED JAIL

# Indonesian 'Rider' Puzzles Officials

By BOB PITTMAN
Daily News Staff Writer

An Indonesian "freedom rider" has tried for the second time to get arrested in Jackson and law enforcement officers aren't sure how to handle the determined intruder who could set off an international incident.

Widjonarko Tjokroadisumarto, a 24-year-old graduate student at the University of Washington and son of an Indonesian diplomat, arrived here Saturday with nine other "freedom riders" from Nashville.

Police took him to jail but refused to arrest him.

Fifteen new "riders" came to town yesterday and the Indonesian, who answers to the nickname "Wee-Jo" was waiting for trying to change Mississippi's segregation customs.

"That's for Mississippians to do. In my opinion, however, the customs of segregation and discrimination are wrong, ethically and otherwise."

"Wee-Jo" has police baffled with his dark complexion.

..em at the Illinois Central railroad terminal.

"Wee-Jo" went first to the Negro waiting room.

No luck there, so he hurried back to the white waiting room.

Officers ignored him.

Then he badgered policemen to arrest him as they escorted the other "riders" to the paddy wagon.

Officers insisted he remain free.

"I wouldn't mind going to jail," said "Wee-Jo," the son of a former Indonesian ambassador to Pakistan. "I would like to know the situation in jail. I am trying to learn all I can about the nonviolent movement."

"Wee-Jo" told officers he's not

He wanted to know whether officers classed him as white or Negro.

Police didn't offer an answer so he figured he could use either facility.

He also decided police would have to arrest him regardless of which facility he used.

Jackson chief of detectives M. B. Pierce said "Wee-Jo" was not arrested "as a courtesy because he is a visitor to this country."

Tjokroadisumarto has ignored a request from the Indonesian embassy in Washington that he call off his integrationist activities.

He says he plans to remain in Mississippi for several weeks for a closer look at segregation.

The U. S. State Department is studying the situation but hasn't come up with a solution.

# Indonesian Is Refused Arrest In Mississippi

JACKSON, Miss. — (UPI)— Police arrested 15 more "freedom riders" here Sunday while the son of an Indonesian diplomat who met them at the train station tried in vain for the second straight day to follow them to jail.

Widjonarko Tjokroadisumarto, 24, an exchange student at the University of Western, said he was perplexed over the Jackson police department's refusal to arrest him as a "freedom rider."

He said he had no diplomatic immunity from arrest, but determined officers insisted he go free. He told them Saturday when they arrested eight of his companions at a bus station here he was perfectly willing to go to jail.

Officers Saturday refused to arrest the youth and a blind white woman, Norma Wagner, 44, of Rochester, N. Y., when they arrived here Saturday by train and tried to integrate the white waiting room at the Illinois Central terminal. They were immediately arrested on breach of the peace charges.

Saturday's arrest brought to 284 those jailed here on similar charges since May 24.

Tjokraodisumarto's father, a former ambassador to Pakistan, is an officer in Indoensia's Department of State of Foreign Affairs in Jakarta.

JACKSON- FREEDOM RIDERS
INDONESIAN IS REFUSED ARREST

# Indonesian Rider Freed In Mississippi

JACKSON, Miss. (AP) — Widjonarko Tjokroadisumarto (Wee-jo -nar' - ko Cho - cro - ah' - dee-su-mar'-tow) is an Indonesian exchange student with a jaw-busting name who tried, but couldn't get arrested as a "rider" on his 24th birthday.

"Wee-jo," as he is known by his American friends, said he was sympathetic with the motives and methods of the riders and wanted to observe their attempts to solve a social problem.

"I do not intend to change Mississippi customs," he said. "That's for Mississippians to do. In my opinion, however, the customs of segregation and discrimination are wrong, ethically and otherwise."

Wee-jo, whose father was formerly ambassador to Pakistan, was slightly baffled Saturday when police forcibly escorted him out of the Negro waiting room of the Greyhound bus station and took him to headquarters without booking him.

The brown-skinned rider, who is of the Mongolian race, also slightly baffled police. He asked in which category they placed him, white or Negro? Police were indefinite on this point, so he surmised he could use facilities for either.

Meanwhile, police had arrested eight riders who came with Wee-jo from Nashville and sent a blind woman rider back to New York.

Chief of Detectives M. B. Pierce told the economics student working on his master's degree at the University of Washington he wasn't arrested "as a courtesy because he was a visitor to this country."

Wee-jo recalled that after his two-day bus trip from New York to Nashville he received a message from the Indonesian Embassy that the U.S. State Department didn't want him to make the trip to Jackson.

He wired back that he thought his trip was neither illegal nor political because of the Supreme Court ruling on interstate travel and President Kennedy's opinion on the individual' right to travel.

"Thus, there was no solid ground for the U.S. State Department to prevent my trip," he said. "And it didn't appear my life was endangered."

Before he arrived, police received information that Wee-jo's father was ambassador to Pakistan until a month ago and charge d'affaires of the Indonesian Embassy in Manila, Philippines from 1953-57.

Wee-jo said after meeting with the directors of the Congress of Racial Equality while doing research in New York, he decided to join the group as an observer although he had no immunity from arrest.

# "Freedom Riders" Picture Mississippi Jail As Inhuman

ATLANTA (SCLC Release) Wyatt Tee Walker, executive director of Martin Luther King's Atlanta-based SCLC and his wife, Mrs Theresa Ann Walker, returned to Atlanta recently, upon their release from the Hinds County jail in Jackson, Mississippi.

The Walkers were the first husband-wife team to take the "Freedom Ride." Mr Walker, upon his return immediately filed a memorandum citing the violations of ICC regulations governing interstate travel and the inhumane treatment of jailed "Freedom Riders."

During their stay, no one was permitted the bare essentials for personal cleanliness, (toothbrush, towels, etc). As many as 20 persons were crowded into a 13 x 15 foot cell.

Mrs Walker rported that women prisoners conducted classes in non-violence, French, Spanish and ballet. "This helped to relieve the tension of the crowded cell, said Mrs Walker."

In the men's section, push-ups to thwart physical deterioration, devotions twice daily and song-sessions filled most of the day.

"Generally, the morale was very high considering the pig-pen conditions," remarked Mr Walker.

As to the Attorney General's suggestion to call off the "Freedom Rides." Mr Walker responded: "Mr Kennedy does not really understand that there's a social revolution going on in the South. He protests because the matter is in the courts. This has been in the courts since 1947 (Irene Morgan case) and delay by city authorities. Mr Huddo demanded they deposit Manilla Envelops in a box saying, "they'll be all right." This financial and sentimental loss certainly warrants some remedy and can only be deemed a direct by-product of a system that is entirely bad.

It must be said in all fairness to the Jackson City Police, particularly in the case of Chief Pierce and his Lieutenants, that despite a sincere difference of opinion, he and his men were extremely polite and cordial. The transfer to the Hinds Couny jail was almost like going to another world.

It is our sincere opinion that regardless of the crime committed, every prisoner, should be treated as a numan being and accorded the bare essentials to maintain a modicum of personal cleanliness, cided. We are insisting on enforcement, and until the Federal Government enforces the law and the ICC regulations, there will be a need for "Freedom Rides." A part of the memorandum follows.

JAIL CONDITIONS

The conditions that exist in the Hinds County jail post June 20th, (the date of our entry) resembles something out of the Middle Ages. From the time Mr Walker and his wife were transferred from the Jackson (Miss) city jail, in the treatment of inmates, particularly the "Freedom Riders," every code of minimal sanitation and personal hygiene was violated..

Mr Walker's cell housed eight other men. There were no beds at all. A blanket, mattress cover and ancient mattress were provided upon entering the 13 x 15 foot cell. This was the first and last physical 'comfort' provided by jail authorities. For seven days, repeated requests were made for the barest essentials for personal cleanliness. This was done vocally and in writing. A Mr Huddo made promises: a Mr Kelly remarked that he didn't send for us and didn't give a G—D—— if we never got our things.

The shower stall was inoperative; the open commode was at half-efficiency; the stench was amost unbearable; we bathed as best we could, using our pocket handkerchiefs as washcloths. There is no need to mention the Food - for jail diet is about the same all around the South.

Mrs Walker reports that one of the female prisoners was forced to strip to the waist for 'frisking' by male jailers. In neither jail were any matrons on duty, if employed. This was a humilation for female prisoners that seemed wholly unnecessary. The servicing of the women's section of the jails for feeding, cleaning, etc, was always done by male 'trustys'.

Upon the Walkers' release, they discovered that $75.00 of their funds had been removed from their envelopes containing "valuables" previously surrendered to Hinds County authorities. As they registered the loss of funds in Sheriff Gilfoy's office, Mrs Walker discovered her one-quarter carat wedding ring had also been removed (adjudged value, $275.00). Both of the Walkers upon transfer insisted on receipts for their valuables. They were denied and both requested the privilege to retain same in lieu of no receipting as practiced

# Freedom Riders Continue To Fill Up Jackson Jails

JACKSON, Miss. -- Neither arrests, nor fines, nor terms in jails can halt the stream of Freedom Riders which pours into this Deep South city to test the segregated travel facilities in airport, bus and railway terminals. This week a total of 271 had been jailed since the integration attempts began May 24th.

At least 16 of the jailed Freedom Riders were scheduled to be released Tuesday after posting $500 bonds, according to Atty. Jack H. Young, their legal counsel.

Meanwhile, four persons were arrested Monday while seeking to desegregate facilities at the Jackson Municipal Airport. They were Cecil Thomas, a white UMCA official, Berkeley, Calif.; the Rev. M. Petaway, Montgomery, Ala., his daughter, Kredelle, 20, and his son, Alfonso, 16.

Shortly after their arrests, City Judge W. B. Fountaine convicted seven other riders who were jailed from the railraod station Sunday and fined them $200 and gave them four-month jail terms.

Last Friday, City Judge James Spencer convicted, fined and sentenced nine religious leaders and four Freedom Riders on charges of breach of the peace for attempting to desegregate an airport terminal and a bus station. They received the usual $200 fine and four months in jail.

The same day, the convicted Richard Haley, 45, of Chicago, field secretary for the Congress of Racial Equality which sponsors the Freedom Rides; and Helen Jean O'Neal, 20, Clarksdale, Miss., a former Jackson College student, because they picketed a meeting of a Southern governors called to discuss means of maintaining segregation here last week. They, too, received the maximum sentence.

Earlier last week, Judge Spencer convicted two Negro leaders, James Luther Bevel, 24, Itta Bena, Miss., CORE field secretary; and Bernard Lafayette, 20, Tampa, Fla., field secretary of the Jackson Non-Violent Movement on charges of contributing to the delinquency of two minors who tried to desegregate a Walgreen Drug Store lunch counter.

Bevel was convicted on three counts and Lafyaette on two. They were sentenced to $500 fines and six months in jail on each count. Both were free on $500 bond pending appeal of their own convictions for "Freedom Riding" May 24. They posted $2,000 and $1,500 appeal bonds, respectively, on the latest convictions.

Another development was the denial by the U. S. Fifth Circuit Court of Appeals in New Orleans of a white woman Freedom Rider's writ for habeas corpus. Elizabeth Porter Wyckoff, 46, New York was appealing a lower-court rejection for the writ. She is serving a term in the Mississippi penitentiary following her conviction as a Freedom Rider last month.

U. S. Circuit Judge John Minor Wisdom on Saturday upheld the lower court's ruling on the contention that Miss Wyckoff had not exhausted remedies available to her in the Mississippi state courts.

Early this week, Chief Judge Elbert T. Tuttle, Atlanta, Ga., of the U. S. Fifth Circuit Court of Appeals, recused himself from a three-judge court which is scheduled to hear an NAACP case Aug. 7 calling for an end of the Freedom Rider arrests in Jackson. He replaced himself with Judge Richard T. Rives, Montgomery, Ala. The other two judges are Sidney Mize, Gulfport, Miss. and Claude Clayton of Tupelo, Miss.

# 'Riders' Announce Plan To Fill Jackson Prison

ITHACA, N.Y. (AP)—Students engaged in Freedom Rides into Jackson, Miss., hope to fill the jails there in an effort to have their cause widely known, spokesmen said Wednesday.

In another approach in their crusade to end racial segregation, three Cornell University white students jailed there have decided not to pay their fines or post bail for two to three weeks, the spokesmen said. The students were fined $200 each but were told they could work it out in jail at $5 a day.

The general plan calls for finding people who will serve out full terms and thereby fill the jails, the spokesmen here said.

Cornell's freedom walk committee is raising funds to cover fines and other expenses of the movement. The committee is made up of students and Ithaca residents.

A committee spokesman, David Smock, a graduate student and son of a Cornell professor, had indicated earlier that the money would be used to free the Cornell men immediately.

Four Cornell students, all white, were jailed Tuesday after having been found guilty on charges of breaching the peace. They were among eight white and Negro students who were arrested when they refused to move out of a waiting room for whites in the Jackson railroad station.

Another group of Cornell students is expected to go south next week, and another group the next week, Eric Craven, 19, a member of the Cornell committee against segregation, said.

Craven, of the Bronx, said that his organization, which will send the two groups south, was taking instructions from the Congress Of Racial Equality (CORE). That group has been leading the crusade to end segregation practices in interstate travel in the south.

Of the Cornell men jailed, one —Peter Sterling, 20, of Rye—will return here this week to take final examinations, the spokesmen said.

Jailed with Sterling were Charles A. Haynie, 25, of Douglaston; Paul Green, 22, of New York City, and Joe H. Griffith, 26, of Corpus Christi, Tex.

# Minnesota Probers Uncover Few Complaints In Prison

Jackson Daily News
Pd Jackson, Miss
Fri. 7-7-61

## Riders Talk Of Hunger Strike, Occasional Lack Of Mattresses

By BONITA APPLETON
Daily News Staff Writer

Two Minnesota visitors got a taste of southern hospitality at Parchman's Maximum Security Unit yesterday and were allowed to talk to five Freedom Riders from their state.

The five, all men, told Minnesota Assistant Attorney General John Casey, Jr., Mrs. Wright Brooks, chairman of the Minnesota Human Welfare Committee they hadn't been mistreated "except for being without mattresses for a while."

Wearing tee-shirts and striped prison "ring-around" pants they talked through the steel bars of their six by nine feet cells.

"Ring-around" pants are trousers with the strips running horizontally and are for those prisoners who must still be kept under gun guard. Trusties and half-trusties wear pants with stripes running vertically.

Zev Aelomy, 23 held up his pants with hands. He said he didn't know how many pounds he had lost on a self imposed hunger strike. "But I had lots of reserve," he admitted with a laugh.

He usually drank two swallows of coffee in the morning and two swallows of milk in the evening, he said, and all the water he wanted.

"But I ate on July 4th," he admitted. The meal was standard holiday fare of fried chicken served to all the prisoners on the 22,000 acre farm and Supt. Fred Jones said the Freedom Riders were given the same food.

Aelomy rationalized that the prison officials had "gone to the trouble to prepare the fried chicken and he felt he ought to do them the favor of eating it."

He "didn't know" if he would go on a hunger strike again if it were all to do over, and he "didn't know if he would continue his present one too much longer.

Jackson Daily News

"One of the other Freedom Riders has already gone off his hunger strike because the doctors told him he had a calcium deficiency and "he had a choice of eating or dying, so he ate," Aelomy said.

Sat. 7-7-61

Aelomy's cellmate was slightly built, blue eyed Gene Uphoff, also of Minnesota. Uphoff, a Quaker, said he was a freshman at the University of Minnesota and would "probably" major in Political Science but he "didn't know."

Many of the Freedom Riders in the Maximum Security Unit were clad only in shorts and the visitors had to wait outside while they scrambled for pants.

The cells had double-decker beds with mattress and sheets, a commode and a wash stand. The prisoners are taken out twice a week and marched by twos to the front of the unit for showers. The unit is not airconditioned.

We're not mistreating anybody but this is a prison, not a hotel," Supt. Jones said. "The prisoners are allowed to receive all the mail that comes to them but they can only write two letters a week. This is a privilege that is earned by good behavior."

Jones said that the Freedom Riders refused to work, couldn't be taken outside in the yard for exercise because of their uncooperative attitude and often disturbed other prisoners and guards with "shouting and hollering."

This is against maximum security regulations and "we took their from them for awhile." The prisoners also refused to hand back their tin food trays after eating, another violations, and for this their mattresses were taken away for awhile.

Jackson Daily

Minnesota Freedom Rider Dave Morton, 21, was taken from his from his cell and interviewed by Casey and Mrs. Brooks in the corridor.

Sun. 7-7-61

Tall with a bad complexion, he had greasy yellow hair that could easily have been set in a stylish bouffant by any beauty operator, he told reporters he was a member of the Unitarian Church but he didn't believe in God. He wouldn't admit to being an atheist but "that depends on how you define atheist."

In the women's section of the Maximum Security Unit, the electrically operated doors opened with a loud click that resounded the cell block and warned the prisoners of visitors before the matron loudly announced them.

After a few seconds wait at the door visitors walked down the block. The self styled spokesman of the group, a slight blonde was clad only in panties and a dirty white cotton slip, although her cell was at the far end of the corridor and she had more than ample warning.

Her cell mate had a sheet wrapped around her. The whole group of women, with one or two exceptions looked very young and one of them gave her age as 18.

**NO BATH**

" Don't come too close, bragged one, "I haven't had a bath since I've been here."

When asked about this later R. L. Patterson, education director for Parchman said that if this were the case the "matorn would have bathed her personally because there's a federal regulation that all prisoners will bathe twice a week."

The prisoners all said their morale was very high but they complained about their reading matter. The only book the Maximum Security regulations allow is the Bible.

One of the prisoners told Mrs. Brooks that he had written a letter to his grandmother that "contained lots of code."

Before talking to the prisoners, Grant Tyson of the Hinds County Sheriff's Department took visitors on a tour of the Maximum Security unit.

They were taken through the kitchen where dinner was being prepared and placed on Army-Navy style tin trays. Fare for the evening included spaghetti and cheese with onions, two slices of cornbread, garden butter beans and fresh peaches. Prisoners also have all the milk they want from the prison dairy.

**TOUR PRISON**

After talking to Minnesota Freedom Riders Mrs. Brooks and Casey toured the 22,000-acre prison farm by car.

They saw the 60-bed hospital, the new first offender camp being built, the first chapel going up, the honor camps, the broom and mop factory, the fields of head high corn, peach groves with ripe peaches and patches of sugar cane, beans and tomatoes.

The tour was concluded with dinner at the guest house where Supt. Jones and his wife sat them down to country fried ham, crisp hot biscuits with melted butter, fresh peaches in thick cream, and an assortment of "home-grown" garden vegetables.

Before traveling to Parchman in cars driven by state Highway Patrolmen Grady Gilmore and Charlie Snodgrass the visitors had toured Jackson city jail and Hinds county jail.

At the Hinds County jail they talked to a Negro woman who identified herself as Barbara Jane Kay of Englewood, N. J., and insisted that being deprived of her toilet articles was a mistreatment. She expected a Saturday transfer to Parchman.

Assistant Attorney General Garland Lyell of Jackson escorted the visitors on their tour of Jackson and Hinds County jail facilities and introduced them to Parchman Supt. Jones.

Jones told them "this is a prison and we have to make rules and regulations. These Freedom Riders aren't doing any work, aren't cooperating, and expect to be given plush treatment. We aren't mistreating any of them but when they break our rules they lose some of their privileges, such as writing and receiving letters."

FREEDOM RIDERS- JACKSON
MINNESOTA OFFICIALS

# Probers Report 'Riders' Unhurt

The Montgomery Advertiser
Sat. 7-8-61

ST. PAUL, Minn. (AP) — Minnesota officials who interviewed five "Freedom Riders" imprisoned at Parchman, Miss., reported late Friday they found the young Minnesotans had not been mistreated.

Montgomery

Asst. Atty. Gen. John Casey, Jr., and Mrs. Wright Brooks, chairman of the Minnesota Human Rights Commission, made the investigation at the request of Gov. Elmer L. Andersen, who said he had received some reports the "riders" had been mistreated.

Mrs. Brooks and Casey returned Friday and held a news conference at the state capitol. They said they heard some complaints from the prisoners, but none was of a serious nature.

**TOUR OF JAIL**

"A tour of the prison facilities has convinced me that there have been no examples of mistreatment or abuse," Mrs. Brooks said.

The "riders" from Minnesota, arrested June 11 in a Negro waiting room at a Jackson, Miss., bus depot, were Zev Aelongy, 23; Marvin Davidov, 20; David Morton, 21; Eugene Uphoff, 19, and Robert Baum, 19. All are white. Arrested at the same time was a University of Minnesota coed, Claire O'Connor, since released on a $500 appeal bond.

Mrs. Brooks said the "riders" voiced "some good natured chiding about the food, but no serious complaints as to adequacy of the diet."

As of last Sunday, Mrs. Brooks said, the "riders" have had permission to send out two letters a week. She said they previously were deprived of writing privileges as a disciplinary action. Mrs. Brooks said prison officials explained the action was taken because the inmates sang at time the cells were to be kept quiet. Aelongy was further disciplined for his leadership in the singing, Mrs. Brooks said, and had his mattress taken away for a time.

Mrs. Brooks said prison authorities explained the young Minnesotans were not allowed to work because of clashes they might have with other prisoners who do not share their integration views.

# Minnesota's Governor Hits Mixing Riders

Jackson Daily News
Thurs. 7-11-61

The governor of Minnesota, who sent two representative to Mississippi last week to investigate this state's handling of "freedom riders," criticized the "riders" yesterday in a letter to Gov. Ross Barnett.

Gov. Elmer Andersen of Minnesota told Barnett, "If a law is wrong or bad there are proper ways to seek to change it.

"At no time can we condone deliberate breaking of any law."

The "freedom riders," including five from Andersen's state, have sought to end racial separation in public transportation facilities in Mississippi by violating local and state laws.

The "riders" deliberate violations of state laws, Andersen told Barnett, "strike as deep fundamentals in our American way of life."

Jackson Daily News

The governor fo Minnesota made the comment ina letter thanking the governor of Mississippi for permitting two Minnesota officials to inspect prison facilities and treatment of Minnesota citizens jailed as "freedom riders."

The five Minnesotans were in state penitentiary's maximum security unit, a legal imprisonment to relieve crowded conditions in Hinds County jail.

The two Minnesota officials Andersen said, reported "The prisoners indicate they have in no way been mistreated, that there was some delay about mail earlier but that this has now been worked out."

Andersen said he believed the trip and the visit has been worthwhile from our standpoint, and I believe it has been beneficial from Governor Barnett."

Fri 7-7-61
P 1
Jackson, Miss.

**VISITORS AT PARCHMAN**—Parchman Superintendent Fred Jones (left) pulls on his pipe as visitors (from left), Garland Lyell, Mississippi Assistant Attorney General, Mrs. Wright Brooks of Minnesota and Minnesota Assistant Attorney General John Casey, Jr., take a quick look at a prison publication at Parchman.—Daily News Staff Photo by Bonita Appleton.

MISSISSIPPI

FREEDOM RIDERS- JACKSON
MR. JAMES FARMER, NATIONAL DIRECTOR
C O R E
(PRISON CONDITIONS)

# 'Rider' Protests Jail Treatment

## Claims Conditions Aimed At Turning Prisoners Into Animals

By United Press International

JACKSON, Miss., July 4. James Farmer, national director of the Congress of Racial Equality, charged Tuesday Mississippi's treatment of imprisoned protest riders is aimed at "turning them into animals."

Farmer, of New York City, made the charge in a news conference 12 hours after he was freed under bond following 40 days behind bars.

The 41-year-old Negro, who was among the first 27 riders to come here, said he and other riders in the state penitentiary's maximum security cellblock were forced to sleep for three nights in their underwear "on hard, cold steel floors," with fans "going full blast to freeze us out."

**Breathing Difficult**

Then, he said, "the fans were turned completely off for three days, making the heat unbearable and the stench stifling. It was difficult to breathe."

Farmer said the action was taken against the riders because they sang.

Penitentiary Supt. Fred Jones confirmed that the mattresses were taken away as punishment "for hollering and carrying on. I told them I would take their mattresses if they didn't agree to keep quiet. They were keeping other prisoners awake."

Mr. Jones said the mattresses were returned after the riders agreed "to stop hollering."

"A penitentiary must have some order and discipline," said Mr. Jones.

As to the stench mentioned by Farmer, Mr. Jones said, "It comes from the population in there."

**No Regard For Law**

"This is a bunch of troublemakers without regard to laws who came here to make trouble," said the superintendent. "They thought they could come down here and take over, but they're not going to take over as long as I'm here."

Farmer returned to New York late Tuesday after meeting here with C.O.R.E. repreesntatives who are organizing further rides to Jackson, Nashville, New Orleans and Montgomery. Farmer said he was instructing the workers "what new riders can expect from the penitentiary."

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JACKSON, Miss., July 4. — (UPI)—Claire O'Conner, a 22-year-old blond self-styled "Freedom Rider" from St. Paul, Minn., left here Tuesday after nearly a month behind bars.

Miss O'Conner, one of 168 riders convicted of breaching the peace, was freed from the state penitentiary Monday night under $500 bond.

She and five other young persons from Minnesota were arrested here June 12 after refusing orders to leave a Negro lunch counter at the Greyhound Bus Station.

She was the first of the group to be freed.

# CORE Director Returns From Mississippi

NEW YORK (AP) — James Farmer, national director of the Congress of Racial Equality, returned from Mississippi Wednesday night strengthened in his determination to continue to sponsor riders in the South.

He told this to newsmen after his arrival by plane at Idlewild Airport. He was released Tuesday from the Mississippi State Penitentiary on a $500 appeal bond after serving 40 days of a 60-day sentence.

Farmer, 41, a Negro, was arrested May 24 when he tried to enter a restaurant in the bus terminal at Jackson, Miss.

He said that within the next 10 days riders will travel through "three centers in the South" other than Jackson. He did not specify further.

# Leader of 'Riders' Charges Prison Hardships

JACKSON, Miss. July 4 (UPI)—The National director of the Congress of Racial Equality (CORE) charged today that Mississippi prison officials are inflicting "psychological creulty" upon jailed "Freedom Riders."

"My three weeks at the (Mississippi State) Penitentary tried my faith in human nature," said James Farmer in a news conference 12 hours after his release on bond. He accused officials of trying to turn "Freedom Riders into animals."

Prison Supt. Fred Jones denied any unjust treatment of the "freedom riders." He said the group was rowdy and he had to deal out some punishment to maintain "order and discipline."

Farmer, 41-year-old New York Negro who was among the first 27 freedom riders to test segregation laws at bus terminals here, said he and other triders were forced to sleep for three nights in their underwear "on hard, cold steel floors" with fans "going full blast to freeze us out."

Then, he said, "the fans were turned completely off for three days, making that heat unbearable and the stench stifling. It was difficult to breathe."

Jones confirmed that the mattresses were taken away as punishment "for hollering and carrying on. I told them I would take their mattresses if they didn't agree to keep quiet. They were keeping other prisoners awake."

Farmer said the Riders are "still in good spirits" and he said the massive integration campaign, which has brought 169 riders to jail here since May 24, "is just beginning."

"There's much more to follow along this and different lines," he promised.

# Mixers From Montgomery Wind Up In Jackson Jail

The montgomery advertiser

JACKSON, Miss. (AP) — Police arrested eight "Freedom Riders" Friday in the white waiting room of the Trailways bus terminal as they attempted to crack the segregation barrier.

Police Capt. J. L. Ray ordered the group, four white and four Negro, to move on. When they refused, he placed them under arrest and led them to the paddy wagon for the short trip to the station.

The eight, who came to Jackson from Montgomry, Ala., brought the total arrested to 198.

**OUTSIDE DOOR**

Earlier, acting City Judge W. B. Fontaine convicted four groups of young Jackson "Freedom Riders" and handed down $200 fines and 4-month jail sentences. Twenty "riders" were in the four groups arrested earlier this month.

Montgomery

Ray made the latest arrests as the group neared the entrance to the white lunch counter inside the station. The white waiting room was practically filled with passengers, but there were no incidents.

Tom Gaither, field secretary for the Congress of Racial Equality, said CORE sponsored the trip and that it was the first group of "Freedom Riders" to leave Montgomery for Jackson since July 2.

**SOFT DRINKS**

The bi-racial group left Montgomery late Friday morning after several of them had soft drinks at the white lunch counter at the Trailways Bus Station.

A large number of city detectives and patrolmen were at the scene, but there were no incidents and no unusual crowds.

Two white youths and three Negroes sat down at the white lunch cunter and ordered soft drinks. They were served by a Negro waiter who handed them the drinks in paper cups.

Later, the five riders joined their colleagues seated in the waiting room. Several white persons sitting nearby stood up and walked away when the group took seats.

Ray was the only witness at the trial of the 20 "Freedom Riders" convicted Friday. He testified he had information beforehand that the four groups were going to transportation terminals to create an incident.

Ray said the "Riders" were arrested after officers told them to move on and they failed to do so.

# 42 RIDERS BEGIN A HUNGER STRIKE

The New York Times

## Group in Jackson Jails Asks Restraints on Segregation

June 2-61

JACKSON, Miss., June 1 (AP)—A group of jailed Freedom Riders began a fast today to protest segregation in southern train and bus depots.

The fastors—both white and Negro—told their jailers their action was not a reflection of the treatment in the jail here. One white rider said the fast would continue until Federal officials obtained injunctions to halt segregation in transportation facilities in the South.

Jailers said all riders still in jail were apparently taking part in the fast.

New York Times

Fifty-two Freedom Riders were arrested when they arrived in Jackson by bus and train and tried to use facilities reserved for white persons at the depots.

All fifty-two refused at first to post appeal bonds or pay the $200 fines levied against each for a breach of the peace. However, ten later posted bond and were released. Those in jail are working out their sentences at $3 a day.

**Prisoners Segregated**

White and Negro prisoners are segregated. Seven white riders refused their breakfasts and the Negro prisoners joined at noon. The white prisoners are in the city jail and the Negroes are in the county jail.

Acting Gov. Paul Johnson of Mississippi said the Freedom Riders wanted only publicity and "when pubilicity is absent, their entire mission has failed."

Authorities in Hinds (Jackson) County promised an investigation today of reports of beatings of Negro Freedom Riders while they were held at the county prison farm. This group was later transferred to the county jail in downtown Jackson.

The first to complain of beatings was the Rev. C. T. Vivian 36-year-old minister from Chattanooga, Tenn. He said guards at the county penal farm had clubbed him when he failed to address them as "Sir."

The most recent complaint came from Jean Thompson, 19, of New Orleans, a Negro who went to jail with the first wave of Freedom Riders to arrive last week from Montgomery, Ala.

**Says She Was Struck**

She charged that the superintendent of the county prison farm, Max Thomas, had struck her when she refused to address him as "Sir."

She also contended that prison guards had struck Henry Thomas, 19, of St. Augustine, Fla., a student at Howard University in Washington.

The superintendent was ordered to "take a few days off" during the investigation of the alleged beatings.

Sheriff J. R. Gilfoy, who will conduct the inquiry, discounted Miss Thompson's accusations.

The Federal Bureau of Investigation said it had made an inquiry into Miss Thompson's complaints, as it had the reported beating of Mr. Vivian.

The next freedom riders reportedly will start at Richmond, Va., in the next few days and head for Jackson. More groups of Cornell University students said they planned such trips. Several Cornell students were among the fifty-two arrested here.

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**Clergymen Back Riders**

ALBANY, June 1 (AP) — Lutheran clergymen from New York and New England voiced overwhelming support today for the efforts of Freedom Riders to break down racial barriers in the South.

The resolution was adopted at the closing session of the three-day convention of the United Lutheran Synod of New York and New England.

The resolution did not mention Freedom Riders. It voiced the synod's "warm and sympathetic support" to those seeking to eliminate racial bars in public transportation "through non-violent techniques."

MISSISSIPPI

JACKSON- FREEDOM RIDERS
20 RIDERS CONVICTED
WAIT TRANSFER TO PENITENTIARY

38a 1961

# 20 'Riders' Convicted, Wait Transfer To Pen

Jackson Daily News
Pg. 10
Tues, 7-18-61
Jackson, Miss.

By W. C. SHOEMAKER
Daily News Staff Writer

Twenty newly convicted "freedom riders" waited today transfer to the state penitentiary at Parchman to begin serving jail terms.

Municipal Judge James Spencer convicted the 20 on breach of the peace charges yesterday but freed one member of the group on an assault charge filed in connection with his arrival here Saturday.

Breach of the peace sentences were the same as many before them—$200 fines and four months in jail.

Twelve of the group were arrested at the Greyhound bus terminal Saturday night, seven were arrested at Greyhound Sunday morning and one was arrested at the Illinois Central Railroad depot Sunday morning.

Leo Washington, Negro, of New Orleans, was charged with assault in an incident at his arrival with the Saturday night group.

Cecil Lindsay of Missouri, a graduate student at Mississippi College, charged that Washington deliberately tramped on his foot at the bus terminal.

**RULED ACCIDENTAL**

But Spencer ruled that the incident was apparently accidental and set Washington free on the charge. However, he was convicted of breach of the peace along with other member of his group.

Washington claimed Lindsey struck him as he started to sit next to the white man in the terminal.

Judge Spencer said he had no doubt that Lindsay's foot was tramped but that it was apparently accidental.

Rose Rosenburg, 55, Los Angeles white woman attorney, called on Judge Spencer to seek better treatment for riders held at Parchman.

She complained that riders convicted of misdemeanor were treated worse in that they were denied use of the library or reading material and were lodged in the maximum security cellblock near the lethal gas chamber."

She also claimed women in the group were submitted to humiliating search.

Spencesr told her his court had no authority to act on jail regulations.

But Prison Supt. Fred Jones said prison officials were "forced to start the checks after the first group of riders slipped in some goof balls and dope pills." He said the contraband items were discovered in a cell check while riders were taking showers.

Searches are conducted by women, he said.

The county began moving convicted riders to Parchman when it became apparent they would overflow jail facilities here.

Yesterday's convictions raised the total sent to jail to 244 since the Congress of Racial Equality rides began here May 24. Three juveniles among the 247 arrested are awaiting youth court hearings.

Meanwhile four persons arrested among early riders passed appeal deadlines and must sit out the sentence.

CORE has posted $500 appeal bonds for 99 convicted riders, all before they had been in jail 40 bays. Convicted riders have 40 days in which to appeal.

Yesterday, however, four rejected the appeal offer and chose remain in jail to serve their erms.

Three of the four were convicted June 6 and one was convicted

3

## THE RIDERS' BOX SCORE

| | |
|---|---|
| Arrested | 247 |
| Convicted | 244 |
| Held For Youth Court | 3 |
| Released On Bond | 99 |
| Released As Juvenile | 1 |
| Paid Fine | 4 |
| In Jackson Jails | 31 |
| In Parchman | 112 |

FREEDOM RIDERS- JACKSON
ATTY. THURGOOD MARSHALL

# Thurgood's suit is new legal blow

(SPECIAL TO AFRO)

JACKSON, Miss. — The Freedom Riders and Thurgood Marshall, chief legal counsel for the NAACP, this week joined hands in a massive, double-barrel assault on Mississippi's laws for racial segregation of interstate travelers.

The dual action takes the form of a lawsuit in Federal Court to bar enforcement of the state's discriminatory laws and a massive invasion by Freedom Riders, with July 4 as the target date for Mississippi and other Southern states to capitulate on jim-crow travel laws.

The suit to stop the arrest of Freedom Riders was filed, last Friday, by Marshall in behalf of three local residents, Samuel Bailey, Joseph Broadwater and Brunett L. Jacob.

Associated with Marshall in the case are two other lawyers, R. Jess Brown, legal counsel for the Mississippi NAACP, and Mrs. Constance Baker Motley of New York, a member of the NAACP's legal staff.

* * *

**THE SUITS** ask that the City of Jackson, the state and all bus lines and common carriers operating in the state be enjoined from continuing to enforce the state's racial segregation laws in waiting rooms and rest room facilities at transport terminals.

The defendants are State Attorney General Joe Patterson, the City of Jackson Mayor Allen Thompson City Commissioners Thomas B. Marshall and D. L. Luckey, Chief of Police W. D. Rayfield, Continental Southern Lines, Southern Greyhound Lines, Illinois Central Railroads and Cicero Carr of the restaurant at the Municipal Airport.

The step-up in the Freedom Ride invasion of Jackson and other southern cities was voted at a three - day meeting of the Students Nonviolent Coordinating Committee in Louisville, Ky.

* * *

**FRANK STANLEY JR.,** leader of the Louisville Youth Movement said approximately 50 delegates from 15 states attended.

Speakers included the Rev Martin Luther King Jr., James Farmer, national director of the Congress of Racial Equality; the Rev. Ralph D. Abernathy of Montgomery, and the Rev. Fred L Shuttlesworth of Birmingham, Ala.

All of the speakers urged an all out assault on all forms of racial segregation in the United States, particularly in the South.

During the past week, a total of 40 persons were arrested in bus terminals, railroad station and municipal airport here. All were convicted, fined and given jail sentences.

* * *

**THOSE ARRESTED** included Mark Lane, member of the New York Assembly, and Perry Sutton, president of the New York City NAACP.

The men, who traveled to Jackson via Montgomery, Ala., were taken into custody in a restroom marked "White only." Sutton, an attorney, told the arresting officer that he was an interstate passenger when ordered to "move on."

The officer, Capt. J. L. Ray, told the pair "You're under arrest for refusing to obey an officer."

* * *

**THE ARRESTS** occurred on the following days:

Tuesday, June 6 — seven who arrived aboard a bus from Nashville.

Wednesday, June 7 — six, via bus from Nashville; two, via plane from St. Louis, Mo.

Thursday, June 8 — two, via plane from Montgomery; nine, via train from New Orleans.

Friday, June 9 — five, via train from Nashville.

Saturday, June 10 — eight via train from Nashville.

Since May 24 when two busloads of Freedom Riders were arrested upon arrival from Montgomery, a total of 112 had been arrested, convicted and sentenced as of the weekend.

# Judge Rejects Rider Protest

## Can't Bypass State Court, Rules Mize

A federal judge today denied a plea which challenged the constitutionality of Mississippi's arrests of the "freedom riders."

District Judge Sidney Mize of Biloxi, Miss. said it would be improper for him to grant a writ of habeas corpus until the matter is taken through the Mississippi state courts.

The plea was brought before Mize by two attorneys who claimed state courts are "behind segregation" and the matter should be "pried out of their hands" by federal courts.

A total of 164 riders have been arrested here since May 24 after attempting to integrate waiting rooms in bus, train and plane terminals. They have been convicted on breach of the peace charges.

However, attorneys William M. Kunstler of New York and Jack Young of Jackson, in their plea, claimed Mississippi authorities are using the breach of the peace statute illegally to enforce racial segregation.

The plea was brought on behalf of Elizabeth Wyckoff, 45, a free lance writer from Greenwich Village, N. Y. who was arrested here June 2 with an interracial group of riders.

In a hearing on the plea last week Kunstler told Mize it was his duty to issue the writ even though Miss Wyckoff had not exhausted her legal remedies in state courts. "State courts are not going to be of any assistance to her," he said.

Attorney Tom Watkins of Jackson, arguing for the state, claimed that issuance of such a federal writ would "pervert the entire system of state courts."

Watkins said Kuntlser was wrong in claiming Miss Wyckoff would not get a fair hearing in Mississippi courts and he said Kuntlser owned "an apology to the state courts of Mississippi."

Mize upheld Watkins' argument in his brief ruling delivered from the bench this morning. He said that law provides a person's legal remedies in the state court be exhausted before a case is brought to federal court."

## 'Riders' Seek More Steam In Civil Rights

NEW YORK (AP) — A "Freedom Train," carrying more than 1,000 Negroes and whites, will roll into Washington next month to try to put some steam into civil rights legislation.

John Morsell, assistant to the executive director of the National Association for the Advancement of Colored People (NAACP), said yesterday the plan will be carried out as part of the organization's annual convention.

On July 12, the third day of the week-long convention in Philadelphia next month, delegates from throughout the country will board the special train for the trip to Washington.

They will spend the day there contacting their home-state congressmen and senators, urging them to take immediate and affirmative action on pending civil rights legislation.

Principal measures for which they will urge support, as spelled out in a bill sponsored by Sen. Joseph Clark (D-Pa.) and Rep. Emanuel Cellars (D-NY); include:

1. Setting of a mandatory deadline of not later than September, 1963, for all school districts to begin implementing the 1954 Supreme Court decision banning racial segregation in schools.

2. Authorizing the attorney general's office to initiate federal court action against any kind of civil rights violations, in addition to violations of voting rights.

3. Applying fair employment practices in additional areas not now covered by the president's commission on equal employment opportunities.

## Negro 'Riders' Try New Twist

### Four Arrested In Jackson Say They Were Trying To Leave Town

By United Press International

JACKSON, Miss., June 23.— Four young Negroes gave the so-called "Freedom Rider" movement a new twist Friday.

They walked into the Trailways Bus terminal's white waiting room and were arrested.

Unlike the 140 riders already arrested, the Negroes had not just come to Jackson. They were trying to catch a bus out of town.

However, like their predecessors in the movement, they were taken into custody on breach of the peace charges.

**Order Is Ignored**

A policeman ordered them to move on as soon as they entered the waiting room but they ignored the order and were arrested.

One of them held a statement they had prepared for the press, but an arresting officer took it before he could hand it to a newsman.

Richard Haley, a worker for the Congress on Racial Equality, later issued a statement on the group's behalf, saying they joined the rider movement to show that Jackson Negroes are behind the riders who have come here.

However, according to the addresses the Negroes gave police, none of them is from Jackson.

Mr. Haley's statement said the riders were taking issue with public statements by Mayor Allen Thompson that "Negroes in Jackson get a square deal" and that "they either ignore or resent the 'Freedom Riders' and their cause."

**'Serving Notice'**

By entering the station, Mr. Haley said, the Negroes were serving notice "that Negroes in Jackson have graduated from the wish for freedom to the act."

Those arrested included Thomas M. Armstrong, 19, of Silver Creek, Miss., and Mary M. Harrison, San Antonio, Texas, both students at Tougaloo Southern Christian College near here; Joseph Lee Ross, 25, of Nashville, a student at Tennessee A&I, and Elnora R. Price, 26, of Raymond, Miss.

Meanwhile, seven Negroes arrested at the city zoo on breach of peace charges gained their fraedom on $500 bonds. Officers said they would be tried next week. The trial of the four arrested Friday is expected to be held Monday.

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JACKSON, Miss., June 23.— (UPI)—A 13-year-old Negro girl who was arrested with six companions after sitting on benches at the Jack on Zoo Thursday was charged with assault Friday.

Officers said a white woman filed a complaint that the girl pushed her 4 - year - old child from a water fountain at the zoo.

Th girl and her companions also face charges of breaching the peace. Customarily, only white persons use the benches and water fountains at the zoo.

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SIOUX FALLS, S. D., June 23. (UPI)— A Negro family has filed a half-million-dollar civil suit against the United States District attorney for South Dakota and the Sheriff of Yankton County on grounds of racial discrimination.

The suit charged that Harold C. Doyle, while Yankton County state's attorney, and Sheriff Ed Sampson denied the family "equal protection of the law."

According to the suit, the negroes were forced to leave their farm near Yankton by illegal "acts of force and violence."

## Local Negroes Propose Ride To Washington

### NAACP Would Let State Solons Know It Opposes Them

By W. C. SHOEMAKER
Daily News Staff Writer

Jackson's latest load of "freedom riders" awaited trial today while the NAACP here planned a march on Washington to protest voting records of Mississippi's Congressional delegation.

Twenty "riders" — 11 Negroes and nine whites—were arrested on breach of the peace charges at the Illinois Central Railroad terminal yesterday morning, a few minutes after they stepped off a train from New Orleans. Several members of the group told police they have prior criminal records.

They were to go on trial in municipal court this afternoon along with four arrested at the Trailways bus terminal Friday.

Yesterday's arrests pushed the total taken into custody to 164 since the rides began May 24. Plans for the protest ride to Washington were announced at an NAACP rally at the Lynch St. Masonic Temple yesterday afternoon.

**'REMINDER' RIDE**

An official of the organization told a crowd of about 350 persons that the NAACP hopes to recruit 1,000 persons from Jackson to ride a special train to Washington to discuss racial problems with Mississippi congressmen. "We know how far we will get," the spokesman said, "But we want to let them know we know they are there," he said.

The trip was scheduled for July 12.

The Rev. G. E. Haughton, pastor of the Pearl St. AME Church, told the group Negroes "have no

alternative now but to rise." "We are going to have sit-ins, read-ins and all kinds of ins," he said.

Haughton said he had served on committees which fought unsuccessfully for Negro policemen, school crossing guards and the integration of Negroes into business and industry here.

Samuel Bailey, a Negro insurance salesman here, told the crowd his daughter was one of seven arrested at the Jackson Zoo last week.

He called on the state Legislature to consult with the NAACP before passing any new segregation laws next session. "Somebody is going to the penitentiary, the federal pen," he said, referring to segregation laws passed by the state.

The Rev. John D. Mangram, chaplain at Tougaloo Southern Christian College, presided at the meeting and told the group that Vickers Inc., last week removed segregation signs from water fountains and restrooms at its North Jackson plant.

**PASTOR VISITS JAIL**

The Rev. Edward Harrison, pastor of St. Andrew's Episcopal Church, Saturday called on the Rev. Grant Muse in the city jail and made arrangements for him to observe communion in jail yesterday morning.

The Rev. Muse of Berkeley Calif. is serving four months and a $200 fine as a "freedom rider."

The Rev. Harrison took bread and wine to the jail so that Muse and another Episcopal rider could celebrate communion.

Yesterday's arrests were as peaceful as the many before them have been.

The group stepped off the IC's northbound City of New Orleans at 10:10 and walked into the white waiting room.

Police Capt. J. L. Ray told them to "move on". When no one moved he said "Did you hear the order that I gave you?" A leader of the group answered that they did.

"Are you going to obey it?" Ray asked.

"We can't," was the answer.

"Then you're under arrest," Ray said.

Nine minutes after the train stopped the group was headed to jail.

Those arrested, their home towns and occupations were:

John Copeland Rogers, 30, Negro, Los Angeles, professional boxer; his wife, Janice Rogers, 25, Negro, unemployed secretary and model; Marian Alice Kendall, 35, white, Leandro, Calif., social worker; Richard Thorne, 24, Negro, Berkeley, Calif., free lance writer; Norma Lisbon, 27, white, Berkeley, student at the University of California;

Frank Johnson, 21, Negro, Tuscon, Ariz., student at the University of Arizona; Wayne Leslie Taylor, 23, Negro, Los Angeles, unemployed; Gordon L. Harris, 23, white, Rochester, N.Y., student at the University of Rochester; Louise Jean Ingram, 26, white, Los Angeles, Calif., housewife; Claire Toombs, 18, white, Silver Spring, Md., sales clerk;

Claude Albert Liggins, 20, Negro, Los Angeles, student at Los Angeles City College; George M. Blevins, 21, white, Los Angeles; student at an art institute; Arthur Brooks Jr., 22, Negro, Los Angeles, student at Los Angeles City College; Marcia Rosenbaum, 23, white, Los Angeles, painter; Mary Lucille Hamilton, 25, Negro, Los Angeles, grammar school teacher;

Frank Arthur Nelson, 22, white, Brooklyn, N.Y., civil engineer; Gloria Bouknight, 20, Negro, Columbia, S. C., legal secretary; Eddora Mae Manning, 19, Negro, Los Angeles, student at Los Angeles City College; Robert W. Mason, 17, Negro, Los Angeles, high school student.

Jackson Detective Chief M. B. Pierce said Thorne told officers he had been involved in a hassle with immigration authorities in Okinawa three years ago. Frank Johnson said he had a juvenile record in Tucson.

Gordon Harris said he is a conscientious objector to military service and was once arrested in Rochester, N. Y. for vagrancy. Claude Liggins said he was held once in Lake Charles, La., for investigation of the theft of a motor bike and in Los Angeles during the investigation of a burglary.

Blevins said he had been held for a traffic violation and failing to appear in a Los Angeles court. A burglary charge against him was dropped, he told police.

Brooks said he drew a year's probation in Los Angeles for auto theft in 1957.

The Rogers woman said she served eight months in Chicago on a larceny charge while her husband said he served six months and paid a $250 fine for burglary in Los Angeles in 1954.

# "Freedom Riders" To Base Appeals On 2 Law Points

By HERB HERBERS

JACKSON, Miss. — (UPI) — Attorneys for 187 convicted "freedom riders" scheduled for court appearances Monday will base their arguments for appeal on two points of law.

The first is a U. S. Supreme Court decision on a Richmond, Va. case closely paralleling the Jackson arrests; the second is a direct attack on the breach of the peace statutes under which almost 300 riders were arrested here since May 24.

The Richmond case was decided by the high court last winter. A Negro law student, Bruce Boynton, staged a sit-in at a white restaurant in a Richmond bus terminal. He refused police orders to move on and was arrested under a state breach of the peace law.

**OVERTURNED CONVICTION**

The Supreme Court of Virginia upheld the conviction on grounds the arrest constituted proper use of police authority. But on appeal the U. S. Supreme Court overturned the conviction holding that the breach of the peace law — which was sound in itself — was used to maintain segregation in interstate travel facilities.

All of the Jackson riders were arrested for breach of the peace after they refused police orders to move from segregated terminals.

There is a difference in the breach of the peace laws used in the two states. The New York attorneys who are representing the riders-William Kunstler of the American Civil Liberties Union and Carl Richler of the Congress of Racial Equality — say they will ask that Mississippi's laws be struck down as well as the city's use of them.

**DELEGATED AUTHORITY**

They will contend that the legislature delegated too much authority to the police and that it enacted the laws specifically to preserve segregation.

There are two laws involved, one for single arrests and another for group arrests. They were enacted in the spring of 1960 when sit-in demonstrations were rampant in other Southern states. They were carefully drawn by some of the best legal minds in the state Capitol and were enacted swiftly and overwhelmingly without debate.

# 'Riders' On Return Trip For Trials

Student "freedom riders" began leaving cities throughout the United States Saturday by regularly scheduled buses for Jackson, Mississippi to arrange pre - trial conferences and trial scheduling for those jailed in there in recent months.

Glenda Gaither, 19, of Great Falls, South Carolina, and Henry James Thomas, 19, of St. Augustine, Florida, who visited the Atlanta World office Saturday morning were among a group of students that left Atlanta Saturday evening for Jackson.

Miss Gaither, a Claflin College coed, told of being confined for 37 days in Mississippi jails. Arrested on a breach of peace charge, Miss Gaither said that she was escorted by police to jail after entering the "white" waiting room in Jackson.

Thomas, a member of the staff of Congress On Racial Equality and Howard University student, stated that "approximately 30 students were arrested with me." The youthful student was jailed and sent to Parchman prison for 45 days after escaping death on a burning Greyhound bus at Anniston, Ala., when it was attacked by an angry white mob.

The Southern Christian Leadership Conference with its headquarters in Atlanta and headed by Dr. Martin Luther King Jr., has sponsored the riders.

Rev. Wyatt Tee Walker, executive director of the SCLC, commenting on the students having to return to Jackson for pre -trial hearings, stated "they are trying to break us financially."

In New York about 100 persons, many of whom said they would fast for 24 hours, demonstrated there Saturday in support of 167 "freedom riders" who will appeal their cases Monday in Jackson, Miss.

The Congress of Racial Equality CORE, sponsoring the demonstration, said that the fasting demonstrators would stay all night in Battery Park.

CORE's New York demonstration was marred by violence Friday night when 32 racially mixed "freedom riders" headed for Jackson by bus to appeal their breach of peace convictions.

An unidentified white man assaulted a newspaper reporter, William Doolittle, 24, of the New York Post, who was covering the departure rally. The man also hit one public relations man, Marvin Rich, 31, who rushed up to him after Doolittle had been hit.

Doolittle was treated at a hospital and released. Rich did not require hospital treatment.

Police were searching for their attacker.

# Delay Is Asked In Racial Suits

## Mississippi Wants 40 More Days To Prepare For Registration

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Aug. 11.— Postponement for 40 days of Federal Justice Department Negro voter - registration suits against Clarke and Forrest county registrars—scheduled to begin Monday—was requested Friday by state Atty. Gen. Joe Patterson.

Federal Dist. Judge Harold Cox, recently appointed, Saturday will hear the petitions, based on inability of the state to prepare for the trials because of a "flood" of other civil rights actions. Other pending Federal suits involve desegregation of the University of Mississippi and a challenge of state statutes for segregation in transportation terminals stemming from the recent "invasion" of self - styled Freedom Riders.

The Justice Department, which filed the actions charging the county officials with arbitrarily refusing to register qualified Negroes because of their race, will resist the postponement.

**Filed For Defendants**

Requests for postponement were filed on behalf of Circuit Court Theron Lynd of Forrest County at Hattiesburg, and Circuit Clerk A. L. Ramsey of Clarke County at Quitman.

Specifically, the petitions ask for 40 days from Monday for production of voting records requested by Federal officials; and 40 days from Aug. 21, the date set for answers in the cases.

The petitions for postponement point out that special counsel employed by the registrars to assist the attorney general and his staff have had no "acquaintance with the field of law basically involved," and that the two groups have other private practice which require "their proper and constant daily attention."

The petition states that these cases "involve many important, far-reaching, intricate and complicated questions of fact, law equity and constitutional interpretations involving and requiring intensive and extensive preparation, research, investigation and analysis prior to the hearing."

"The said counsel for Lynd and Ramsey, who are general practitioners, and the assistant and special assistant attorneys general have been unable to properly prepare and investigate the law and the facts and confer among themselves and with the defendants in order to properly prepare for the hearing," the petition for the registrars asserts.

**'Heavily Burdened'**

The petition also states that the attorney general and his assistants and special assistants "are heavily burdened with cases in this (Southern) District Court and one in the Northern District in the field of civil rights."

It cites that although defense attorneys "have been diligent in the preparation and defenses of the cases, that further time is necessary for said attorneys to properly investigate the law and the facts so as to properly discharge their duty to their clients and this court."

"This motion is made so that justice may be done in the premises and the postponement requested is not made for delay only," the petition states. "Unless the said hearings are postponed and further extension of time granted, these defendants and their rights and privileges will suffer grave injustice and they will be sorely prejudiced."

Three other Negro voter-registration suits have been filed. They involve registrars in Jeff Davis, Walthall and Bolivar counties, the latter one in the Northern District.

# Report Monday, Riders Ordered

## Efforts To Avoid Mass Trek To Mississippi Lost By New York Lawyer

By JAMES SAGGUS
Associated Press Staff Writer

JACKSON, Miss., Aug. 10. — Self-styled "Freedom Riders," previously convicted, lost their fight Thursday to avoid a mass trek to Mississippi to start appeal proceedings and their lawyer gave them the signal to begin the trip.

Attorney William Kunstler of New York tried in circuit court and the state Supreme Court to win modification of a Hinds County court order requiring all defendants to be present on the opening day of the county court term handling their appeals.

Circuit Judge Leon Hendrick refused to order county court to change its rule and Kunstler conferred with Justice W. N. Ethridge Jr. of the Supreme Court by telephone later in the day.

Kunstler said he advised Justice Ethridge of his arguments and Ethridge told him he did not have the power to take the action Kunstler sought. Kunstler said he did not ask for a formal hearing on the matter.

**No More Appeals**

"This is it," he said. "There are no more appeals. I've called

and told them to have all the defendants here for the opening of the term."

Kunstler sought an order from Judge Hendrick to waive or modify the County Court rule requiring all defendants to be present in person on the opening day of the term Monday, rather than be represented by lawyers.

County Judge Russel Moore entered an order more than a year before the protest rides began that all defendants must be present in person when the calendar for the term of court is called up, or forfeit their bonds.

Hendrick said the court order sought by Kunstler was not appropriate for the riders' cases, that under Mississippi law Kunstler would have to resort to an appeal after some action in the case.

"If Judge Moore should order the bonds forfeited because the defendants did not appear," Hendrick said, "you would have the right to resist forfeiture.

"I can't tell Judge Moore how to run his court."

**Sought Writ**

Kunstler, representing 187 convicted riders who will appeal their breach of peace convictions in City Court to County Court, had sought a writ of mandamus, ordering Moore to void his appearance rule, or a writ of prohibition, prohibiting Moore from enforcing it.

Hendrick said in Mississippi mandamus writs were issued only when a lower court refused to take any action, and prohibition writs to keep a lower court from acting when it properly had no jurisdiction.

Neither procedure, Hendrick said, was permissible in this case.

Kunstler said he sought to void Judge Moore's appearance rule because he felt it was an abuse of his discretion and would cost the riders an unnecessary $20,000.

Opposing Kunstler's request were city prosecutors Jack Travis and Bob Nichols. They went into the limited use of he two writs Kunstler sought and argued that the riders had waited until the last minute to challenge Moore's rule.

Under an agreement between both sides, the trial of the appeals cases before County Court juries will begin Aug. 21 and will be run off at two per day, or 10 weekly. The trials are expected to last 18-20 weeks.

# Two Beaten as Riders Leave N. Y. for Jackson

The Washington Post p.A7

NEW YORK, Aug. 12 (UPI) A racially mixed group of 32 Freedom Riders headed for Jackson, Miss., aboard a bus today with a scene of northern racial violence left behind them.

Dem. 8-13-61

A New York Post newspaper reporter and a public relations man for the Congress of Racial Equality (CORE) were beaten minutes after the riders left here late last night. The riders are traveling to Jackson to apeal thpeir recent for their attempts to break Mississippi racial barriers.

William Doolittle, 24, Post reortepr who covered the departure, was attacked by a burly white man who cursed him. The man knocked Doolittle down, and then hurled a challenge at nearby CORE members.

Washington

Marvin Rich, 31, public relations man for CORE which sponsored the riders, walked up to the man, who immediately knocked him down. Police were called and a friend of the assailant persuaded him to flee as another reorpter went to Rich's aid.

Police were searching for the attacker.

CORE sponsored a 24-hour fast which began today in Battery Park at the tip of Manhattan, then shifted to Liberty Island, where the Statue of Liberty is located. About 100 persons were on hand for the demonstration which CORE said would continue tonight.

The demonstrators were to return to Battery Park tonight when the island is closed for the night.

Doolittle was treated at a hospital and released. Rich did not require hospital treatment.

The riders were being led by James Farmer, national director of CORE, which held a rally before the bus departure. Farmer said their appearance in Jackson Monday will consist of filing appeals and having individual trials set.

A total of 187 "Freedom Riders" from New York, Los Angeles, New Orleans, Nashville and Cincinnati and Atlanta are converging on Jackson to appear Monday in the Hinds County Recorders court.

# New York Rider Relates Harrowing Tale Of Life In Maximum Security

NEW YORK (AP)—A teen-age "Freedom Rider," who was imprisoned for three weeks in Mississippi, said yesterday that "terribly brutal treatment" was inflicted on some antisegregation demonstrators confined there.

Kenneth Shilman, 18, of Oceanside, N.Y., one of the white youths in the group held in the Mississippi State Penitentiary, said "cattle shockers" and "wrist breakers" were used on some of them.

In Jackson, Hinds County Sheriff J. B. Gilfoy denied any inhuman treatment and said "we're leaning over backward in handling them."

He said the general picture painted by Shilman about prison clothing and cells was correct and was normal procedure "in most penitentiaries for handling prisoners."

Shilman's accusations — termed exaggerated by Gilfoy — involved two riders.

"We were kept in maximum security—two-man cells—in our underwear and with the light burning day and night," he said.

From his cell, he said he saw two Chicago Freedom Riders, Felix Singer and Terry Sullivan, both whites, dragged naked along 60 yards of concrete corridor after they refused to strip and walk to their cells.

"Their clothes were ripped off of them," he said. "As they were dragged past us, the skin was tearing off their bodies, and the extreme pain showed on their faces," he said.

Electric shockers, generally used on livestock, had first been used on them before they were dragged, he said, adding: "I saw the burns afterward on Sullivan's arms and legs."

Later, Shilman said, when the two were taken to be fingerprinted, "wrist-breakers," clamps with a handle for applying pressure to the wrists, were put on them.

"When they were pulled along the hall, Felix was yelling 'you're breaking my arm,'" Shilman related. "He fell and his head hit the concrete floor and then he was dragged nude on his stomach. It was indescribable."

Afterward, he said, Sullivan's wrists were swollen "twice the size."

Shilman, who was among the first group of whites and Negroes shifted in mid-June to the penitentiary after their arrest June 2 in Jackson, Miss., said he lost 30 pounds in 21 days of hunger strike.

He was released Saturday on a $500 appeal bond, he said, but three of his colleagues remain here on prolonged hunger strikes.

He said that one of them, Price Chatham, 29, of East Rockaway, Queens, N. Y., was in his 25th day, and was down from 150 pounds to 120 pounds.

Describing conditions in the two-man, 4-by-9 foot cells in which the Fredom Riders are kept without clothing at the penitentiary, Shilman said, "We are offered three meals a day, and allowed a shower twice a week, but nothing else, no cigarettes, no books, nothing."

Sheriff Gilfoy said Singer and Sullivan were dragged about 15 feet along a smooth concrete hallway, a surface incapable of tearing flesh.

All prisoners are undressed when they arrive and are given prison garb in exchange for civilian clothes.

Gilfoy said the two lay down in the truck which transported them from Jackson to the state penitentiary at Parchman, and had to be moved bodily.

He said they then lay down at the hall entrance and said:

"You're going to have to make us do what you want us to do."

Turning to Chatham, the sheriff said the New Yorker had lost only 2½ pounds during his "hunger strike" and had started taking meals as soon as he had been placed in a cell alone. Previously, he had access to the food of other prisoners.

# RIDER LEADERS HUDDLE TODAY

Negro organization chiefs called a strategy session in Jackson today to plan more "freedom rides" into the city.

The meeting came a day after 23 of the latest riders arrested were sentenced to four months in jail and fined $200 on breach of the peace charges. Yesterday's convictions pushed the total to 163 since May 24.

Another a 17-year-old Los Angeles Negro boy, was sent home by his attorney because he is a juvenile. He was among 20 arrested at the Illinois Central Railroad station Sunday.

The strategy meeting was called today by the Freedom Rider Coordinating Committee, composed of leaders of four sponsoring organizations.

Scheduled to attend the meeting were Bernard Lee of Atlanta, an official of the Southern Christian Leadership Conference; Gordon Carey, field director of the Congress of Racial Equality; Diane Nash of the Nashville Christian Leadership Council; and Charles Sherrod, field secretary for the Student Non-Violent Coordinating Committee.

Lee said he will attend in the place of the Rev. Wyatt Walker of Atlanta, who was arrested as a "rider" here last week and is still in jail.

Lee said the group meets regularly in different places to plan new moves. He said today's huddle is "just another routine session."

"We may look into the legal ramifications of the freedom rides," he said.

Lee said the group does not plan to discuss the possibility of discontinuing the rides into Jackson.

The Rev. Martin Luther King of Atlanta, president of the Southern Christian Leadership Conference, said he hopes to attend today's meeting but wasn't sure he would make it. He was in Indianapolis last night.

# *New 'Freedom' Panel Promptly Put in Jail*

Jackson, Miss., June 6 [Special]—Seven more self-labeled "freedom riders" including two from Chicago, came here today to get arrested and were promptly accommodated.

While their arrest routine was the same as that accorded their 65 jailed predecessors, there were indications their court treatment would be varied.

When the latest arrivals were processed yesterday, being given the usual penalty of a $200 fine and a suspended 60 day sentence, City Prosecutor Jack Travis said henceforth he would seek the maximum penalty of a four month jail sentence in addition to the $200 fine on the breach of peace charge placed against the freedom riders.

**Losing Some of Its Steam**

All except one of the new group were from the north, the source of a majority of the latest riders as the assault on bus and train depot segregation appeared to be losing some of its steam.

Today's group of five white persons and two Negroes came here by bus from New Orleans, marched into the segregated waiting room and stood just inside the door, apparently waiting to be arrested. Their spokesman said when they left New Orleans they expected to be arrested and would serve out their fines in jail, as have a majority of their convicted predecessors.

The white riders in the group are Terry Sullivan, 22, Chicago; James Wahlstrom, 24, Madison, Wis.; Newell Weber, East Orange, N. J.; Abraham Bassfield, 24, Brooklyn, and James McDonough, 22, Huntington, N. Y. The Negroes are John Ashford, 22, Chicago, and Shirley Thompson, 18, New Orleans.

**We're Coming by Plane**

The first "freedom fly-in" was expected tomorrow from St. Louis. A group sponsored by the Jackson chapter of the Committee on Racial Equality [C. O. R. E.], said they would take off aboard a Delta air liner to come here tomorrow to challenge the use of facilities at the Jackson airport.

Meanwhile, tension remained high at Trinity, N. C., where a roadhouse battle between young whites and Negroes last night threatened to become a full scale race riot.

Squads of highway patrolmen, sheriff's deputies and police broke up a battle that involved about 40 Negroes and 10 whites and later resulted in numerous armed persons of both races gathering at the crossroad community's Negro district.

**Negroes Come Back Fighting**

The dispute was touched off at a store and cafe which earlier had refused service to two Negro youths. A crowd of young Negroes returned last night, as the ignored youths had threatened, and a fist fight between them and some white youths ensued.

Robert Parris, 20, owner of the store, was knocked down and severely beaten with belts and sticks. He disappeared at the height of the fight, arousing the belief he had been kidnaped. Armed bands of white persons roamed the area looking for him.

Parris returned home this morning and explained he had

fled to safety beneath a house where he passed out. His body bore the marks of the beating but he was not seriously injured.

He said that during the mass assault on him he "was on the bottom most of the time and they couldn't get at me very well." He said he "finally rolled out from under them," adding: "I couldn't see anything but Negroes so I took off."

# Rider Charges Mississippians Used Shockers, 'Wrist-Breakers' in Prison

NEW YORK, June 26 (AP) A teenage "Freedom Rider," who was imprisoned for three weeks in Mississippi, said today that terribly brutal treatment was inflicted on two antisegregation demonstrators confined there.

Kenneth Shilman, 18, of Oceanside, N. Y., one of the white youths among the group held in the Mississippi State Penitentiary, said "cattle shockers' 'and 'wrist-breakers" were used on some of them.

Shilman spoke in an interview here after his return from Mississippi, where he wa sreleased Saturday.

In Jackson, Hinds County Sheriff J. R. Gilfoy denied any inhuman treatment and said: "We're leaning over backward in handling them."

"We were kept in maximum security, two-man cells in our underwear and with the light burning da yan dnight," Shilman said.

From his cell, he said, he saw two Chicago Freedom Riders, Felix Singer and Terry Sullivan, both whites, dragged naked along 60 yards of concrete corridor after they refused to strip and walk to their cells.

"Their clothes were ripped off of them," he said. "As they were dragged past us, the skin was tearing off their bodies, and the extreme pain showed on their faces." he said.

Electric shockers, generally used in livestock, had been used on them before they were dragged, he said, adding: "I saw the burns afterward on Sullivan arms and legs."

Later, Shilman said, when the two were taken to be fingerprinted, "wrist-b r e a k-ers," clamps with a handle for a p p l y i n g pressure to the wrists, were put on them.

"When they were pulled along the hall, Felix was yelling, 'You're breaking my arm,'" Shilman related. "He fell and his head hit the concrete floor, and then he was dragged nude on his stomach. It was indescribable."

Shilman, who was among the first group of whites and Negroes shifted in mid-June to the Penitentiary after their arrest June 2 in Jackson, said he olst 30 pounds in 21 days of hunger strike.

He was released Saturday on a $500 appeal bond, he said, but three of his colleagues re-m a i n there on prolonged hunger strikes.

He said one of them, Price Chatham, 29, of East Rockaway, Queens, N. Y., was in his 25th day, and was down from 150 to 120 pounds.

"He was a thin, 6-foot-3 fellow to begin with, but he's extremely thin now," Shilman said. "He's quite weak. He hasn't eaten since June 2, and says he will not eat until the Interstate Commerce Commission enforces a rule against segregated transportation facilities.

In Parchman, Miss., Chatman stold his wife in a visit yesterday that he was calling off his strike. He had been placed alone in a cell Friday to check whether he was really fasting, after a prison physician expressed belief Chatman was eating and reported he had lost only 2½ pounds.

He said the only reporter allowed to see them after their arrest was Westbrook Pegler, who asked them some "leading questions" such as whether they admired Mrs. Franklin D. Roosevelt or thought she was Communist-inclined.

Pegler was not immediately available for comment.

Sheriff Gilfoy said Singer and Sullivan were dragged about 15 feet along a smooth concrete hallway, a surface incapble of tearing flesh.

All prisoners are undressed when they arrive and are given prison garb in exchange for civilian clothes.

Gilfoy said the two lay down in the truck that took them from Jackson to the Penitentiary, and had to be moved bodily.

He said they lay down at the hall entrance and said: "You're going to have to make us do what you want us to do."

Reports denied—

# Riders said not mistreated in jail

BY AL FOX
News staff writer

JACKSON, Miss., June 27—Mississipians are "bending over backwards" to insure that freedom riders are not mistreated during their confinement in jail here and at the Parchman State Prison.

The "preferential" treatment given the integrationist prisoners was announced today by Acting Gov. George Yarbrough of Red Banks. Yarbrough, Senate president pro tempore assumed his executive duties during the absence of Gov. Ross Barnett and Lt. Gov. Paul Johnson, who are attending the National Governors Conference in Honolulu.

**Yarbrough said he visited Parchman last week to get an "on-the-spot" view of the situation and found the prisoners being treated "humanely" with "no mistreatment of any type."**

"Freedom riders are being treated as good as they would be if they were in jail in New York or any other state," Yarbrough said.

"WE ARE HAPPY for the outside world to know how well we are treating them. This is because we realize they would relish the possibility of claiming they had been mistreated," he added.

Yarbrough said Barnett "cautioned all guards and other prison officials prior to his departure to see that they were well protected and not mistreated in any way."

The acting governor said the prisoners are confined to the maximum security area of Parchman.

"The prisoners are not being worked and receive all the food they can eat, three times daily," he said. "They are confined two to a cell and, as all prisoners in this section, are issued prison clothing consisting of T-shirts and shorts, normal attire for all prisoners in the maximum security area," he added.

**This is done, he pointed out, for the prisoner's own safety and is a routine precaution.**

Of the 163 convicted since May 24, 58 are a Parchman and 50 in Jackson jails; 52 have been released on $500 cash bonds and four have been released after they paid $200 fines.

"WE WOULD MUCH rather they would stay away, we don't want them," Yarbrough said, "just as we don't want anyone who is breaking the law. But if they comehere we are going to see that they abide by the lawor stand trial."

**Yarbrough said he personally talked to two of the riders last week during his visit to Parchman. He identified them as James Audain of Canada, a white man, and a Negro CORE leader, James Farmer.**

The acting governor said that Price Chatham of East Rockaway, Queens, N. Y., who allegedly had been on a hunger strike, has been removed to a private cell upon advise of the prison doctor.

**Chathamclaimed he had not eaten for 23 days but the doctor said he had lost only 2½ pounds and not the 30 pounds Chatham claimed.**

The doctor, Yarbrough said, could find no evidence Chatham had been on a hunger strike and that Chatham was transferred so his food intake could be checked. Prison officials reported Chatham began eating three days after being isolated, which indicated he had been getting food from other prisoners.

YARBROUGH SAID the maximum security area is located behing an electrically-charged wire fence to prevent the escape of prisoners.

However, he termed "completely false" the report that "electric cattle shockers" had been used on prisoners. "As far as I know there are no shockers at the prison."

Meanwhile, Sheriff J. R. Gilfoy, custodian of all prisoners, disputed a story of Kenneth Shilman of Oceanside, N. Y., an 18-year-old white rider was released Saturday on appeal bond after three weeks in jail and prison.

Shilman said in New York that he saw officers at Parchman torture two of the riders and mistreat others.

**Gilfoy charged Shilman's "whole story is exaggerated. The facts are distored. . . . They're all being treated well and everybody knows it."**

Shilman said officers strpped the clothes off Felix Singer, 32, and Terry Sullivan, 23, both of Chicago, and dragged them along a concrete corridor after the two refused to take off their clothes and walk to their cells.

"WHEN THEY WERE pulled along the hall," Shilman said, "Felix was yelling 'You're breaking my arm.' He fell and his head hit the concrete floor and he was dragged nude on his stomach. It was indescribable. Their skin was tearing off their bodies. . . ."

Gilfoy said Singer and Sullivan had refused to leave the truck which transported them from Jackson to Parchman.

He said "We had to take them bodily to the entrance to the maximum security unit where they were jailed.

"They lay down and told us, 'You're going to have to make us do what you want us to do.'

**"We dragged them 15 feet along the concrete hallway inside the building. That concrete is smooth finished and couldn't tear them. I saw them myself and there wasn't a mark on them.**

Gilfoy also discredited Shilman's claim of the use of "cattle shockers" and "wristbreakers" on the two.

"Our procedure for handling prisoners are routine for almost every penitentiary," Gilfoy said.

# More 'Riders' Bound for Mississippi

NEW ORLEANS (UPI)—A new group of "freedom riders," possibly 18 or 20, made plans here today for another sortie to Jackson, Miss., and almost certain arrest.

Thirteen riders, mostly from California, arrived here yesterday. A spokesman for the Congress on Racial Equality, which sponsors the rides, said the riders would meet today to discuss the trip to Jackson, but it was not revealed when they would leave. He said members of the group came from San Francisco, Los Angeles, Berkeley and Oakland, Calif., and Tucson, Ariz.

Ten riders, five Negroes and five whites, arrived last night by train. Three others flew in earlier in the day.

Four Negroes from Jackson added a new twist to the "freedom rides" by trying to leave the capital city yesterday for New Orleans. They were not successful.

Jackson police arrested them at the bus terminal when they entered a segregated white waiting room.

# Mississippi Unlocks Prison Gates To 'Riders'

By Bicknell Eubanks
*Staff Correspondent of The Christian Science Monitor*

Jackson, Miss.

"They're going to get very tired sitting up there in the maximum security section of the state prison."

Gov. Ross R. Barnett was referring to the "overflow" of the "freedom riders" who have been arrested as fast as they come into the capital of Mississippi.

The Governor is a very relaxed man, because he feels the state of Mississippi has met the problem head on and has worked out a system of handling it with a minimum of difficulty.

**'We Have Our Laws'**

"We've had no violence and our people have shown a wonderful restraint," Governor Barnett said. "A cooperative group of peace officers—city, county, and state—have shown that they know how to deal with it. Back of them are local and state officials and back of all of us are the people of Mississippi.

"I don't think Missisippians pay much attention to it any more now."

The Governor wasn't sure just how many "freedom riders" have been arrested here in Jackson—most of them at the bus terminal, and quite a few at the Union Depot (rail).

"We didn't ask for this trouble," Governor Barnett told this correspondent. "We have our laws and we intend to enforce them."

He pointed out that the laws which the "freedom riders" are being charged with violating make no mention of segregation. He feels they are laws wnich are justified and needed during these tense weeks here in this part of the Old South.

They are state laws which have been enacted by the Mississippi Legislature since the 1954 decision of the Supreme Court of the United States outlawing racial segregation in tax-supported schools.

**Loiterers Warned**

"If an individual or a group of people loiter outside a public place or on a sidewalk and a peace officer has reason to believe their presence there might lead to trouble," the Governor explained, "then he has a right to order them to move on. It is entirely within his judgment to decide what to do.

"If they don't move on, then they are violating the law, and we have no recourse other than to arrest them. Then it is up to the court what the punishment will be, within the prescribed limits of the law."

More than 100 "freedom riders," Negro and white, have been arrested in Jackson in the past month. As they filled the jail cells here in the "escape-proof" Hinds County Jail, the Hinds County Board of Supervisors took advantage of a state law which permitted them to have the overflow transferred to the Mississippi Penitentiary at Parchman, in the cotton lands of the Mississippi River bottoms.

**Writer Jailed**

Among those arrested is one white woman, Miss Elizabeth Porter Wyckoff of New York, a former professor of Greek at Mount Holyoke College in Massachusetts who now is a free-lance writer. As with the others, she was given a two-month jail sentence and fined $200. She refused to pay the fine and is working it off in jail at the rate of $3 a day. She was not among the prisoners transferred to the state prison.

Asked whether the "freedom riders" would be put to work in the lowland fields working with other prisoners cultivating the cotton crops, Governor Barnett answered with a crisp "no."

He said he had given specific orders that they not be put into the fields.

His principal reason, he explained, was that they might cut down the verdant cotton stalks instead of the weeds and grass which have to be worked out constantly to keep them from choking out the cotton. Here in the cotton South the process is known as "chopping cotton."

"They might take it literally and chop down the cotton stalks," Governor Barnett said smilingly.

**Prison Visited**

He also explained that they might try to stage a sit-down strike in the field and refuse to work.

"We couldn't make them work," he said, "and you can imagine what effect that would have on the morale of the regular prisoners. We might have all kinds of trouble."

Too, the officials feel that the "freedom riders," who are not accustomed to manual labor, might suffer ill effects from the intense heat under the hot Mississippi sun.

Governor Barnett explained that he had made a trip to the prison to confer with penitentiary officials and to talk with the guard. He said he had given personal orders that none of the "freedom riders" was to be given corporal punishment, "no matter what the provocation."

"Instead," he said, "I ordered that they be confined to maximum security, where they will have nothing to do and no privileges, not even soft drinks. I think they'll get very tired after a while."

**Passengers Debarked**

The Governor explained how the state was prepared to handle the first group of "freedom riders" which came by bus from Montgomery, Ala.

The first Mississippi community of any size which they were scheduled for was Meridian. State officials first asked the bus company to refuse to sell tickets to the "freedom riders." The company replied that it could not refuse to sell tickets under interstate regulations.

Then, when state officials were informed that a large crowd of persons was gathering around the Meridian bus terminal, the transportation company was asked to debark the passengers at some other point.

It was pointed out that the ticket did not specifically state they had to be let out at the depot, but said only "Meridian." The passengers were put out several blocks away from the terminal, and local police provided transportation for them to any place in the city where they wanted to go.

Meanwhile, one of the "freedom riders," Miss Wyckoff, is awaiting action in federal district court on her petition asking for release from jail. United States District Judge Sidney Mize, sitting at Biloxi, Miss., has taken the petition under ad-

visement. Lawyers representing the City of Jackson have opposed the petition on the ground that Miss Wyckoff should try her case first through the state courts.

Many of the "freedom riders" already have been released after posting $100 appeal bonds.

Governor Barnett said that Mississippi has not felt any economic impact as a result of the "freedom rider" troubles. He insisted that, on the other hand, many industrialists had informed him they were impressed with the "calm and orderly way our people have met the situation here in Mississippi."

# Jackson Police Jail 20 More Race Invaders

JACKSON, Miss. (AP)—Twenty more integration-testing "Freedom Riders" arrived in Jackson Sunday by train. Nine minutes later, they were en route to the police station.

The group of Negro and white riders 14 of them from California—were arrested in the depot's white waiting room. Most had taken seats.

Police Capt. J. L. Ray ordered them to move out of the station Marian A. Kendell of San Leandro, Calif., the group's spokesman, answered, "We can't."

**UNDERSTAND ORDER**

Ray asked if each had understood his order. When no one answered to the contrary, Ray placed them under arrest.

"Thank God, it's over," Janis Rogers of Los Angeles said. She made the trip with her husband.

Police charged them with breach of the peace. Their arrest boosted the number of travelers taken into custody here since May 24 to 164.

The riders came to Jackson from New Orleans where detectives watched the group closely in the depot earlier Sunday. A police photographer took pictures as they got tickets and boarded their train without incident.

**A LITTLE SICKENING'**

The riders did not try to test New Orleans facilities.

Before embarking for Jackson, Miss Kendell told newsmen she was making the trip because "when it's all boiled down, the way humanity treats humanity down here is a little sickening."

"I feel once there's equality under the law, other areas of equality will develop," she said.

Mary L. Hamilton, a Los Angeles teacher, said she intended to stay in jail a full six months.

"We are taking these jail terms because the courts have bogged down our civil rights for hundreds of years."

# 7 Freedom Riders Heading for Jackson

*Associated Press.*

JACKSON, Miss., June 6.—Seven more Freedom Riders headed here by bus today and other planned new moves by air to test Mississippi segregation laws despite threats of stiffer punishment.

Five white persons and two Negroes left New Orleans and were due in Jackson this afternoon.

Lewell Weber of East Orange, N. J., spokesman for the group, said they expected to be arrested in Jackson and would serve out their fines in the city or county jail.

Other white Freedom Riders making the trip included Abraham Bassfield, 24, Brooklyn, and James McDonogh, 22, Huntington, L. I.

**Fly-in Expected.**

The first freedom flight in to check on segregation at the Jackson airport was expected to arrive from St. Louis tomorrow.

Plans were announced for students from a half-dozen cities to leave Louisville early next week for Freedom Rides to several Southern cities. The cities were not identified but Jackson has been the most popular target.

Thirteen more Freedom Riders were convicted in Jackson yesterday, raising the total to 65 since the first wave arrived May 24.

None has been charged with violating segregation laws. Instead they were fined $200 and given 60-day suspended sentences on breach of peace charges. The maximum penalty on that charge is a $200 fine and four months in jail.

**Issues Warning.**

City Attorney Jack Travis said he would demand penalties for future Freedom Riders and added that other charges might be filed against them. The city court can assess a maximum fine of $500 and six months in jail.

Most riders have elected to stay in jail to work out their fines at $3 a day. Some have started hunger strikes to emphasize their protests over segregation.

Three Cornell University students, all white, broke their hunger strike last night. They said they believed the Interstate Commerce Commission could accomplish their objective—unsegregated travel facilities for everyone. They had fasted since May 31.

The three were Charles A. Haynie, 25, Douglaston, Queens; Paul Green, 22, New York City, and Joe H. Griffith, 26, Corpus Christi, Tex.

**Five Still Fasting.**

The decision of the students to resume eating left five white and three Negro prisoners still refusing food.

One of the 13 convicted yesterday was the Rev. Richard Gleason, a white 24-year-old Baptist minister from the Bible Witness Mission in Chicago. The minister announced that he had broken connections with the Freedom Riders because they included atheists, persons with police records and some who talked of communism.

In New York, Dr. Martin Luther King Jr., of Atlanta president of the Southern Christian Leadership Conference, urged President Kennedy to issue a "second emancipation proclamation" in the form of an executive order which would declare all forms of racial segregation illegal.

A twice-postponed Freedom Ride from Richmond, Va., to Jackson by 11 Virginia Union University students apparently fizzled out. Only the spokesman, Charles Sherrod, was aboard a bus which left last night, and he had a ticket only as far as Atlanta.

# 20 More 'Riders' Jailed On Arrival In Jackson

JACKSON, Miss. (AP)—Twenty more integration testing "riders" arrived in Jackson Sunday by train. Nine minutes later, they were en route to the police station.

The group of Negro and white riders — 14 of them from California—were arrested in the depot's white waiting room. Most had taken seats.

Police Capt. J. L. Ray ordered them to move out of the station. Marian A. Kendell of San Leandro, Calif., the group's spokesman, answered: "We can't."

Ray asked if each had understood his order. When no one answered to the contrary, Ray placed them under arrest.

"Thank God, it's over," Janis Rogers of Los Angeles said. She made the trip with her husband.

Police charged them with breach of the peace. Their arrest boosted the number of travelers taken into custody here since May 24 to 164.

The riders came to Jackson from New Orleans where detectives watched the group closely in the depot earlier Sunday. A police photographer took pictures as they got tickets and boarded their train without incident.

The riders did not try to test New Orleans facilities.

Before embarking for Jackson, Miss Kendell told newsmen she was making the trip because "when it's all boiled down, the way humanity treats humanity down here is a little sickening."

"I feel once there's equality under the law, other areas of equality will develop," she said.

Mary L. Hamilton, a Los Angeles teacher, said she intended to stay in jail a full six months. "We are taking these jail terms because the courts have bogged down our civil rights for hundreds of years."

# Jackson Jails More 'Riders'

## Group Of 20 Is Largest Since Integration Test Began

By United Press International

JACKSON Miss., June 25.—The largest single group of self-styled "Freedom Riders" to challenge segregation here arrived Sunday and went to jail.

Twenty riders from six states, most of them from California, came here by train from New Orleans and were arrested after refusing orders to leave a segregated waiting room at the Illinois Central Depot.

Arrests of the 11 Negroes and nine whites brought to 164 the total number of riders taken into custody on breach of the peace charges here since the massive integration campaign began last month.

**Isolation Ordered**

At the state penitentiary in Parchman, officials ordered one rider isolated from other prisoners to learn if he is actually on a hunger strike. The rider, Price Chatham, 29, of Long Island, N. Y., claims he has not eaten since he left home to take a protest ride. He was arrested here June 2.

Chatham, one of 58 riders transferred to the penitentiary to relieve crowded conditions in Jackson jails, signed a statement Saturday saying he was remaining on the strike "until all the transportation facilities in the city of Jackson are integrated—completely integrated." He said he was also protesting "unjust and unwarranted prison sentences for all the Freedom Riders."

But the penitentiary physician, Dr. Hector P. Harrell, examined Chatham and said, "It is my opinion this man is eating."

**Food Intake Checked**

Dr. Harrell said Chatham apparently was "unduly alarming the officers of the maximum security unit" with claims that he is striking. "I recommend isolation, so that his food intake can be checked," said the doctor.

Officials, who said Chatham had lost only 2½ pounds, moved him to a cell alone in order that he cannot eat other prisoners' food.

A local Episcopal minister, the Rev. Edward Harrison, took bread and wine to the city jail here Sunday morning in order that a California minister who joined the rider movement could give communion to himself and another rider who is an Episcopalian. The jailed minister is the Rev. Grant Muse of Berkeley, Calif.

This raised to 164 the number of riders taken into custody here since May 24.

The twenty had traveled from New Orleans they did not try to test facilities there.

Mary L. Hamilton, a Los Angeles teacher, said she intended to stay in jail six months.

"We are taking these jail terms because the courts have bogged down our civil rights for hundreds of years," she declared.

In the group was Frank Nelson of Brooklyn, New York.

# *20 More Riders Sent Off to Jail In Jackson, Miss.*

Twenty more integration-testing "Freedom Riders" arrived in Jackson today by train. Nine minutes later, they were en route to the police station.

The group of Negro and white riders—14 of them from California—were arrested in the depot's white waiting room. Most had taken seats.

Police charged them with breach of the peace. Their arrest boosted the number of travelers taken into custody here since May 24 to 164.

One of the group was identified as Claire Toombs, 1921 East-West Highway, Silver Spring, Md.

# *20 FREEDOM RIDERS SEIZED IN JACKSON*

JACKSON, Miss., June 25 (AP)—Twenty Freedom Riders arrived today by train. Nine minutes later, they were arrested.

The group of Negro and white riders, fourteen from California, were seized in the depot's white waiting room. Most had taken seats.

Police Capt. J. L. Ray ordered them to leave the station. Marian A. Kendell of San Leandro, Calif., the group's spokesman, replied: "We can't."

The officer asked if each had understood his order. When none replied to the contrary, he placed them under arrest on a charge of breaching the peace.

LEWELL WOODS
Past Revealed

# Say 'Rider' Has Criminal Background

A Chicago Negro newspaper reporter arrested here as a "freedom rider" has a criminal background involving narcotics, police said yesterday.

An FBI report on Lewell A. Woods, Jr., 34, Negro, of Chicago, shows he was arrested August 23, 1954 in Chicago for possession of narcotics.

He drew a six month jail sentence and two years probation on the charge.

Woods was arrested in Jackson June 19 and sentenced to four months in jail and fined $200.

Woods told police here he is a police reporter for the "New Crusader" newspaper in Chicago. He said he is a member of the Congress of Racial Equality, which sponsors the rides to Jackson, and that he has been active in integration picketing in Chicago.

MISSISSIPPI JACKSON- FREEDOM RIDERS

# Riders' Attempts 'Service To State'

## Sovereignty Official Says Mississippi Benefited

Special to The Commercial Appeal

POCATELLO, Idaho, June 22.—A Mississippi Sovereignty Commission official told a Rotary meeting here Thursday that self-styled "Freedom Riders" had "actually done the state a service."

Erle Johnston Jr., public relations director for the segregation watchdog agency, asserted that the riders had failed "in their effort to embarrass Mississippi or to provoke violence."

"Instead, they brought many representatives of news media into Mississippi who were able to learn first-hand how the two races work and live in harmony under a system of segregation," the state agency's spokesman said.

Mr. Johnston, editor of the Scott County, Miss., Times at Forest, said Mississippians "followed a recommendation of Gov. Ross Barnett to ignore the riders and leave the situation to law enforcment officials."

He told residents of Pocatello, a city of 30,000 with a small Negro population, that "you are far away from our problem, but it is a problem of states' rights, and the people of Idaho may now or in the future have a situation which should be solved by your state and yet the Federal Government would try to move in and tell you what to do about it."

Asserting that Mississippi is giving Negroes "a square deal in education, courts, job opportunities and recreation," Mr. Johnston said. "The vast majority of Negroes prefer this square deal program to the integration advocated in Washington. We can work out our problems if outsiders leave us alone."

# RACE ACTION RAPPED

## Use Of Marshals To Hurt Democratic Party

GULFPORT, Miss., June 22.—(UPI)—Mississippi's Democratic chairman said Thursday the use of federal marshals in Alabama following last month's racial violence will hurt the Demo-

crats in future elections.

Richard Adam said, "Southern people resent the sending of marshals to Alabama just as much as they resented the use of troops at Little Rock, Ark. under a Republican administration.

"If they keep on," he said, "there's not going to be either a Republican or a Democratic party left in the South.

"All Southerners, regardless of their party affiliations, should unite and stand up against this type of thing," he said.

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MISSISSIPPI

FREEDOM RIDER- JACKSON, MISS.
LEON DANIEL HORNE, MISSISSIPPI NEGRO

# Blast 'Turn Coat' Rider In His 'Smear' Attempt

By HILLARD J. McFALL

In Chicago, Earl Hopson, assistant administrator of International Wings Church Corporation, a non-denominational religious organization chartered by the State of Illinois, blasted Leon Daniel Horne, a 24 year old Mississippi Negro who was taken from his cell in the county jail at Jackson, Miss., for the purpose of making a statement to the press concerning his trip from Chicago with a group of "Freedom Riders."

**WON'T STARVE**

Hopson referred to a statement by Horne in which he said, "I would rather be in jail in Mississippi than starve in Chicago." In an official communique from the church organization Hopson said, "we do not feel that Horne was justified in his effort to berate the courageous Freedom Riders who are fighting for first-class citizenship and the provisions of the Bill of Rights and the Constitution of the United States."

**CHURCH HELPS**

Hopson told of how his organization helped Rena Spencer, an immigrant to Chicago who has six children and no job. He said, "Chicago is a great city and anyone who wants to work can find it. We help people find jobs every day through my office in the Hayes hotel and we help to feed them."

According to reports Horne begged officials of the Congress of Racial Equality (CORE) for a free ride from Chicago to Jackson.

**GIVEN MONEY**

He was given $20 to get from Chicago to Nashville, Tenn., and then given $15 to get from Nashville to Jackson. Upon his arrival in Jackson with the "Freedom Riders" he was jailed along with loyal members of the group.

Back in the Deep South again, Horne quickly turned against his benefactors and began to berate them. He called for the (High Sheriff) and told him how happy he was to be in jail in Jackson instead of starving in Chicago.

**CONFRONTS REPORTERS**

When confronted by newsmen Horne reportedly said "they are making fools out of some Negroes, why not turn this thing around . . . ?" Horne said, he would not advise anyone to affiliate with the "Freedom Riders."

He then added "they are demoralized characters. That's as nice a thing as I can say about them."

Horne said, one of the white women "Freedom Riders" told him on the bus that she had been to Cuba. He (Horne) said he was interested in why she had gone to Cuba.

**CHARGES COMMUNISM**

The woman allegedly told him that she was associated with the Communists. Horne ended his (Press Release) saying "As far as the Freedom Riders are concerned, I want nothing to do with them, my only interest was to come home."

Officers took Horne out of jail long enough to be interviewed and to hurl accusations at the "Freedom Riders." He was then returned to jail.

CORE officials criticized Horne whom they tried to help for making such remarks.

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MISSISSIPPI

FREEDOM RIDER-
MISS ELIZABETH PORTER WYCKOFF, NEW YORK
TESTS ARRESTS IN U.S. COURT

# Woman Rider Tests Arrests In U.S. Court

## New York Writer Charges State Law Is Unconstitutional

By BOB PITTMAN
Daily News Staff Writer

BILOXI, Miss. — A white woman "freedom rider" went into federal court here today in an effort to show that the Mississippi law under which she was arrested and convicted is unconstitutional.

The hearing for Elizabeth Porter Wyckoff, 45-year-old free lance writer from New York, will have a direct bearing on legal maneuvering of the other 130 "freedom riders" who have already been jailed in Jackson and others expected to follow.

Federal District Judge Sidney Mize was to hear the woman at 10 a. m.

She filed a petition for writ of habeas corpus Friday and Negro attorney Jack Young of Jackson, who has represented all the "freedom riders," delivered it to Judge Mize Saturday.

The writ asks Mize to determine whether Miss Wyckoff's rights were denied when she was arrested and jailed.

Miss Wyckoff arrived in Jackson June 2 in a group of 33 "freedom riders." She was the first white woman to come to Jackson as a "rider."

**BREACH OF PEACE**

Like the other "riders" she was charged with committing a breach of the peace. Upon conviction she was sentenced to pay a fine of $200 and a two month jail term was suspended.

She is serving a jail term now to pay off the fine—at the rate of $3 per day. She still has about 50 days to serve.

Miss Wyckoff flew from Jackson to Biloxi early this morning in the custody of Hinds County Sheriff Bob Gilfoy.

Jackson city police officers were also on hand for the hearing.

Atty. Gen. Joe Patterson was scheduled to represent the state in the hearing.

He will be aided by Ed Cates and Pete Stockett, both attorney general staff members.

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MISSISSIPPI

SEPTEMBER
JACKSON- FREEDOM RIDERS

# Pastors Jailed In Fight on Bias

JACKSON, Miss., Sept. 15 (UPI).—A judge gave four-month jail sentences Friday to 15 Episcopal priests, three of them Negroes, who attempted to dine together in a segregated restaurant here.

The ministers planned to file appeals of their convictions, but none was released under appeal bond immediately. They said that some may decide to serve out their sentences.

**ON BIAS PILGRIMAGE**

The group, including the Rev Robert L. Pierson, 35, a son-in-law of New York Gov. Nelson Rockefeller, were arrested here Wednesday while making an anti-segregation "prayer pilgrimage."

Municipal Judge James L. Spencer, himself an Episcopalian, ordered a jail sentence and a $200 fine for each minister after a two-hour trial in which Assistant City Attorney Robert L. Nichols, also an Episcopalian served as prosecutor.

Spencer said it was "especially grievous" for him to pass the sentences because the defendants were ministers of his church. However, the judge said, he believed they had not only violated Mississippi law but also "the articles of religion of my faith."

**CITES CHURCH ARTICLE**

The judge cited an article of religion from the Episcopal Book of Common Prayer. It said: "The power of the civil magistrate extendeth to all men, as well clergy as laity, in all things temporal; but hath no authority purely spiritual. And we hold it to be the duty of all men who are professors of the Gospel, to pay respectful obedience to the civil authority, regularly and legitimately constituted."

The ministers, like 307 "freedom riders" before them, were charged with breaching the peace after refusing police orders to "move on."

Judge Spencer said the "only conceivable result" of such visits to Jackson would be violence and bloodshed if civil officials did not act.

# Trial Delayed For Student Held As 'Rider'

MITE, La. (UPI) — The case against a German student, who was arrested in Hammond, La., as a "freedom rider" last week, was postponed indefinitely yesterday.

Dist. Atty. Duncan Kemp confirmed that Willie Heinrich Hoever, 30, of Issum, Germany, was being allowed to rejoin a group of foreign students touring the South.

Hoever had been scheduled to appear in court at Hammond today to face a breach of the peace charge.

It had been reported earlier that the charges against Hoever were being dropped following talks between Tangipahoa officials and James O'Grady, a representative of the U. S. State Department.

Neither O'Grady nor Kemp would comment on any "negotiations" between them and O'Grady told United Press International that he thought the case should be played down.

Hoever said Monday he did not mean to cause any trouble when he tried to eat in the Negro section of a bus station restaurant. Hoever stated he did not know he was breaking the law.

But Hammond Police Chief Robert W. Smith said, "We didn't arrest him until he made it clear that he knew what he was doing."

**FEARED 'RIOT'**

The only State witness was Police Capt. J. L. Ray, who testified he believed a riot would have erupted in the local Trailways Bus station if he had not arrested the ministers when they tried to have lunch at the terminal's restaurant.

A statement, drafted by all 15 ministers, said there is no place in the Episcopal Church for "separation by race, class, or culture." It also said there was separation in the North as well as the South.

**FREED**—Thirteen Episcopal clergymen file from Jackson (Miss.) City Jail after gaining freedom by posting $500 bonds. They were convicted on breach of peace charges after seeking to desegregate a Trailways bus terminal. They left by plane for Atlanta.

# Freedom Riders Draw Up to Two-Year Sentences, $2,000 Fines; Priests Out on Bond

JACKSON, Miss.—(ANP)—Freedom Riders' hearings continued last week in two of the South's most racial troubled cities—Montgomery (Ala.) where 11 Riders were convicted, fined and sentenced, and in Jackson (Miss.) where an interracial group of 15 Episcopal ministers were convicted and released under bond.

Ten of the 11 Freedom Riders convicted in Montgomery were fined $100 each and sentenced from 10 to 15 days in jail. The other rider was sentenced to 90 days in jail

The interracial group of 11 included Yale University Chaplain Rev. William S. Coffin and three other white educators on the faculties of Yale and Wesleyan universities. Also included were three Southern Negroes prominent in the fight for integration: The Revs. Ralph Abernathy, Fred Shuttlesworth and Wyatt Tee Walker.

Judge Alex Marks of the Court of Common Pleas singled out Rev. Walker for the heavier (90-day) sentence because of his (Walker's) work in publicizing activities of the integrationists. "Very little trouble would have happened in Alabama if so much publicity had not been given to the papers, radio and TV stations," Judge Marks said.

The judge set appeal bonds of $400 for Abernathy and another rider, $750 for Walker and $500 for the remaining eight.

**Two Years and $2,000**

In Jackson last week, CORE iFeld Secretary James L. Bevel, 24, stood alone in Hinds county court and unsuccessfully defended himself on four charges of contributing to the delinquency of a minor.

Bevel, a native of Itta Bena, Miss., was convicted on all four counts and sentenced to a total of $2,000 fine and two years in jail. He did not appeal.

County Judge Russel Moore advised Bevel he would get a suspended sentence if he chose not to contest the charges. But Bevel chose to handle his own defense and cited Bible teachings and principles of the non-violent movement.

Prosecutor Robert Nichols said the Bible was not involved in a legal case and that the Negro minors had given statements saying Bevel induced them to try to desegregate a Jackson bus terminal.

**Priests Released on Bond**

Also in Jackson, a bi-racial group of 13 Episcopal priests, including New York Gov. Rockefeller's son-in-law, who were arrested for attempting to dine together in a segregated restaurant were released last week under bond.

**Two Remain**

The 13 released, among a group of 15 arrested, said they would appeal their breach-of-the-peace convictions to the United States Supreme Court, if necessary. Two Chicago priests—the Revs. Robert Taylor and James Jones—elected to remain in jail.

The 13 freed on appeal bonds prayed in front of the jail for courts of justice before catching a flight for Atlanta en route to the National Episcopal Convention in Detroit.

**Praise and Censure**

Both praise and censure came from Episcopal bishops across the nation.

Presiding Bishop of the Episcopal Church in the U. S. A., the Rt. Rev. Arthur C. Lichtenberger of Detroit, praised the action of the 15 clergymen. He said they were "attempting to bear witness to their Christian convictions about racial matters and to make it evident to the whole country what the position of the Episcopal Church is."

Bishop William Campbell of Charleston, W. Va., head of the West Virginia Episcopal Diocese, said the "Prayer Pilgrimage deliberately and defiantly violated the known laws of municipalities and states . . . Personally, have little sympathy for them . . . not because of their goals and ideals, but because of their tactics."

**To Raise $1,000**

The Chicago Chapter of the Episcopal Society for Cultural and Racial Unity appealed to its members last week to raise $1,000 for appeal bonds for two of the three Illinois priests arrested in the group of 15. An official source said that the third Illinois priest—the Rev. Robert L. Pierson, Rockefeller's son-in-law—will apparently have his bail paid from another source.

Clifford Phelps Morehouse of New York, newly elected president of the Episcopal House of Deputies, said he does not expect the church convention to challenge Mississippi's jailing of the clergymen.

"I hardly think it's in the convention's competence," Morehouse said. "It is not within our province to rebuke Judge Spencer."

# Episcopal Priests Released On Bond

## Chicago Pair To Return To Jackson Trial Oct. 9

JACKSON, Miss., Sept. 29.—(UPI)—Two Episcopal priests who challenged racial segregation here were released under bond Friday after two weeks in city jail.

The Revs. Robert Taylor and James Jones, both of Chicago, were freed under $500 appeal bonds. They each presented a bouquet of roses to Capt. J. L. Ray, the officer who arrested them, as a going-away present.

They were among a bi-racial group of 15 priests who attempted to dine in a segregated restaurant here while on an anti-segregation "prayer pilgrimage." The others were released under bond last week but the Rev. Mr. Taylor and the Rev. Mr. Jones decided to remain for a while.

All 15 ministers are scheduled to return here Oct. 9 for arraignment in Hinds County Court pending their appeal trials on breach of the peace charges.

One of the ministers who were released earlier, the Rev. Canon John Crocker Jr. of Providence, R. I., told a church audience in Providence Thursday night the Episcopal Church features "incredible hypocrisy" toward racial problems in the North as well as the South.

# Jailed Rector 'Rider' Found South Friendly

By Kenneth Dole
Staff Reporter

When "things change" in Mississippi, a young Jackson police officer will get an invitation from a Washington Negro rector to join him for a cup of coffee.

The Rev. Quinland Gordon, who has just returned after serving a few days in the Jackson jail, considers the policeman a symbol of a South on the move—away from segregation.

The policeman, a detective, fingerprinted and photograped Father Gordon after his arrest with 14 other Episcopal clergy on a charge of breaking the peace at a bus station.

The detective, about 30 years old, impressed Father Gordon as "rather embarrassed and a little apologetic." On learning the Episcopal priest was born in Greenwich, Conn., he felt it necessary to explain that racial segregation in bus stations is a Southern custom.

"He was just as nice and polite as he could be," the rector said. "I asked if I could have his name. After things change in Mississippi I am going to write and ask if he will have a cup of coffee with me."

The police captain who arrested the ministers in a Trailways bus station as they were about to leave for Chattanooga told a judge that onlookers were in an "ugly mood" and "acting antagonistically" toward the clergy. "I felt that if I had not acted quickly there would have been a riot," the policeman said.

Father Gordon, rector of the Church of the Atonement, 5073 East Capitol st., noticed nothing disturbing. The 15 people in the waiting room were "just quiet and curious," he said. When the ministers, after their arrest, bowed their heads and said the Lord's Prayer, three women coming downstairs "just stopped and stood still."

There was "no reaction at all from the onlookers," it seemed to the Washingtonian. "They were completely passive, as if to say this is just something else that is happening."

The courtroom crowd was equally quiet, Father Gordon said.

When the judge convicted the clergymen of violating local law and said they also violated Episcopal canon law, a man whom the minister took to be a city official exclaimed vigorously, "Good, good, good—just what it should be."

Among the ministers, who were sentenced to four months in jail and a $200 fine, was another Washingtonian, the Rev. William A. Wendt, rector of St. Stephen and the Incarnation Episcopal Church, 16th and Newton sts. nw. He is returning to the city early next week.

# Suit Defending Riders Heads for Court Test

JACKSON, Miss., July 10 (AP).—A suit to prevent police from arresting Freedom Riders and other Negroes seeking to use public facilities in Mississippi headed for a Federal Court test at Jackson today as the number of riders arrested soured to 227.

A three-judge Federal Court planned to hear the injunction request filed by the National Association for the Advancement of Colored People.

The suit attacked State laws requiring separate racial facilities in railroad cars, buses, restrooms and waiting rooms and the posting of notices at terminals.

Such laws, the suit contended, subject Negroes to "daily public inconvenience, harassment, and embarrassment (and) violate rights secured . . . by the due process clause of the 14th Amendment to the United States Constitution."

Police in Jackson contended the presence of tre riders, after announcing their intentions to violate a law, was a breach of the peace, and was compounded by refusal to move on as ordered by officers.

City Judge James L. Spencer said recently the riders were not arraigned for breaking laws but because their presence created a condition "whereby a breach of the peace may be occasioned . . ."

Nine riders from New Orleans and eight from Montgomery, Ala., were arrested yesterday when they tried unsuccessfully to mix the races in terminal waiting rooms. Eleven more were arrested in Jackson late last night on breach of peace charges. This raised the total number arrested since May 24 to 227.

The riders arrested late last night—all Negroes and six of them juveniles—attempted to buy tickets at the Trailways bus terminal for Canton, some 20 miles north of Jackson. They were taken into custody when they refused to move on when ordered to do so by a police captain.

### Third Out on Bond

About a third of the 28 riders arrested since May 24 are out on bond. A total of 82 are held at the State Prison at Parchman, 130 miles from Jackson, and 63 are in Jackson jails.

A spokesman for the Congress of Racial Equality said five 'Freedom Riders' planned to leave St. Louis today to attack separate bus and railroad facilities in Arkansas, Louisiana, Mississippi, Tennessee and Illinois.

The Rev. Raymond Lathan, pastor of the New Hope Baptist Church at Milwaukee, said he hoped to recruit as many as 100 riders for a trip south. The Negro pastor did not set a date.

### Tension in Chicago

At Chicago, nine arrests were made as 80 Negroes and white persons staged a wade-in for the second day at Rainbow Beach. More than 280 policemen patroled the beach while the demonstrators sat in small groups amid about 10,000 bathers and onlookers.

Police said there were no serious disturbances at the beach. However, a car loaded with demonstrators was stopped on the way home from the beach and one youth pulled out and kicked and another slapped.

Those arrested and charged with disorderly conduct included eight white persons and one Negro.

# Freedom Riders Roll On In Defiance of Miss. Jail

JACKSON, Miss—Authorities in this city over the past week-end were holding and estimated 220 or more Freedom Riders while expecting more arrivals from at least a half dozen scattered points throughout the nation.

From the local scene police arrested two Jackson youths, both Negroes, who sought service at a Walgreen Drug Store lunch counter reserved "for whites." They were Jimmie Travers, 18 and Luvaughn Brown, 16.

**The Jackson arrests began last May 24. About one-third of those arrested are said by police to be out on bond, 82 were still being held in prison at Parchman, and 52 remain in Jackson jails.**

■

**RABBI SIDNEY D.** Shanken, leader of Temple Beth El congregation at Cranford, N. J., set out at mid-week with a group of 13 persons from Newark to further test Deep South attitudes on Freedom Riders actions. Backing the group is the New Jersey Committee to Support Freedom Riders.

**Four Freedom Riders from St. Louis, headed by the Rev. Elton B. Cox, last Wednesday were given suspended sentences of six months each, and fines of $500 provided they left town.**

Included in the group were Mrs. Janet Reintiz, a white housewife from New York, and the Rev. John C. Raines, 27, of Long Island, also white. The fourth was Miss Bliss Anne Malone, a colored St. Louis teacher.

■

**LOS ANGELES**—Headed from this city last Wednesday, traveling by bus to test interstate traveling facilities, and enroute to Jackson, Miss., was a group including four Negroes and eight whites. They were expected to arrive in Jackson.

**The nine-man, three-woman contingent was being led by the Rev. Douglas A. Williams, pastor of Greator Cornerstone Baptist Church. A church group raised more than $2,500 to finance the trip through the South.**

At mid-week, also, the Federal Government through the Department of Justice had joined a suit at Jackson in which the NAACP had asked a District Court to knock down Mississippi's trave segregation laws. The U. S. was charging that the state had gone "beyond the scope of its legal powers" in the arrests of Freedom Riders.

■

**AT DEARBORN,** Mich., last week, a group of 49 Negroes and white split up and begun tests in this all-white suburb, of various facilities where Negroes had not, as a rule, been getting service. The places included swimming pools, restaurants and bowling alleys.

Represented in the groups were Michigan Young Democrats, and Detroit and Ann Arbor chapters of CORE. At Oak Park, Mich., similar testing efforts were undertaken.

**In Baltimore, the "Jackie Robinson Youth Council" of the NAACP was continuing in picketing demonstration against the city's Gas and Electric Company and the Chesapeake and Potomac Telephone, as firms which refuse to hire Negroes in skilled or higher level jobs.**

The telephone company hires a token number, but the Gas and Electric Company hires no Negroes as clerks or in skilled jobs.

# Freedom Riders Tactics Opposed By Governor Of Minnesota

## Governor Refuses To Condone Deliberate Breaking of Law

The Governor of Minnesota, home state of Negro State Dept. aide who recently attacked former President Truman for his statement criticizing the Freedom Riders, has written a letter to the Governor of Mississippi which expresses his opposition against the tactics of the Freedom Riders.

"We believe everything should be done to encourage good human relationships but at no time can we condone deliberate breaking of the law", Minnesota's Governor Elmer L. Anderson said in a letter to Governor Ross R. Barnett of Mississippi.

**"If a law is wrong or bad there are proper ways to seek to change it, but deliberate violations strike deep at fundamentals in our American way of life," the Minnesota governor declared.**

**Gov. Barnett was commended for the excellent treatment extended freedom riders and representatives from Minnesota who came here last week to investiagte treatment given Minnesota freedom riders.**

**Barnett said Monday that he appreciated the attitude of the Minnesotan.**

**Mississippi's governor ordered public officials to conduct Mrs. Wright Brooks, Human Relations Committee director and Asst. Attorney General John Ed Casey, of Minnesota, on a tour of Jackson jails and the Parchman penitentiary maximum security unit where freedom riders are kept prisoner.**

**They also were shown extensively around Jackson by order of Mayor Allen C. Thompson. Hinds County Sheriff Bob Gilfoy personally guided a tour of his jail.**

**Gov. Anderson's letter to Gov. Barnett was as follows:**

**"Mrs. Wright Brooks and Mr. John Casey have returned to Minnesota. They tell me they were treated with the greatest courtesy and that they had a full opportunity to visit the Jackson jail and the prison at Parchman, and to see the Minnesotans who are imprisoned there.**

**"They are reporting to our people that the prisoners indicate they have in no way been mistreated, that there was some delay about mail earlier but that this has now been worked out.**

**"We are indicating that we believe everything should be done to encourage good human relationships but at no time can we condone deliberate breaking of any law. If a law is wrong or bad there are proper ways to seek to change it, but deliberate violations strike at deep fundamentals in our American way of life.**

**"I believe the trip has been worthwhile from our standpoint, and I believe it has been beneficial from yours, Governor, and I hope it seems that way to you."**

# 8 Freedom Riders Arrested; Total Now Numbers 236

JACKSON, Miss.—(UPI)—Eight "freedom riders" were arrested in segregated waiting rooms at bus and train stations Sunday. The arrests brought to 236 the number of integrationists taken into custody on breach of the peace charges since May 24.

Seven of the riders were arrested at the Greyhound bus terminal after the bi-racial group arrived from Nashville. Tenn. A lone rider was arrested at the Illinois Central Railroad depot after he entered the waiting room reserved for whites.

A Negro college student from New Orleans, Leo Washington, 24, was charged with assaulting a white man Saturday night during the arrival of 12 "freedom riders" at the bus station.

Washington allegedly stomped on the toe of the man who shoved him off his foot and against a wall. The white man, Mississippi college graduate student Cecil Lindsay, accompanied officers to police headquarters to sign an affadavit against Washington.

Sponsors of "freedom rides" in Alabama are scheduled to appear in federal district court in Montgomery, Ala., Monday to show cause why they should not be enjoined from backing further rides into the state.

The hearing on the preliminary injunction petition is scheduled before federal Judge Frank M. Johnson, Jr., who several weeks ago issued a temporary restraining order against the groups. The temporary order remained in effect for a period of 20 days only.

The case is a continuation of the U. S. Justice Department's complaint against Montgomery Police Commissioner L. B. Sullivan, Police Chief G. J. Ruppenthal, and various Ku Klux Klan groups, all of which were enjoined against interfering with interstate travel in Alabama.

# Freedom Riders To Step Up Tests Of Bias Travel

JACKSON, Miss. -- Techniques remained the same on all phases of the Freedom Ride situation early this week. The Congress of Racial Equality, seeking to break the racial barriers in bus, railway and airport terminals of the Deep and City Judge James Spencer continued to convict the riders as fast as they were brought into his court.

There were two interesting developments in the Freedom Ride situation on Monday which could affect two suits which have been filed in the U. S. District Court.

The first was a written opinion of Federal Judge Sidney Mize in turning down a move aimed at having the arrests of Freedom Riders declared unconstitutional.

The second was a motion filed by the City of Jackson seeking to be removed as a defendant from a suit filed by the NAACP seeking to halt the arrests of Freedom Riders.

Five new Freedom Riders were arrested Sunday in the Trailway Bus terminal on "breach of the peace" charges. They were tried Monday before Judge Spencer and were found guilty.

Judge Spencer handed down $200 fines and 4-month jail sentences to the five, bringing to a total of 168 Freedom Riders tried and sentences since May 24. Of the total 169 arrested, one was freed and sent home because of his youth. He was 17-years-old.

Of the 168 convicted, 59 hae posted appeal bonds, four have paid fines to gain their freedom; 23 remain in Jackson jails, and 77 have been transferred to the state penitentiary at Parchman.

Federal Judge Sidney Mize, who last week rejected a plea for a writ of habeas corpus in the case of one Freedom Rider, Elizabeth Wyckoff, delivered a written opinion on the decision Monday.

Attorneys for Miss Wyckoff claimed her arrest under a "breach of the peace" statute was an unlawful enforcement of racial segregation in a bus station terminal.

Judge Mize, in his opinion, said Miss Wyckoff was "not convicted of any law with reference to integration or segregation."

"The state's breach of the peace statute is common to many states and is wise exercise of police powers of the state," he said.

"The wisdom of the statute was exemplified," the judge said, in Miss Wyckoff's attorney's reference to "the bloodshed that occurred in Montgomery, Alabama."

"No such occurrences happened in Mississippi but had it not been for the orderly enforcement by officers of the state of Mississippi, they could have," Judge Mize said.

Judge Mize will be a member of a three-judge panel here July 10 to consider the suit filed by the NAACP. Others on the panel are Chief Judge Elbert Tuttle of the U. S. Fifth Circuit Court of Appeals, and Federal Judge Claude Clayton, Tupelo, Miss.

The City of Jackson on Monday asked the Federal Court to remove it from the NAACP suit aimed at halting Freedom Riders' arrests.

The city petition contends the City of Jackson is incapable of violating the law and the suit is not really a class action. It contends further that the three Negro plaintiffs "have not shown they were denied rights or suffered injury."

# Prisoners Charged With Theft Of Ring And Money in Miss.

JACKSON, Miss. — (UPI) — Two Negro prisoners in the Hinds County jail here were charged with stealing $75 and a diamond ring belonging to an integration leader and his wife.

The items disappeared from the belongings of the Rev. Wyatt Tee Walker, a Negro from Atlanta, and his wife last week while they were held after making a "freedom ride" here.

Robert Simpson and Ballard Catchings, local Negroes who were "trusties" in the jail, admitted the theft, officers said.

Sheriff J. R. Gilfoy reported the two prisoners said they used a coat hanger to lift Walker's overnight bag from a locked cell, removed the money and ring, and put the bag back in the cell.

Gilfoy said the two trusties, who are often sent on errands throughout the city, had spent the money. He said they hid the ring in a steel door casing and officials had been unable to figure out how to get it out. "It might be cheaper to replace the ring," said Gilfoy.

Simpson and Catchings have been charged with grand larceny.

Associated Press Wirephoto

'FREEDOM RIDERS' ARE LOADED INTO CITY POLICE VAN AFTER ARREST IN JACKSON WEDNESDAY

*Bail Set at $1,500 Each But Riders Said They Chose to Remain in Jail as Part of Their Protest*

# Mississippi Jails 27 Bus Riders

The Atlanta Constitution

By BRUCE GALPHIN
Constitution Staff Writer

JACKSON—Twenty-seven "Freedom Riders" on two buses were rushed under heavy guard Wednesday from Montgomery to this capital, where all were promptly clapped in jail.

No incidents of violence were reported on either trip, though one rider protested what he called "police state" tactics of a Mississippi National Guard officer.

**2 WHITE MEN**

Arrested on charges of disorderly conduct and failure to obey police orders were 12 riders from the first bus and 15 riders from the second. A white man was on each bus. The rest were Negroes.

Charges of inciting to riot were originally brought against the riders but later dropped. Bail for each was set at $1,000, but all chose to remain in jail as part of their non-violent protest against segregation.

Their cases probably will come to trial Friday.

Among those jailed was James Farmer, national director of the Congress on Racial Equality, the organization which organized the "Freedom Riders." Frank George Holloway, a student at Morehouse College in Atlanta, was also among those arrested.

**SCORES OF GUARDS**

The riders were whisked out of Montgomery, scene of a bloody clubbing incident when a bus-load of demonstrators arrived last Saturday, under the protection of scores of Alabama National Guardsmen and state patrolmen, as well as National Guard airplanes.

Most of the riders Wednesday were fresh volunteers who relieved the original battered crew. Despite a state injunction against the demonstration, there were no arrests in Montgomery.

Eight Negroes in the first group ate at a white lunch counter without interference before leaving Montgomery. They were served by Negro waitresses.

The Trailways bus on which they rode left at the scheduled time, but it was a special section which carried only the demonstrators and newsmen. A second bus for regular passengers left some 15 minutes later.

The removal from Alabama was carried out with intricate military precision under the command of Maj. Gen. Henry V. Graham, adjutant general.

The block around the terminal was surrounded and barred to traffic by 250 guardsmen. There were few civilian spectators.

A convoy consisting of 16 Highway Patrol cars, each carrying three guardsmen and two troopers, escorted the bus to the Alabama line.

**NEWSMEN IN CONVOY**

Newsmen were allowed to drive in the convoy. Others rode on the bus with the demonstrators and more national guardsmen.

Graham had set up extra guard units at a number of points along the route to Mississippi. Two and sometimes as many as four National Guard planes circled slowly above the caravan.

The bus made rest stops at the side of the road about once an hour while in Alabama so it never stopped in a city or a bus terminal.

The first stop, a short distance out of Montgomery, was unscheduled: one of the riders was ill with an intestinal upset.

Graham clapped a hand on the embarrassed man's shoulder and said, "That's all right. We all get sick."

At one of the stops, the Rev. James Lawson Jr., former theology student at Vanderbilt University, asserted that the riders did not want protection.

The guarded trip, he declared, "does not help to reveal the character of segregation in the South."

Asked about possible physical injury, he replied:

"Only through nonviolent demonstrations in which we accept violence without return . . . will the American people understand."

Near Demopolis, two cars flying Confederate flags and driven by teen-agers pulled into the convoy. Patrolmen quickly ordered them out.

At the Mississippi line, Magnolia State guardsmen replaced the Alabamans on the bus.

**HIGH SPEEDS**

The bus, preceded by Misssissippi State Patrol cars, roared through the countryside at speeds up to 90 miles per hour without making a stop.

As soon as the bus stopped in Jackson, the first two female demonstartors were told to move out of the terminal. When they hesitated, they were immediately arrested. Eight of the men were arrested while trying to use white restroom facilities.

There were few spectators around the terminal in Jackson, although the building and its restaurant were packed. More than 50 helmeted policemen and two German Shepherd police dogs were waiting for the "Freedom Riders."

# Rides Should Halt, Dixie Liberals Say

The Atlanta Constitution
P. 1 Au. 5-26-61

By CLAUDE SITTON

(Copyright 1961 by the New York Times Co.)

JACKSON, Miss. — Some liberal Southerners of both races joined moderates and others Thursday in asserting that the "Freedom Rides" should be hatled. But leaders of the movement pledged to continue and extend it into other states.

These liberals said the Negroes' struggle for civil rights possibly had been set back by the roving bands of white and Negro students and adults challenging segregation on buses and in terminals. The demonstrations have led to three bloody riots, the burning of a bus and other racial violence in Alabama.

*Georgia Bar president says new troubles may "open old wounds." Story on Page 6.*

The Rev. Martin Luther King, principal spokesman for the "Freedom Riders," denied that the demonstrators had damaged their cause or that their methods had been improper.

He said that despite a series of setbacks the riders would resume their efforts "in full force" next Monday or Tuesday, with this Deep South capital of segregation remaining as the chief target. He was interviewed by telephone at his Atlanta office.

Three of King's top lieutenants in the Southern Christian Leadership Conference were arrested Thursday in Montgomery, Ala., while saying goodbye to four white professors and three Negro students who were catching a bus for Jackson. The latter group also was jailed.

The Negro leader said the movement would be hampered by the absence of the three SCLC aides, the Rev. Wyatt Tee Walker of Atlanta, the Rev. Ralph D. Abernathy of Montgomery and the Rev. Fred Shuttlesworth of Birmingham.

Atlanta Constitution

**2 OTHERS JAILED**

Two others in the movement were imprisoned here Wednesday along with 25 freedom riders. They are James Farmer of New York, national director of the Congress of Racial Equality, and the Rev. James M. Lawson of Nashville, Tenn. Lawson is one of King's chief disciples in the campaign of nonviolent direct action.

Atl. Au. 5-26-61

All 27 face trial here Friday in Municipal Court on charges of breach of the peace and refusing to obey an officer. They had sought to use dining and restaurant facilities in the white waiting room of the Trailways Bus terminal after their arrival from Montgomery Wednesday under a heavily armed military and police escort.

Legal observers predicted that they would be given suspended jail terms and warned that the suspension would be revoked if they staged a repetition of Wednesday's demonstration. However, a source high within the movement said the group undoubtedly would return to the bus station for another test of segregation after their release.

**MAXIMUM POSSIBLE**

All 27 could receive maximum penalties totaling $700 fines and 10 months imprisonment.

The Freedom Riders were jailed here after refusing to post bonds of $1,000 each. Although they rode to the city jail in an integrated Black Maria, they were placed in segregated cells.

M. B. Pierce, the assistant police chief, said the group had received the same treatment accorded other prisoners except that regulations regarding telephone calls had been liberalized somewhat.

He said regulations prohibit interviews but reported that the prisoners had told officers they thought the jail was clean and comfortable and that the food was good.

**ENFORCE LAWS**

In a news conference Thursday, Gov. Ross Barnett of Mississippi asserted that authorities would continue to "enforce all the laws of the state when efforts are made to violate them."

He avoided saying that the riders had been arrested for flaunting the segregation laws, which he termed paramount as long as they remain on the statute books.

Among the liberal critics of the riders was a white leader who has played a role in the civil rights struggle and an equally well-known Negro.

38a 1961

MISSISSIPPI

# Judge Tuttle Quits Riders Case

JACKSON, Miss., (AP)—Judge Elbert P. Tuttle, Atlanta, chief jurist of the U.S. Fifth Circuit Court of Appeals, has withdrawn from the three-judge court that will hear a request to halt the arrest of "freedom riders" in Jackson.

Judge Tuttle assigned U.S. District Judge Richard T. Rives of Montgomery, Ala., to replace him.

U.S. District Judge Sidney Mize of Gulfport and Claude Clayton of Tupelo were named earlier to hear the request.

The request was made by the National Association for the Advancement of Colored People in an effort to stop the arrest of freedom riders seeking to test Mississippi's segregation laws. So far, 267 riders have been arrested on breach-of-peace charges.

Mize and Clayton voted against Tuttle two weeks ago in allowing a delay until Aug. 7 on grounds Asst. Atty. Gen. Dugas Shands, assigned to civil rights cases, was ill.

FREEDOM RIDERS- JACKSON
JUDGE ELBERT I. TUTTLE,
CHIEF JURIST- U.S. FIFTH CIRCUIT
COURT OF APPEALS

CORE FREEDOM RIDERS
JACKSON
8 FREEDOM RIDERS- FINED

5-MINUTE TRIAL

# Jackson Judge Fines 8 'Riders'

JACKSON, Miss. (AP)—In a trial that lasted only five minutes, Municipal Court Judge James Spencer found eight newly arrived "Freedom Riders" guilty Tuesday of a breach of the peace.

The penalties were the same Spencer handed 44 earlier Freedom Riders—$200 fines for each and suspended 60-day jail sentences, suspended at the request of the prosecution.

The eight — five whites and three Negroes — took a different trail from earlier Freedom Riders, making the trip into Jackson by train instead of bus. But they followed the same path to jail when they tried to use white facilities at the train depot.

**STILL IN JAIL**

Except for a handful that posted appeal bond, the earlier Freedom Riders, defying Southern segregation laws, are still in jail.

Segregation remained intact for Tuesday's hearing. The five white Freedom Riders sat on one side of the courtroom, the three Negroes on the other. They arrived from New Orleans in midmorning.

The only witness was Jackson Police Capt. J. L. Ray, who made the arrests at the train depot. He had ordered the riders to move on when they tried to use the white facilities at the segregated depot—the train on which they rode was desegregated—and when they refused, he told them they were under arrest.

**GIVEN OPTION**

As in earlier cases, they will be given the option of paying the $200 fine, posting appeal bonds or going to jail to work out their sentences at $3 per day.

Richard Haley, field representative for the Congress of Racial Equality which sponsors the Freedom Riders, had this explanation for the swap to the train:

"So far the emphasis has been on bus depots, to the exclusion of train depots," Haley said. "We want to give them all a fair shake."

Jackson Police Capt. J. L. Ray, who has supervised most of the Freedom Riders' arrests, told the group to move out of the white waiting room, and when the riders refused, he arrested all of them on charges of breach of the peace.

All previous Freedom Riders have been convicted and fined on charges of breaching the peace.

Among the whites arrested Tuesday were Peter Sterling, 20, of Rye, N.Y., Tom S. Green of Ithaca, N.Y., Charles A. Haynie, 25, New York City, and Joe H. Griffith, Ithaca, all students at Cornell University, and Robert Heller of Rockville Centre, N.Y., a student at Tulane University, New Orleans.

The Negroes were Sandra Marie Nixon, 19, New Orleans; Glenda Jean Gaither, 18, Great Falls, S.C., and James Keat Davis Jr., 21, Florence, S.C.

Those who boarded the streamliner in New Orleans were students at a special "workshop" set up in New Orleans Monday by CORE, and taught methods of non-violence.

At Ithaca, Cornell graduate Davis Smock said a campaign to raise funds was underway in Ithaca with residents asked to contribute $800 to pay fines that may be imposed on the latest arrivals. Smock said he had $150 in pledges.

Earlier Freedom Riders were given 60-day suspended jail sentences—suspended at the request of the prosecution—and $200 fines. Most of those convicted preferred to go to jail or the County Work Farm rather than pay the fines or post appeal bonds.

Hinds County Sheriff J. R. Gilfoy moved the convicted Freedom Riders from the county farm to the County Jail in downtown Jackson.

# 8 More Riders Fined After 5-Minute Trial

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Except for a handful that posted appeal bond, the earlier Freedom Riders, defying Southern segregation laws, are still in jail.

Meanwhile, in Montgomery a defense attorney Tuesday asked the Justice department to bring Attorney General Robert Kennedy to that city as a witness in a race riot injunction hearing against police officers.

The request was made by Calvin Whitesell of Mongomery to Justice department attorney John Doar during a recess in the federal court hearing which seeks to compel Montgomery and Birmingham police in the future to protect "freedom riders" from attacks by whites.

On the second day of the hearing an FBI agent testified that he had repeatedly warned Birmingham officials of the advent of the "Freedom Riders," who were attacked in that city.

Two witnesses invoked the Fifth Amendment as the government sought to link the Ku Klux Klan with the burning of a bus carrying "Freedom Riders" near Anniston, Ala., on May 14.

One witness, Cecil L. Lewallyn, 21, Anniston, who was linked to the bus burning in previous testimony at a federal hearing, was turned over to the U.S. marshal's office after he refused to say whether he was there when the bus was set afire May 14. He pleaded the Fifth Amendment.

**FIFTH AMENDMENT**

Another witness, Kenneth B. Adams, Anniston, also pleaded the Fifth Amendment on advice of his attorney.

Still another witness, Ku Klux Klan leader Robert M. Shelton, Tuscaloosa, Ala., drew a warning from Johnson for what the court called evasive answers when he was questioned about membership in his KKK organization.

Shelton finally talked but gave little information. He said he keeps no records and cannot tell just who the members are.

Segregation remained intact for Tuesday's hearing in Jackson. The five white Freedom Riders sat on one side of the courtroom, the three Negroes on the other. They arrived from New Orleans in midmorning.

**AT TRAIN DEPOT**

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**TOLD TO MOVE**

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**TAUGHT METHODS**

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# 'Ride-In' Arrests Spark March on Mississippi Bias

Jackson, Miss. — The NAACP's "Operation Mississippi" rolled into high gear here this week as a capacity crowd, attending a protest mass meeting in the Masonic Temple heard a call for "more and varied jobs for Negroes."

The speaker was Medgar Evers, NAACP field secretary for Mississippi. The gathering (April 20th) was in protest of the arrest of four NAACP college students for staging the state's first ride-in demonstration against segregation on public buses, April 19th.

**Employment**

Evers called for employment of Negroes by local factories such as Vickers and General Electric, which don't have a single Negro employee. He also called for employment of Negroes in all Mississippi plants holding government contracts, thereby obeying President Kennedy's executive order on employment. In addition, Evers asked that Negroes be hired on Jackson's police force; that Negroes be hired by the local internal revenue bureau; and that Negro office workers be hired in the local VA hospital.

**Public Facilities**

Evers told the cheering crowd that the time has come for unrestricted use of public facilities, such as parks and libraries, by Negro Mississippians. He added that the time has also come for removal of humiliating segregation signs in train depots, and the end of segregated seating on buses.

The four students, out on $500 bond and charged with "breach of the peace," attended the meeting. Their hearing was held Friday in the same municipal court where nine Tougaloo College NAACP youths were tried March 29. It was during this session that German police dogs were used to rout peaceful Negro citizens awaiting the results of the trial across the street from the courthouse.

AUGUST
C O R E - "FAST FOR FREEDOM"
IN SUPPORT OF FREEDOM RIDERS

# CORE Ends 24-Hour Fast In New York

NEW YORK (AP) — Members of the Congress of Racial Equality — CORE — ended a 24-hour "Fast for Freedom" demonstration Sunday in support of "Freedom Riders."

The fast began at 9 a.m. Saturday on Liberty Island, site of the Statue of Liberty, where about 100 young men and women, mostly white, spent the day until the island closed at 7:30 p.m.

The demonstrators then went to Battery Park, at the tip of Manhattan Island. As the night wore on, the group dwindled to 60. Those remaining slept on park benches or sat about in a group talking.

There were no incidents. Eight policemen remained on duty during the night.

As soon as the 24-hour mark was reached Sunday morning, the group promptly lined up for coffee and doughnuts in a park snack bar.

Last Friday night, 32 Freedom Riders left here by chartered bus for Jackson, Miss. They are scheduled to appear there Monday with 155 others to appeal their convictions for violating breach of peace laws in that city while attempting to desegretate interstate bus facilities.

# TV Appeal for CORE Slated for WNTA-TV

NEW YORK—Another history-making venture will be undertaken by the Congress of Racial Equality (CORE) next week, when the first television appeal ever staged by a civil rights organization is presented over WNTA-TV (Channel 13), July 7.

The Community Relations Director of CORE announced last week that the telecast will be seen from 10:30 P.M. until 2:30 A.M. and will feature some of the top personalities in radio, TV and stage. The program is being organized by the well known writer and broadcaster, Louis E. Lomax. Among those stars already confirmed for the telecast are Orson Bean, Nina Simone, Theodore Bikel and the entire cast of the off-Broadway hit "The Premise."

Lomax said that several other top stars are committed to the telecast and their names will be released as soon as final confirmations have been received from their agents.

The appeal will seek to raise $100,000 to finance Freedom Rides during the summer months. "We are convinced that all forms of segregation in interstate travel facilities can be eliminated by the end of the summer," CORE's Marvin Rich said. "We hope the community will respond to our appeal for funds and support."

Louis Lomax and Betty Frank of Radio Station WLIB will serve as anchor announcers.

DEC.
POLICEMEN NOT PROSECUTED
WHO CONFESSED PRISON ASSAULT ON WHITE
FREEDOM RIDER, RICHARD GRISWOLD

# U. S. lets policemen go free

BY WILLIAM WORTHY

NEW YORK—The Justice Department this week informed civil rights attorney Conrad J. Lynn that it will not prosecute Monroe, N. C., police or the local prisoner who confessed to carrying out a prearranged prison assault on white Freedom Rider Richard Griswold.

Federal statutes provide fines and imprisonment for police who conspire to deny constitutional rights and equal protection of the law to any person.

The attack by Howard Stack took place inside the Union County, N. C., jail shortly after mass arrests of Freedom Riders and local pickets during several days of race rioting in late August in Monroe.

A free-lance photographer from Booklyn, N. Y., Griswold had incurred the special rancor of the police during his picket-line filming.

* * *

STACK, ALSO white, was under arrest and awaiting trial on five charges of passing worthless checks and on two charges of assault.

In the signed and unsolicited confession that he slipped out of the jail, Stack declared that the Monroe police promised him his freedom if he would give Griswold "a going over" in a basement cell.

To other prisoners, Stack revealed he had originally been promised a knife for the job. He smashed the nose of the non - resisting Freedom Rider, drew blood from his eyes, and left him moaning in a semi - conscious condition.

From a corridor outside, the beating was overheard by another arrested white Freedom Rider, Kenneth Shilman of Oceanside, N. Y.

Shilman demanded that Griswold be removed from the cell immediately to prevent his being killed by Stack.

* * *

STACK WENT free for two weeks, but was then picked up and sentenced to prison. Outraged at the police doublecross, he wrote out the confession and managed to get it to Lynn, attorney for the man he had attacked.

In early October immediately on receipt, Lynn referred the original document, in Stack's handwriting, to the FBI. The November 30 letter from the Justice Department, closing the file on the case, was a belated response to queries by Lynn as to the progress of the FBI investigation.

The only known result of the federal investigation was the sudden decision by Monroe authorities on Nov. 2 to commit Stack to a mental institution. While under arrest in August and after sentencing in mid-September the question of Stack's sanity had never been rasied.

ON OCTOBER 6 Lynn made public the text of Stack confession and revealed that the case had been turned over to the FBI. The daily press, including the New York Times, did not deem the story "fit to print."

Observers familiar with the genuine legal difficulties of proving the role of police officers in cases of brutality regarded Stack's confession and the readiness of two reputable Freedom Riders to testify as providing the federal government with a virtually airtight opportunity to prosecute.

In a report last month on nationwide police brutality the U.S. Civil Rights Commission called on the Justice Department to be less timid in bringing sadistic police to trial.

# Blonde has bad taste of hatred

(Other stories on Page 12)

SUMTER, S.C. — "For the first time I felt that I had had a glimpse of what it would be like to be colored."

Mrs. Frances Bergman, 57, of Detroit, one of two white women among CORE's 1961 Freedom Riders, hushed an audience here with that statement.

Her date with the stark viciousness of race hate came in Winnsboro, S.C. where her queries about a colored and white team which had been arrested turned hostile eyes and words on her.

Mrs. Bergman, a retired school administrator, recalled policemen who told her "We have no use for your kind here" and that "the best thing for me to do was to get out of town."

* * *

**IT WAS A** harrowing experience for the silver-haired matron, who while fearful she too would be arrested, trooped in the rain past unfriendly people seeking help in a city closed nearly tight to observe Confederate Memorial Day.

It did not help her any that many of the contact people she was to telephone in case of arrests in her group, could not be immediately reached.

Recalling the arrest of Henry Thomas, 19, a Howard University student, for using the main terminal waiting room (charges later were dropped), Mrs. Bergman said: "I thought how awful it was to be doing nothing wrong and get arrested. I know his very soul was enraged."

The white man arrested with Thomas at Winnsboro and later freed also, was James Peck of New York, CORE labor editor.

**MRS. BERGMAN** described things as "so hostile it seemed the storm was about to break." She added: "The rehearsing we had done in Washington for such situations seemed so far off."

Finally having done all she could in Winnsboro and unwilling to wait there for a bus, Mrs. Bergman hired a cab to Columbia where her husband, Dr. W. G. Bergman, 61, also a Freedom Rider, went to be with her.

But if Winnsboro had hoped to discourage Mrs. Bergman in her fight for equality for all, the town failed miserably.

When called on later by Freedom Rider leader James Farmer, CORE director, to talk, she said: "This thing made me realize what it is to be scorned, humiliated and made to feel like dirt. . . . The whole thing was such an eye-opener for me.

**"I WAS TREATED** the way I've seen so many colored persons treated (because she associated herself with one).

"This was one day for me. They (colored persons) get it every day from birth."

"It left me so filled with admiration for the colored people who have to live with this all their lives.

"It seems to me that anything I can do now, day or night, would not be enough."

Mrs. Bergman said her husband also has vowed to rededicate himself.

"I think our hope seems to be in the young people," Mrs. Bergman said, "But I don't think the older persons should sit back and wait for them to do it.

"Somehow you feel there is a new urgency at this time. You see the courage all about you."

Five other students joined the Freedom Rider entourage enroute. Included was the first colored woman participant, Miss Mae Frances Moultrie, 25-year-old Morris College senior of Sumter, S.C.

Two other Morris College students began the trip to Sumter. They were Ivor Moore, 21 of the Bronx, N.Y., and Herman K. Harris, 21, of Englewood, N.J. Others in entourage are Gus Griffin, 20, of Tampa. Fla., a J.C. Smith student; and Isaac Reynolds, 27, of Detroit.

The death of Dr. J. Leonard Farmer, 75, at Freedmen's Hospital, Washington, saddened the group. He was the father of James Farmer, CORE leader of NYC.

3Fa 1961

TENNESSEE

FREEDOM RIDER- MR. ALLEN KASON
PRISON TERM- DRUNKENNESS CHARGE

# 'Freedom Rider' Begins Term for Drunkenness

DONALSONVILLE, Ga. (UPI— A 19-year-old Negro "Freedom Rider" who said he quit the movement at the request of his parents began a 12-month sentence here Saturday following his arrest Friday on a drunkenness charge.

Allen Kason of Nashville, Tenn., was removed from a passenger train and brought before Judge Walter I. Geer, who speedily imposed the one-year sentence after Kason pleaded guilty.

KASON, in a signed statement given to authorities here, said he was one of a group of riders who reached Montgomery, Ala., on May 20. He said he currently is free on bond on a breach of peace charge at Jackson, Miss.

Seminole County Sheriff Dan White quoted Kason as saying he left the movement at the request of his parents and was en route to their home at Orlando, Fla.

Kason was arrested aboard the ACL passenger train Southwind which made an unscheduled stop here. Conductor R. L. Sears charged Kason with being drunk and disturbing passengers.

for Cason to continue on the train.

The officer said Cason entered a plea of guilty Thursday before Judge Walter I. Greer and was given 12 months in a public works camp.

Cason told officers his home is in Orlando, Fla., and that he has been attending Tennessee A. and I. University in Nashville, Tenn.

He said he was in a group of "Freedom Riders.. that visited Montgomery May 20 and "escaped from a mob without injury."

# Kider, 19, Given Year In Drinking

DONALDSONVILLE (AP) — A 19-year-old Negro who identified himself as Allen Cason, a member of the "freedom riders" who went to Jackson, Miss., and Montgomery, Ala., was given a one-year sentence here on a charge of public drunkenness.

Sheriff Dan White said Cason was put off the Southwind, an Atlantic Coast Line passenger train here Wednesday by the conductor. White quoted the conductor as saying he did not think it safe

38a 1961

TENNESSEE

SEPTEMBER
NASHVILLE- FREEDOM RIDERS
EXPULSION FOUGHT FROM TENN. A & I STATE UNIV.

# EXPULSION OF RIDERS FOUGHT IN NASHVILLE

NASHVILLE, Tenn., Sept. 8 (UPI)—A group of young students formed a line outside the Tennessee Governor's office today and demanded an appointment to protest the expulsion of Freedom Riders from Tennessee Agricultural and Industrial State University.

Eleven whites and Negroes formed a double line stretching across the marble corridor in forn of Gov. Buford Ellington's office in the Capitol.

A spokesman said Mr. Ellington had refused to see them and they intended to stay there until he had changed his mind. Other members of the group weer outside the Capitol, making a total of about twenty-five demonstrators.

Mr. Ellington left his office by a side door, the route he normally uses, a little more tahn an hour after the demonstrators had arrived. His press secretary, Don Binkley, said Mr. Ellington would have no comment.

Fourteen students were expelled from the Tennessee school last spring after having been convicted of breach of the peace in Jackson, Miss.

One of the expelled students in the demonstration today said that a citizens group had attempted unsuccessfully all summer to negotiate with state officials.

38a 1961

TEXAS

AUGUST
HOUSTON- FREEDOM RIDERS
MASS TRIAL OF 18 PERSONS, INCLUDING
LL CALIFORNIA FREEDOM RIDERS

# Mass Trial For Houston Riders Opens

the Montgomery Advertiser
8-34
8-31-61

HOUSTON, Tex. (AP) — The mass trial of 18 persons, including 11 California Freedom Riders, began Wednesday before Judge George Miller of County Court at Law.

A Negro attorney, Hamah King, told Miller prosecution of the 11 Negroes in the group stems from race and color. He said prosecution of the seven whites results from "their association with members of the colored race."

Montgomery Ala.

The 18 were arrested Aug. 11 and charged with unlawful assembly after appearing at the Union Railroad Station to protest segregation policies at a restaurant.

Miller ordered selection of a jury after denying King's motion to dismiss the complaints on ground they do not allege a violation against the state.

"These defendants are not being prosecuted for the purpose of enforcing any valid law," King said.

SEPTEMBER

DALLAS* FREEDOM RIDER
22 YEAR OLD LONDON, ENGLAND WOMAN
REPORTED SHE HAD BEEN RAPED

# White 'Rider' Is Raped By Negro

## British Girl Names 'CORE Sympathizer'

Jackson Daily News

DALLAS, Tex. (UPI)—A 22-year-old London, England woman who said she had been a freedom rider for the Congress of Racial Equality, told police yesterday she was raped by a 260-pound Negro posing as a sympathizer for the organization.

Detectives L. D. Montgomery and Harvin Johnson said a physician examined her and reported she had been raped, and apparently had had no relations prior to the assault.

Sat 9-30-61

Police arrested the Negro and were holding him on investigation of forcible rape. They said he had admitted to "almost all" of the girl's story.

The green-eyed, brunette said she joined the CORE movement in New Orleans during the summer and was jailed at Jackson, Miss., for one month as a freedom rider. She said she was released after core posted her $500 bond three weeks ago.

The woman said she came to Dallas looking for a job. She said the National Advancement for Colored People fixed her up with a hotel room.

She said she met the Negro at a cafe near the hotel and that he identified himself as a "friend" of the organization (CORE). He told her he owned the hotel and also was a newspaper publisher, she said.

The 40-year-old Negro later came to her hotel room, she said, and interviewed her "to determine how I could better serve CORE" and "he suggested I could help most as a model."

She said he took her measurements and told her how she would "have to get used to being handled and posed by photographers."

He then threw her on a bed and raped her, she said, and told her there would be $200 for her at the desk and that $150 of it could go to CORE and the rest she could keep.

She said she told a priest what had happened and he called police.

## Negro Accused Of Raping 'Rider'

F-2A The News-Times

June 10-1-61

DALLAS, Tex. (AP) — Anthony Thomas Davis, 41, a Negro disc jockey, was charged Saturday with raping a 22-year-old British girl who was a Freedom Rider in Mississippi.

Police said Davis, a 260-pounder denied he raped the 95-pound girl, but otherwise confirmed much of the incident as she told it to police.

The girl, who spent a month in a Jackson, Miss., jail before officials of the Congress of Racial Equality posted $500 bond, said she met Davis after checking in at the all-Negro Oakland Terrace Hotel Thursday.

She said that after the assault she was so frightened she stayed in the room. Friday, she went to a Catholic priest who called police.

Capt. Will Fritz said the girl agreed to be booked into the city jail as a material witness because she had no place else to go.

He said the girl still seems to be sympathetic with the cause of Negro rights, but says, "I can't go on like this."

She eventually wants to go to San Francisco, Fritz said.

Dallas police said Davis once received a one- to two-year sentence for larceny in Philadelphia, Pa., and was arrested here in 1953 on a rape warrant from Hot Springs, Ark.

## Charged With Attack On 'Freedom Rider'

The Call A1 Fri-10-6-61

Kansas City Mo.

DALLAS, Texas. — (UPI) Dist. Atty. Henry Wade said he would take a disc jockey before the grand jury which took office Monday and press for an early trial on charges he raped a British girl who spent a month in jail as a "Freedom Rider."

Pauline Kathleen Sims, 22, the victim, was back in jail as a material witness but Police Captain Will Fritz said this time it was a "kindness" because she had no place else to go.

Anthony Thomas Davis, 40, a 240-pound ex-convict who has been working for a Negro radio station in Dallas, admitted much of the girl's story, but denied he raped her.

Rape is punishable by death in Texas.

Wade said an examining trial would be held to "determine whether the case against Davis is bailable" and if so to fix the amount.

He said he would try to bring Davis to trial during October.

Miss Sims told authorities Davis posed as a friend of the Congress of Racial Equality to which she belongs to gain access to the room in which she was staying at a Negro hotel.

She joined CORE three months ago and spent a month in a Jackson, Miss., jail before se was released three weeks ago on bond and came to Dallas. She found a job as a secretary and put up at the YWCA.

Miss Sims, who has spent two years in the United States on a seven-year visa, said the ousted her because her room was "needed for someone else" and she telephoned the National Association for the Advancement of Colored People for assistance. The NAACP got her a room at the Negro hotel.

She said Davis introduced himself as a newspaperman and took her to her room to interview her when the alleged attack took place

38a 1961

TEXAS

AUGUST
HOUSTON-FREEDOM RIDERS
INTEGRATE JAIL (?)

# FREEEDOM RIDERS INTEGRATE JAIL

HOUSTON, Tex., Aug. 12 (AP).—The first Freedom Riders to test desegregation in Houston failed in the attempt but succeeded in integrating the city jail for a while.

Eleven Freedom Riders from California — seven of them white — were joined by seven Houston Negroes in an effort to get service in a union train station coffee shop yesterday.

All 18 were arrested on unlawful assembly charges and placed in the Harris County Jail when they refused to post $500 bonds. There was no violence at the coffee shop, where Houston Negroes have made integration attempts in the past.

After the arrests the riders were put in the same cell for a time at City Jail. Negro and white prisoners customarily are kept separate.

Robert Kaufman, a 23-year-old white student from Berkeley, Calif., said they were treated kindly by police.

**Roundtrip Tickets Used**

He said the riders came to Houston on round-trip train tickets from Los Angeles to make a definite attempt to test integration here.

"We are on vacation," he said. "We hate for it to be this kind, but we feel we are doing our duty."

Elsewhere in the Nation, more than 180 convicted riders out on bond were preparing to converge on Jackson, Miss., to enter pleas for their second trials. All served time in Mississippi jails for convictions of breach of the peace and appealed.

A white youth knocked down a newspaperman and a staff member of the Congress of Racial Equality in New York just after 31 riders left by bus for Jackson.

**Assailant Escapes**

William Doolittle, a reporter for the New York Post, and Marvin Rich, community relations director of CORE, were taken to a hospital for treatment. The assailant and a white companion escaped.

In Atlanta, the Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, said buses also will leave for Jackson from Nashville, New Orleans and Atlanta. Other individual riders will make the trip by plane or train.

Mr. Walker said plans called for the riders to reach Jackson around noon tomorrow and attend a rally tomorrow night. The riders are due to report in the Hinds County Recorder's Court in Jackson at 9 a.m. Monday.

VIRGINIA

FREEDOM RIDERS- ENROUTE FROM NEW YORK TO CHATTANOOGA, TENN

38a 1961

# 'Riders' integrate Va. motel

CHARLOTTESVILLE, Va. — A group of five Freedom Riders, en route from New York to Chattanooga, Tenn., last week integrated the Thomas Jefferson Inn (motel) here.

Other stops by the group, which included Henry Thomas, 19, of St. Augustine, Fla., who just finished a 40-day sentence in Mississippi for freedom riding, are scheduled for Roanoke and some communities of Tennessee.

In addition to Thomas, also in the group were John C. Harvard, 39, psychologist at Howard University; Rabbi Herman S. Stern, 30, River Edge, N.J.; Rabbi Sidney Shanken, 39, of Cranford N.J.; and Woolcott K. Smith, 20, a Michigan State University student.

* * *

**IN MISSISSIPPI**, six Jackson youths were arrested for staging a sit-in at Walgreen Drug Store lunch counter — the first such protest demonstration in the Delta State since the movement mushroomed in Feb., 1960.

At press time, two of six were convicted of breach of peace and fined $200 and sentenced to four months in jail.

The youths, Lavaghn Brown, 16, and Jimmie Travis, 18, have vowed to stay in jail for 39 days and seek an appeal on the 40th. Jack H. Young has been retained by CORE as their attorney.

* * *

**AND IN FLORIDA**, five teenagers were arrested during a sit-in demonstration at a downtown Pensacola variety store.

Police arrested the youths on charges of unlawful assembly and refusing to obey a police order when they failed to move on at a store where a lunch counter had closed for the day.

Another interesting demonstration downtown included an "opposition" sitdown by white youths at Woolworth. The youths took all available seats, yielding only for members of their race who wished service.

* * *

**AND IN TENNESSEE**, a Zebulon Recorder's Court for the third time postponed the trial of three teenagers who attempted to get service at the bus station cafe. Postponements were due to the illness of the owner, Herbert Perry.

The youths, Leon Dunn, 18, and Misses Rebecca Bailey, 19, and Janie Louise Battle, 18, all of Nashville are due to be tried Sept. 12.

38a 1961 ALABAMA DEC.

BIRMINGHAm- PARKS CLOSED ✓

# 'Park closed, no trespassing signs to go up over city

B'ham News p.1 Sat. 12-9-61

B'ham Ala.

BY LOU ISAACSON, News staff writer

"This park closed . . . no trespassing."

Signs with this wording will be placed in Birmingham parks as officials here, acting under court orders to integrate public recreation facilities next month, set machinery in motion to close most of them by Jan. 1.

Mayor Art Hanes and other members of Birmingham's Park and Recreation Board, declaring they were acting under necessary budgetary retrenchment, approved a skeleton budget of $295,000 for the next nine months (through Aug. 31).

THIS WAS about 20 per cent of the original budget of $1½ million for the park facilities through that period.

Mayor Hanes said that Legion Field, Jimmy Morgan Zoo, Vulcan Park and Woodrow Wilson Park would remain open.

**The Park Board took this drastic action at a a stormy meeting Friday afternoon, with former Mayor James W. Morgan, board member, opposing it as "grossly unfair."**

MRS. J. H. BERRY, Dan Gaylord and Mayor Hanes voted for the reduced budget, with Mrs. Berry declaring: "I think it's a shame that this should happen to such a fine segment of our city, and I think the blame should be placed where it belongs—on the City Commission."

The commission earlier had reduced appropriations for the park board.

Park Board President James J. Downey was absent from the meeting because of a death in his family.

**Replying to Mrs. Berry's comment, Mayor Hanes said he also regretted the board's action, adding "but it's a matter of the people of this city making up their minds whether they want integrated or segregated parks."**

Hanes rapped the federal courts, asserting " I personally resent the federal courts telling us we've got to integrate our parks. I think the U. S. Supreme Court has gone far afield in not interpreting our constitution but in making special laws."

THE BOARD Friday instructed City Parks Supt. Frank Wagner to:

1. Immediately give all classified and unclassified employes notice that they will be dismissed as of Jan. 1.

2. Prepare signs which will read "this park closed . . . no trespassing."

3. Prepare for operating a skeleton maintenance crew at the site of all parks.

4. Prepare to board up the park system's 14 community centers.

**Only a skeleton crew will be left in the Park Board offices at City Hall.**

For the next nine months the system will operate on a budget of $295,000 compared to $1,024,000 last year. The board had requested $1.5 for the current fiscal year.

OF THE BUDGET amount allocated, approximately $90,000 will be needed to operate the zoo.

Another $160,000 will be needed to pay off discharged employes which will include vacation pay.

This will leave in effect about $5,0000 a month to operate the system as compared to $90,000 last year.

The skeleton budget will cover a period from Dec. 1, 1961 to Aug. 31, 1962.

**How many park system employes will be affected by the lay-off order has not yet been determined. The best estimate so far is that about 125 will be dismissed.**

Hanes several times during the meeting asked board members point blank if they favored integration. Board members replied "no."

AFFECTED by the decision are 67 parks and playgrounds, 14 community houses, four golf courses, a hobby shop, a greenhouse-nursery, and eight Negro and white swimming pools.

Park system properties cover approximately 1,500 acres of land, and are attended annually by millions of people.

A breakdown on the number of personnel in the parks show 165 classified employes and 62 unclassified.

Another 150 persons are employed during the four summer months to work at swimming pools and playgrounds.

**During the football season, another 213 are hired as ticket takers and parking attendants at Legion Field.**

Hanes said there might be a chance that some of the park properties might be leased to private groups.

HE SAID the recent federal court ruling definitely had some bearing on the City Commission's decision to drastically cut the Park Board budget.

**Asked about Legion Field, the** Art Museum and Municipal Airport., Hanes replied that they would continue to operate.

Both the stadium and auditorium, he said, are self-sustaining.

**Earlier the Park Board voted to charge an entrance fee at the zoo.**

The charge will be 25 cents for each person except for children under 7 who will pay 10 cents.

Hanes said this would help make up the deficit in the zoo allocation caused by the drastic cut in appropriations.

The Montgomery Advertiser p. 1

# Recreation Area Race Ban Voided By Judge

Fed. 10-25-61

Montgomery, Ala.

BIRMINGHAM (AP) — A federal judge ruled Tuesday that segregation of public recreation places in Birmingham is unconstitutional.

The ruling by U.S. District Court Judge H. H. Grooms came on a suit brought by 15 Negroes, including the Rev. F. L. Shuttlesworth, former pastor and Negro integration leader here.

The judge reserved a ruling

butcher knives from the kitchen the convicts started to leave. Bu they were driven back inside apparently by the barking of Kilby bloodhounds that were trailing them.

"They came back into the bed room where we were tied and told us they would wait for my husband to come home. They said they wanted his car," the policeman's wife said.

**WALKED INTO ROOM**

She said Whatley hid in the closet, about five feet from the foot of the bed where her hands were bound, and Butler moved into an adjacent bedroom with the shotgun.

The policeman said he saw nothing amiss when he arrived home, at 2:15 p.m., from his shift at the city jail.

"I walked into the bedroom," he said. "There was my wife and her mother tied up and this man with his hands in the air yelling 'don't shoot.'"

Shipman credits his mother-in-law with perhaps saving all their lives. Her scream of warning, he said, was the first instance he knew two men were in the house

He whirled in time to see the muzzle of the shotgun sliding slowly around the door. He said he fired "four or five times."

**HIT FOUR TIMES**

A physician at Kilby Prison hospital said Butler had three bullets lodged in his midsection and another had passed through the body. Butler died within an hour at the prison, attendants said.

Whatley was knocked down by the pistol whipping but apparently suffered no major injuries. Kilby officials said he was given first aid and moved to a cell segregated from the other inmates.

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Research officials in Australia, 8,800 miles from the explosion site, said shock waves were still being registered there Tuesday.

At Abidjan in Upper Volta, one of the new nations given independence by France, President Maurice Yameogo said the powerful nations are "heaping scorn on the weak ones. For us, it seems the most important to explode a bomb of unity and fraternity."

Art Museum asking if a Negro group could visit the facility.

The letter he received in reply, read into the court record, said the museum would be "delighted" for the group to make the tour. The letter also said the museum has separate, but equal, restroom facilities.

Lee also showed pictures he had taken at the city zoo showing signs over segregated facilities there.

Defendants in the suit were Birmingham's three city commissioners and members of the city park and recreation board.

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# Protest Made Against Park Shut-Down

The Montgomery Advertiser

BIRMINGHAM (AP) — Four organizations asked city authorities Tuesday to keep Birmingham's park facilities open while one group sided with City Commission action on the issue.

The city last week slashed the park and public recreation board budget by 30 per cent and announced that most public recreation facilities in the state would close Jan. 1.

P. 8A

A federal judge ruled recently in a suit broght by Negroes that the recreation areas would have to integrate by Jan. 15. The ruling is being appealed.

Ala. 12-13-61

Mayor Arthur J. Hanes said letters continue to come to his office concerning the parks.

"I haven't had time to count the pros and cons today," he said. "But offhand, I'd say there are more letters opposing the closing of the parks than in favor of it."

Montgomery Ala.

Groups which adopted resolutions Tuesday opposing the shutdown of parks included the Birmingham Downtown Improvement Association, the Junior Chamber of Commerce, the North Birmingham Chamber of Commerce and the Jefferson County Association for Mental Health.

The Carpenters Local Union 103 announced in favor of the commission's action. The local has about 1,300 members.

## Belong To All

Our public parks and our recreational facilities are a part of our cultural and freedom life. They belong to all, not merely the angry voices in City Hall. Close down these recreational facilities and you cut off the stream of cultural life.

These thoughts came to mind as some angry voices in City Hall began to sound off following the ruling by Federal Judge H. H. Grooms that the law as interpreted by the U.S. Fifth Circuit and the United States Supreme Court applies in Birmingham the same as it applies anywhere else. As a federal judge he said he had no alternative but to follow the law as defined by the higher federal courts.

What Birmingham needs at this hour are leaders of responsibility and patriotism. Our municipal image is already blurred. Our city's name is too often identified with something less than bold, fresh, stimulating enlightenment. The voice of the city is too often negative. Brutal negatism may be emotionally popular but it is never civicly sound.

Far better would it be to let reason, understanding, and powerful goodness work their way in. It is too much to expect any deprived, disadvantaged, and cheated group or individual to abandon his aspirations and constitutional rights under some spurious and specious notion of obtaining civic goodwill. Goodwill which asks a man to lose his will to be respected and to be accorded his just due as an American citizen and as a self-respecting human being is only vile hypocrisy.

Birmingham simply cannot continue to live apart from the United States and be a part of the United States. Birmingham must live according to the law to set the example for abiding by the law. Rash statements are poor substitutes for rational sentiments.

Judge Grooms' ruling should open the way for a new, wiser and more thoughtful leadership to come forward. Our city has lang been in need of bold, clear and bright voices which are willing to face the progress which beckons us forward. This decision should test the goodness of local civic relations based upon the Golden Rule and the American credo of the dignity of opportunity. Those old voices which have soured with bitterness, screeched with narrowness, and quivered with fear of change have no message of benefit.

The plaintiffs in this case obviously reflect the basic aspirations of the group for whom they went to court and won a decision which reaffirms the American promise. If there are some willing to give major credit to the Reverend Fred Lee Shuttlesworth for his leadership and Attorney Ernest D. Jackson of Jacksonville, Florida, for his skilled legal talent, let us applaud.

America should love any leader who respects, uses and relies upon the traditional American process in seeking to enrichen, enlarge and endear freedom. At least the plaintiffs worked within the law, constructively, and with tools of freedom. On that angle the angry voices are silent.

The implications of Judge Grooms' decision are massive and far reaching. In the light of these fundamental impilcations there is ground for hope and encouragement. This is where our group's leadership might begin to find a way to build genuine goodwill based upon justice, dignity and mutual respect. Goodwill should know neither class nor color lines, it seems to us.



# Orders Birmingham Parks Desegregated

BIRMINGHAM, Ala. — (UPI) — A federal judge Tuesday ordered integration of Birmingham's park and recreation facilities. The directive brought a promise of closure of the facilities.

U. S. District Judge H. Hobart Grooms declared unconstitutional a section of the city code requiring segregation in "any room, hall, theater, picture house, auditorium, yard, court, ball park, public park, or other indoor or outdoor places to which both white and Negro persons are admitted."

He said that under higher court rulings he had no option in the matter but to order the integration. After City Attorney J. M. Breckenridge ended a plea for the city's side of the argument, Grooms turned to the lawyer and told him, "You are addressing the wrong court, Mr. Breckenridge. These matters have already been decided by higher courts."

In reply to the judge's ruling one of three city commissioners, Eugene Conner said, "So far as I am concerned all white and Negro parks, swimming pools, golf links will be closed."

Grooms ordered the city to open immediately to Negro use 67 parks, four golf courses and 38 playgrounds.

He also directed the plaintiffs in the case they might amend their petition to include operators of the city auditorium, the city art museum, and various leased concessions on other city-owned properties.

Breckenridge said he was of the opinion the ruling should be and would be appealed.



# B'ham Facility J'Crow Outlawed

BIRMINGHAM, Ala.- (UPI)—Federal Judge H. Hobart Groom Tuesday ordered desegregation of all Birmingham parks, swimming pools and other recreation facilities.

Grooms issued the order at the close of the hearing which heard testimony from several Negro and white witnesses that the city facilities are "customarily" segregated. The suit was brought by 15 Negroes.

The city was expected to appeal the decision.

Involved are 67 parks, four golf courses, 38 playgrounds and various swimming pools and other recreational facilities

In making the decision Groome said he had "no other choice" in view of recent decisions of the U. S. Supreme Court.

He directed the plaintiffs in the case, the Rev. Fred L. Shuttlesworth and 14 other Negroes, to amend their petitions to include the controlling bodies of the municipal auditorium and the city art museum.

The verdict touched off a jumping and shouting demonstration in the courtroom where about 200 Negroes had sat quietly throughcut the session of the court

Grooms ordered that all public recreational areas and parks, the city zoo and the municipal auditorium be ordered opened to Negroes on the same basis as whites.

# Birmingham Takes Steps In Closing Some Parks

The Montgomery Advertiser Sat. 12-9-61

P-1

BIRMINGHAM (AP) — Faced with a federal court order to integrate public facilities next month, Birmingham officials took the first step Friday toward closing most of them Jan. 1.

The City Parks and Recreation Board approved a skeleton budget of only $295,000 — compared with an original budget of $1.5 million — for the operation of parks, playgrounds, swimming pools, golf courses and community centers through next Aug. 31.

Montgomery closed its parks Jan. 1, 1959, after an integration suit was filed. U.S. District Court Judge Frank M. Johnson Jr., later ruled that the parks must be integrated if re-opened, but he said that the city could not be compelled to operate parks.

Birmingham's Mayor Art Hanes said Legion Field, where upwards of 50,000 fans watch major college football, and the municipal zoo would remain open. So will Vulcan Park atop Red Mountain and Woodrow Wilson Park in downtown Birmingham, he said.

But the other parks will post signs the first of the year reading: "This Park Closed . . . No Trespassing."

Hanes directed Frank Wagner, head of the parks board, to dismiss all but the few maintenance men needed to keep up what remains in operations after Jan. 1.

Hanes, a member of the park board, said:

"I regret it, but it's a matter of the people of this city making up their minds whether they want integrated or segregated parks."

About one-third of Birmingham's population of 340,000 is Negro.

U.S. District Judge H. Hobart Grooms, ruling last October in a suit brought by Birmingham Negroes, threw out a Birmingham city ordinance requiring segregation in virtually all types of public recreation facilities.

The ruling covers Birmingham's municipal art museum, the municipal auditorium, six swimming pools, four golf courses, 38 playgrounds and 68 parks.

The city has appealed the ruling, but barring a delay order from federal court, the ruling will go into effect Jan. 15 even if the appeal still is pending.

Legion Field, although under the parks board, has a budget of its own. It is self-sustaining.

Neither the museum nor the auditorium is under the parks board.

Wagner said it would be up to him, as parks director, to recommend to the board a breakdown of the $295,000 for the various facilities remaining open.

The zoo alone last year cost $150,000.

**BULLDOZER WORK**

The park board's budget decision — by a 3-1 vote — followed an earlier announcement by Hanes that hinted at subsequent developments. The "no" vote came from former Mayor James W. Morgan, now a member of the park board.

Hanes, a few hours before the park board meeting, said he was slashing the budget by more than half, cutting $800,000 from the board's original $1.5 million.

Then the board, in formal session, approved an even lower figure.

Before the park board's meeting, work crews with a bulldozer showed up at Woodrow Wilson Park in downtown Birmingham and began tearing down concrete-based benches.

Newsmen at the scene got varying answers about who ordered the demolition work.

Hanes then called off the work crews, saying, "There is no reason to close Woodrow Wilson Park."

**FLOWER GARDENS**

He said the benches—now nothing more than concrete supports with the seats and backrests gone—would not be replaced.

Woodrow Wilson Park, composed of carefully manicured flower gardens, trees and trenches, is located between the City Hall and the Jefferson County Courthouse.

Morgan, the one member of the parks board who voted against slashing the budget, was mayor until last month. He retired from public office without seeking reelection.

He said only that he considered the proposal to starve the parks into closing as "grossly unfair."

As mayor, he was a staunch backer of public recreation facilities. The zoo bears his name today, and the city is in the process of putting up a botanical garden at the urging of Morgan.

If the parks close, Birmingham will become the second major city in Alabama to lose its recreation facilities in the battle over racial segregation.

# Birmingham Cuts Budget In Park·Close

P. 36 The Atlanta Journal and Constitution

BIRMINGHAM, Ala., Dec. 9 (AP). Birmingham officials, under court order to integrate public recreation facilities next month, have started the machinery to close most of them Jan. 1.

The City Parks and Recreation Board has approved a budget of $295,000—about 20 per cent of the original budget of $1.5 million—for the facilities through next Aug. 31.

Birm. 12-10-61

Affected by the move will be public parks, playgrounds, swimming pools, golf courses and community centers.

Columbus, Ga.

Mayor Art Hanes said Legion Field, the city's football stadium; the Municipal Zoo; Vulcan Park atop Red Mountain, and Woodrow Wilson Park in downtown Birmingham, would remain open.

* * *

**BUT THE OTHERS** will close.

Hanes told Frank Wagner, head of the parks board, to dismiss all but the maintenance men needed to keep up those facilities remaining open after Jan. 1.

"I regret it," said Hanes, "but its a matter of the people of this city making up their minds whether they want integrated or segregated parks."

U. S. District Court Judge H. Hobart Grooms ruled last October that a city ordinance requiring segregation in most public recreation facilities is unconstitutional. The ruling came on a suit brought by Birmingham Negroes.

He set a Jan. 15 deadline for complying with the order.

The city has appealed, but no delay order has been issued for Grooms' ruling.

* * *

**THE RULING** covers Birmingham's Art Museum, the Municipal Auditorium, six swimming pools, four golf courses, 38 playgrounds and 68 parks.

Legion Field is under parks board control but it has a budget of its own and is self-sustainning.

Neither the museum nor the auditorium is under the parks board.

The budget cut came on a 3-1 vote of the parks board. Former Mayor James W. Morgan, now a member of the board, cast the dissenting vote.

A few hours before the parks board meeting, Hanes said he was cutting $800,000 from the board's original $1.5-million budget.

Then the board, in formal session, approved the even lower budget figure.

Before the parks board met, work crews began tearing down concrete-based benches in Woodrow Wilson Park. Newsmen got varying answers about who ordered the work.

Hanes later called off the work crews. He said there is no reason to close that park, but added that the benches whose seats and back-rests were removed would not be replaced.

38a 1961 ALABAMA DEC. PARKS

# Closing Parks In Birmingham Opposed

## After Park Closing?

BIRMINGHAM (AP) — Faced with a federal court order to integrate public recreation facilities next month, Birmingham city officials have moved to close most of them Jan. 1.

The City Parks and Recreation Board approved a skeleton budget which would result in the closing of parks, playgrounds, swimming pools, golf courses and community centers.

Mayor Arthur J. Hanes said Legion Field, where upwards of 50,000 fans watch college football, and the municipal zoo would remain open.

Two other parks—Vulcan Park atop Red Mountain and Woodrow Wilson Park in downtown Birmingham—would not be affected, Hanes said. Both parks are showplaces with well manicured flower beds.

U. S. District Judge N. Hobart Grooms ruled last October that the city must integrate its parks by Jan. 15. The ruling covers the art museum, municipal auditorium, 6 swimming pools, 4 golf courses, 38 playgrounds and 68 parks.

Former Mayor James W. Morgan has said he believes the city commission is acting too hastily. Morgan said he favors segregation, but added that the commissioners should wait until they see what effect integrated parks would have on the city.

**CIVIC, CHURCH GROUPS**

Morgan was a staunch supporter of public recreation facilities. He said to move to starve the parks into closing was "grossly unfair." The municipal zoo was named after Morgan.

The city commission has faced strong opposition from civic and church groups who have petitioned the city officials to keep the parks open.

Other commissioners besides Hanes are Public Safety Commissioner Eugene Connor and Public Improvements Commissioner J. T. Waggoner.

Among those seeking to keep the recreation facilities open are the Birmingham Committee of 100, composed of businessmen seeking new industry; the Chamber of Commerce and the Birmingham Ministerial Association.

**C OF C STATEMENT**

The Chamber of Commerce issued a statement from its board of directors saying in part:

"We view with grave concern the recent decision to close the public recreational and cultural facilities in Birmingham. Understandably, such a decision was difficult to reach.

"While it is easy to criticize, it is our hope the citizenry will react with understanding and objective expressions of opinions rather than with inflamatory comments or injurious criticisms."

The Chamber of Commerce said the city apparently has one of two choices:

1. To operate the facilities in compliance with the federal court order.

2. To close all of the facilities.

IF BIRMINGHAM public parks and other facilities are closed, it would be because elected officials think this is public desire.

But already a variety of public expressions have been forthcoming possibly indicating otherwise. The Downtown Improvement Association, a ministers' group, the Jaycees composed of younger men who necessarily must look far ahead, suburban groups such as the North Birmingham Chamber—these and other such groups already have said park closing is no answer.

Other such sentiment is certain to be expressed. Though no one can say how many, numerically, within Birmingham favor or oppose closing parks, city officials and all can see that much responsible civic leadership now doubts and says it doubts that closing is a solution to the federal court-created problem.

THIS IS OPINION that ought to and presumably will receive thorough attention from city officials. It is known well enough in City Hall that it is just such groups of Birmingham citizens who share much of the burden for creating in this community a sound sense of progress.

City commissioners do not need to be told by anyone that when such men speak, they do so after thought. Their opinion should be given great weight.

Elected officials are responsible to the people who vote. But the officials know that cities are heavily dependent for much of their direction on those who, over the years, have proved their service to the community through action, dedication and plain, hard work.

It is obviously the thought of such groups as have spoken that, since park closing is no solution, something else should be tried. This involves a basic acknowledgement of the inescapability of the federal court ruling. There is no real hope for reversal, though the judgment has been appealed.

Admittedly an answer to the question "What should be tried?" is not readily at hand. But an important first step to determining if there is such an answer would be evidence of a desire to study the situation more before a hard decision to close park and recreational facilities.

A very pertinent question for city officials and for every Birmingham citizen is this: If parks are closed, is it the assumption that Birmingham never will have such facilities again? Do either officials inclining toward closing or rank and file citizens assume this decision at hand is one for all time?

If there is a thought that at some future date parks and other facilities might be reopened, to provide this city with assets every other comparable city certainly will have, then why delay trying to find a way now to keep parks open? What is to be gained by closing, only to face a reopening at some future date?

There is, in this situation, a requirement for positive leadership. No action except to close down is not a satisfactory response. No thinking man deep down can believe that doing nothing is a substitute for doing something.

The problem before the commissioners is fully understood. The basis for much of reaction also is understood. The difficulty is indeed enormous. Final responsibility is in fact on those men elected to head our government.

But there is a great well of understanding and many hands, hearts and minds are ready to join an effort toward solution if aid is only sought by those responsible. To ask at the very least that all most directly involved and concerned gather and discuss the matter, would be a most heartening and courageous decision within City Hall.

There is time. But there is not much. The measure of men is now being taken by those who in future will write Birmingham's history.

This is the kind of hour in which real leaders come to full stature. It is hard. But a way could be found.

### *CLOSE THE PARKS*

*The [Ala.] Industrial Press*

**WE'RE with Mayor Art Hanes and Commissioner Eugene Connor and Jabo Waggoner! We salute their action in closing city parks in lieu of financial difficulties, and in face of federal court dictatorial rulings against Birmingham and Alabama laws.**

**The commission has acted in accord with the wishes of the majority of Birmingham residents, we believe. It is now up to those who favor this measure to take a strong stand with our elected officials.**

**There are those who will seek to have the commission revoke its order, being unwilling to take any stand on principle that will bring about a sacrifice on their part.**

**Consequently, those who feel that this action is vital in the resistance against encroachment of local rights by federal court edict, must take a firm stand now, and acknowledge their support to the City Commission.**

**We are glad the decision was made to close parks and park facilities in preference to the sale of the properties. We do not think that now is the time for the city to dispose of land which at some later date could again be useful for recreational purposes.**

**Closing parks today does not mean that they will be closed forever. Financial matters will be better in years to come. It's still possible for people of Birmingham and the South to win over political and federal intervention with our local laws and rights.**

**Those of us who want our liberties preserved must be willing to back our desires with some sacrifices for now; and, we must back the elected officials who are willing to carry the fight for us.**

# Letters, calls mounting in park battle

BY IVAN SWIFT
News staff writer

"I wish I had a crystal ball or the wisdom of Solomon."

The wisher is Birmingham's Mayor Art Hanes, and he wished it many times Tuesday as petitions, letters and phone calls cascaded in on him, telling him he's right or he's wrong for ordering Birmingham's parks closed.

Right or wrong, the parks—except the zoo, Legion Field and Vulcan—will close Jan. 1.

**Hanes has made that plain and he has said it over and over again. And he's also said the real reason the parks will close is to thwart a federal court integration decision.**

"There's an awful lot of people on both sides of this issue," Hanes told a crowd of Junior Chamber of Commerce members who crammed into his office Tuesday to protest the closing order.

Minutes before they came another protest against the closing by the Downtown Improvement Assn. landed on his desk.

He put it on the pile of messages for keeping parks open. Topping the stack for closing the parks was a petition from a resolution committee of Carpenters Local 103, saying "close the parks."

JAYCEE PRESIDENT Tom Moxley handed Hanes the terse, two-paragraph resolution and said "we'd like to deliver in person a resolution to you . . .

"Thank you very much," Hanes cut in.

"To let you know by our appearance here," Moxley continued, "our feelings against closing the parks."

**Hanes walked around his desk, shaking hands with the Jaycees.**

**"I wish I knew what the best course is," he said. "I don't know it. But I appreciate your interest.**

"As long as this much interest in our town is shown by these many people, we're going to progress. We're going to get ahead."

When the crowd left Hanes put the petition on his "open park" stack.

THE PETITIONERS aren't going to get an answer for a while, he said.

The question of a referendum, a vote of the people of Birmingham, on whether parks stay open or closed, was put to him.

Hanes said he was "all for it."

"Let 'em go out and get 10,000 signatures like we did a few years back to get an athletic segregation ordinance passed."

**That ordinance is now dead. It died in the same federal courtroom as the segregated park system ordinance.**

The parks are dead too, as of Jan. 1, petitions or no petitions, Hanes said.

But at the same time he proffered one way of resurrecting them—petitions asking for a referendum vote on the closing.

Attorneys who have been following the parks situation since the dilemma crested have discussed that.

They have also hashed around the possibility that the federal court will call the parks closing a defiance of its integration order.

THE LAWYERS say the federal court can't make the city appropriate any more money for the parks than city commissioners want to. But the lawyers say the court can order the city not to put up its no tresspassing signs Jan. 1.

Some court may get a chance to decide exactly what those "no tresspassing" signs would mean.

Mayor Hanes has told questioners that the sign wouldn't mean children couldn't go into a park and play, so far as he is concerned.

**But so far as Police Commissioner Eugene Connor is concerned no tresspassing means exactly what is says—stay out.**

**Connor said officers will "run 'em out" if they find persons in the parks after the signs go up.**

His reasoning is double-barreled:

First, a law means what is says, and "no tresspassing" means stay out.

Secondly, if whites can come in the parks, then Negroes can come in the parks. And after Jan. 15—if the parks are open — whites and Negroes can come in together.

SPOKESMAN for keeping the parks open say this won't happen, that Negroes will still stay in their own areas and not invade white parks.

"Maybe," says Hanes, "but can we afford an experiment?"

Meanwhile, over the city, protests rise, petitions pass, and the mayor hears from the people.

From some, he hears only once.

**Those are the ones who said what they thought and got the phone calls in the night from the opposition. The phone calls usually come two ways.**

One is with a blast of verbal filth an da threat of death.

The other is early in the morning, 2 a.m., 3 a.m. 4 a.m., when the phone rings, it's picked up—and there is only a click on the other end.

Both sides get them, it's part of the price you pay for taking sides.

Carpenters Opposed—

# Four More Groups Ask Parks Be Kept Open

Four more organizations yesterday asked city authorities to keep Birmingham's park facilities open, while another group declared itself in favor of closing them.

Meanwhile, letters from individuals expressing their opinions on the matter continued to mount on the desk of Mayor Arthur J. Hanes.

"I haven't had time to count the pro's and con's today," said Mayor Hanes. "But offhand, I'd say there are more letters opposing the closing of the parks than in favor of it."

Monday, the letters were about 3-1 for closing the parks.

The Birmingham Downtown Improvement Assn., the Junior Chamber of Commerce, the North Birmingham Chamber of Commerce, and the Jefferson County Association for Mental Health adopted resolutions protesting the imminent shut-down of the park system.

The Jaycees came to Hanes' office in a group yesterday afternoon to present their resolution.

The Carpenters Local Union 103, which has about 1300 members, declared itself in favor of the City Commission's decision to cut the Park and Recreation Board's appropriation in half, thus forcing the subsequent closing of most park facilities.

# Mayor steadfast for closing parks

BY IVAN SWIFT, News staff writer

Birmingham's parks will close Jan. 1 and they will stay closed, Mayor Art Hanes said—and re[illegible] times—at a public meeting in City Hall Monday

"The truth of the matter is, the parks were closed because of the integration ruling. That is plain as I know how to make it," Hanes said.

About 100 men and women, some for keeping the parks open, some for closing, others undecided, listened to Hanes bat a batch of questions back at the audience.

**The speakers for closing the parks concentrated their arguments on the idea that anay break in the segregation wall would mean all-out integration in Birmingham.**

The speakers for keeping the parks open saiad maintaining the parks will help Birmingham grow and prosper, and that open parks would result in only token integration.

CAUGHT IN the middle of the muddle were the representatives of groups which sponsor athletic activities for children at the city's parks.

Many of them have "begged" equipment and money to build up the parks in their areas.

Milton Fullman, a young father from West End, asked the question that hurt.

**Fullman, a segregationist down the line, said "my boy's been playing ball for four years at Lowery Park, behind Jackson School.**

"I got out and begged heavy equipment companies for a tractor to level the field. We scraped it off.

"NO NEGRO is going to play in that park with my boy and me. I can see to that.

"But does all this mean my boy and I cana't go up there and knock a ball around?"

Art Hanes held his answer for a few seconds, then he spoke slowly.

**"If I saw an open park and I wanted to shag a few flies with my boy, I'd do it," he said. "I don't know what the police commissioner is going to do, but so far as I'm concerned, nobody is going to bother you."**

Many in the crowd interpreted the mayor's answer to mean that even though the parks are ruled closed, children will be able to play in them.

WHEN REPRESENTATIVES of organized groups asked him about easing the parks, Hanes told them there is a big legal problem involved in leasing or selling the properties.

He said the court ruling integrating the parks would make it illegal for a park to be rented to whites but denied to Negroes who might try to rent it the following day.

**Most of those who spoke — but not most of those in the meeting at City Hall—were for keeping the parks open.**

CARL MILLER, chairman of the just formed People's Park Committee, told Hanes his group is against integration but for keeping the parks open.

He asked Hanes why the al-

ready almost totally integrated zoo will be kept open, and the parks will be closed.

"The zoo is a walk-around facility," Hanes said. "Besides, the City Commission isn't telling the Park and Recreation Board that it has $295,000 it can do anything with.

"They can operate anything they want to with it."

**Earlier, Hanes pointed out that after the park board pays its bills, it will have barely enough to operate the zoo for the year.**

Several times during the hour and a half long session, things got tense, and the words got bitter.

"You're a cold, cruel man," one person told Hanes.

"I'm one of the warmest hearted people you've ever seen," Hanes said. "Don't think I'm not being put out by this. I've lost sleep over it."

CHARLES MORGAN Jr., Birmingham attorney, asked Mayor Hanes just what effect the closing of the parks would have on the likelihood of Homewood and Mountain Brook merging with Birmingham.

"They won't merge with Birmingham because they are not faced with integration," replied Hanes. "Yet they want us to integrate."

**Hanes said he watched desegregation in Washington, D.C., where the white people moved out and where Negroes moved in to make up a large part of that city's present day population.**

"If you integrate these parks, and roll over and play dead, you hasten integration in the schools," emphasized Mayor Hanes.

S. T. Shumate told the group "I want to see the Pony League and the Little League kept going, but I do not advocate integration in any way."

HANES MADE IT PLAIN that if integration ever comes to Birmingham while he is mayor, it will be "at gunpoint."

He made the blunt statement when a woman asked him if he thought he "could keep segregation forever."

He agreed that "it may be true we can't keep segregation forever, but that doesn't mean we can't hold the line wherever the line can be held."

**Asked if he meant closing the library and the schools, Hanes repeated "if they integrate, it will be at gunpoint."**

**He listened to attorneys, to representatives of the Young Men's Business Club, the Jefferson County Mental Health Assn.**

The answer was the same—the parks are closed. Only the zoo, Legion Field and Vulcan stay open.

"PARKS AND RECREATION facilities are necessary to run a modern metropolis. If you're not up to date, you're not prosperous.

"Are we going to board up our community houses? Are the kids going to play in the streets?

**"Isn't there some reasonable solution?"**

**And he heard the pleaders for closed parks say:**

**"I'd rather see them boarded up than integrated."**

"If we integrate the parks and roll over and play dead, the schools will be next."

"Park integration is just a foot in the door. Schools are going to be next."

The talk rocked back and forth, from merger to new industry, but the questions were answered before the session began.

As of now, Birmingham's public recreation system is dead.

# Citizen groups battling for parks

BY IVAN SWIFT, News staff writer

Opposition to closing Birmingham parks was voiced here Sunday, and groups were being organized over the city today to fight the City Commission budget chop that woudl curtail recreation here Jan. 1.

The first organization to get going strong was the People's Park Committee, headed by two West End men, Carl Miller and Ferman Kelly.

**Miller, a salesman, and Kelly, a druggist, are officials of youth sports groups such as Little League and Pop Warner Football.**

"We got started Saturday morning, and we've mushroomed. Right now we've got 20 to 25 people—representatives of Wahouma, Ensley, Southside, Central Park — we've met with and discussed this," Miller said.

"WE WANT TO ASK some questions," he said.

**"What's really causing the parks to close?**

**Is it really integration?**

**"Is it financies?**

**"Or is it politics?"**

"We don't think it's finances, we think it's politics," Miller said.

MILLER SAID there are no politicians in his group, and "none of us has any political aspirations."

**Tonight they will be at Mayor Art Hanes office to let him know they are against closing the parks.**

Meanwhile, other meetings are being set up for the rest of the week.

"This happened so fast, people are saying it really isn't going to happen," Miller said.

"But when you show them it is happening, they want to stop it."

At Charlie Boswell Golf Course, a petition protesting the closing started circulating at 1 p.m. Sunday. It had 68 signatures before the course closed.

Those at the course said only one person read it and refused to sign.

"WE, THE UNDERSIGNED, respectfully protest the closing of the Roebuck Golf Course and other golf courses and parks. This petition is not an endorsement of integration but is an appeal for not allowing integration to deprive the people of our city of the recreation facilities of our golf courses and parks.

**"The undersigned feel that by the very nature of the game of golf, that even though the golf courses be integrated, that segregation could and would be practiced in that there would be no mixing of the races within foresomes. With the exception of the areas adjacent to the tees, considerable distance would separate the foursome as they played the courses.**

"We, the undersigned, realize and appreciate that integration is unpopular with a great many people in our city, but we feel that it is more desirable to integrate our golf courses and parks than to close them."

Ministers add appeal—

# Commissioners stand firm against 'keep parks' pleas

BY IVAN SWIFT
News staff writer

Birmingham's city commissioners stood like pre-cast concrete Saturday against power-packed pleas from business, religious and civic groups for a new look at the park closing situation.

But at the same time the commissioners said the parks will close to prevent integration, the Ministers' Association of Greater Birmingham asked members to preach against it "right away," possibly this Sunday.

## *Other developments*

AND THESE OTHER developments came into the picture this weekend, less than a month from the day public recreation is ordered ended in this city:

1. A group of Negro leaders offered to meet and discuss the parks situation with white leaders.

2. About 100 members of the golf clubs at Highland Park, North Birmingham and Roebuck voted—with one nay—to keep the courses open, even if it means desegregated greens.

3. Ringling Brothers Circus officials said the circus had reserved Feb. 14-18 at Municipal Auditorium, but it was canceled by city officials about 10 days ago.

**The minister's, following up last week's statement to the City Commission opposing the closing, asked that "every pulpit, as soon as possible, preach against the sinful situation that might well bring a day of tragic darkness to our beloved city."**

The message asked the 200 Protestant clergymen who belong to the association to "please preach such a sermon, if you agree."

## *All must join*

BUT IT POINTED out that "unless every pulpit preaches against it, our city parks and other recreational areas involved will be closed down.

"This will take place on or before Jan. 15, unless the clergy join with lay citizens—with the plea and the prayer that this day of darkness does not come upon us.

**"Unless thousands upon thousands of people in greater Birmingham make their feelings known to City Hall, this day of darkness may well come next month, Jan. 15," the message said.**

And it urged ministers to ask heir governing boards to "take an official stand against this coming day of darkness."

One church, Woodlawn Presbyterian, already has. Others are known to be considering it.

The message points out that large group of church members met with the ministers at the ministers' invitation.

## *Connor stands firm*

COMMISSIONER Eugene Connor, aware of the statements from the city's business and civic leaders against the closing, isn't budging.

"I'll never vote to integrate our parks, our swimming pools, our community centers, golf links or Legion Field."

Mayor Art Hanes, who is getting the bulk of the mail and the calls on the parks situation, said, "I have received hundreds of letters and hundreds of phone calls. The vast majority of these calls and letters indicate to me they want the line to be held against integration and communism."

**Commissioner J. T. Waggoner couldn't be reached Saturday, but Connor said Waggoner told him and Hanes he is solidly with them on the parks closing issue.**

The Birmingham Bar Association took the matter up but voted not to approve a resolution asking that the parks decision be held up until a committee could be organized to study the problem.

It was beaten by a small vote, after some attorneys argued that the bar association should not make a recommendation because the parks closing is a "political" issue.

## *Legal action looms*

THE POSSIBILITY of legal action, either from citizens who want open parks, or from the federal court, is obvious.

Some Birmingham residents believe they have a legal case based on the closing of some facilities, but the continued operation of Legion Field, the zoo and possibly several playgrounds.

Attorneys point out that the federal court might consider the city's budget chop to prevent desegregation a violation of its order integrating the parks.

There are other legal angles to the issue, but all are thorny, including the possibility of private groups taking over the facilities.

**The groups which have come out already against closing—the Chamber of Commerce, the Committee of 100, the Junior Chamber of Commerce, the Young Men's Business Club, the Ministerial Association, the Downtown Improvement Association—say they are working to change City Hall's mind on closing.**

But City Hall is sticking to its stand.

Said Connor:

"After receiving a copy of its resolution, I wrote the Birmingham Chamber of Commerce and stated that if it can come up with an idea how we can keep the parks segregated, then I would vote to keep them open.

## *Won't integrate*

"I'LL NEVER vote to integrate our parks, our swimming pools, our community centers, golf links or Legion Field.

"I would like to see citizens of our city form a corporation and buy the golf courses and Legion Field and operate them as private facilities.

"The great majority of the people who are doing most of this talking and passing resolutions to keep the parks open don't even live in the City of Birmingham.

"And I've had at least a dozen persons who belong to these organizations that have passed these resolutions write me and tell me they didn't even vote for these resolutions.

I've had two ministers call me and tell me they didn't vote for the resolution passed by the ministers group, and tell me to hold the line.

**"This yapping which is being done, mostly by those living outside our city, is causing unrest among both races and, if it isn't stopped, it's going to cause some serious consequences in Birmingham.**

"If Mountain Brook and Homewood want integrated parks, let them buy some property and integrate them.

"At the last meeting I had with the other two commissioners, Mr. Hanes and Mr. Waggoner, all three of us were unanimous in closing the parks.

## *Ask other views*

"I'D LIKE TO know what our Jefferson County legislators, including our state senator, and also our lieutenant governor, who lives in the City of Birmingham, have to say about closing the parks in our city. They represent Birmingham in our Legislature.

"This is my final statement about the parks."

Said Hanes:

"I will never knowingly, consciously, or wittingly aid and abet integration or communism in any form, or communism which is pushing integration in any form.

"On the contrary, I will fight it and resist it with every ounce of my strength.

**"I have received hundreds of letters and hundreds of phone calls. The vast majority of these calls and letters indicate to me that they want the line to be held against integration and communism.**

"Tnis makes me doubly happy. It coincides with my own personal beliefs.

"The thinking of those who say hold the line is based solely on good old Southern and American principles."

# Negro leaders offer to meet with whites on park issue

Birmingham Negro leaders Saturday offered to meet and discuss the parks situation with white leaders.

The announcement came from 14 Negroes, including A. G. Gaston, who has large business interests here and Arthur D. Shores, widely known Negro attorney.

It points out that "first-class citizenship" is the goal of the group. But it explains that Negroes know responsibility goes with citizenship.

## *Will affect both*

AND CLOSING the parks Jan. 15 will affect Negroes as well as whites, both economically in proportion to area growth, and individually regarding a place to play.

The Negro group said meetings to talk about ways of solving the problem could serve a double purpose.

It was pointed out this could help ease the parks situation and reestablish communication between the races here.

Here is the statement:

**"The Negro community, united in its determination for first-class citizenship, is willing and anxious to assume its full share of responsibilities and duties incident thereto.**

**"We are vitally concerned with the present image of Birmingham and Alabama, and with its future development. The economic and cultural growth and development of our area are dependent on the climate of race relations. We are concerned, just as all citizens should be.**

**"IN OUR DEEP concern for the progress of our community, and in keeping with our traditional attitude, we are ready and willing to meet with the white citizens of Birmingham and Jefferson County to discuss ways of solving the problems facing our community—in a spirit of reason, understanding, and Christian goodwill.**

**"Dedicated to progress and cooperation, we welcome the opportunity to establish good, sound communication between the races.**

**It is in this spirit that we stand ready and willing.**

**"The above statement is subscribed to by the following committee of citizens.**

**A. G. Gaston, Paul R. Jones, Arthur D. Shores, W. E. Shortridge, E. W. Taggart, J. L. Ware, S. E. Welch, Herman Stone, J. W. Marshall, C. E. Thomas, C. J. Greene, Frederick L. Ellis, G. W. McMurray, John J. Drew.**

# Chamber Calls Bi-Racial Meet

BIRMINGHAM (AP)—The president of the Birmingham Chamber of Commerce, Sidney W. Smyer, called Monday for a bi-racial meeting on the dilemma facing Birmingham's parks.

As it stands now, most of Birmingham's public recration facilites will be closed down after the first of the year.

The city, facing a Federal court order to integrate the facilities by Jan. 15, has curtailed budgets sharply, virtually assuring the closing of most parks.

A group of Birmingham Negroes offered Saturday to meet with white leaders to discuss the situation. The Negro group included A. G. Gaston, a prominent businessman, and Arthur D. Shores, a well-known attorney.

Mayor Art Haynes said he would meet with any group with a plan for keeping the parks open and segregated, but added he would not discuss any degree of integration.

Smyer urged the meeting of the races, saying, "Nobody has come up with a plan, and to get a plan you need agreement between the two groups."

# A City Without Parks—

The beginning of a new year has been set as D-Day (Dooms Day). That's when Birmingham's public parks are to be padlocked and no trespassing signs posted.

The city has lost the Birmingham Barons. Now it is losing a tremendous athletic program for the young and old alike.

With one mark of the pen, years of city-provided recreation comes to an unjust end. Community houses are to be closed, many Little Leagues put out of business and Park Board baseball, basketball and football will no longer exist.

Kids will have to look elsewhere for a place to play. Will streets, vacant lots or street corners offer adequate gathering sites?

Adults will be without meeting halls. Dancing schools, kindergartens, craft classes and others must look for new facilities.

Why? That's the same "why" asked when the city lost its professional baseball club.

Ironically, exceptions have been mentioned. The zoo which is located in Lane Park is to remain open. Wahouma Park which houses a vast Little League project is to be closed.

Why one and not the other?

Legion Field which stands adjacent to McLendon Park will still host athletic contests. The Ensley Community House where men's and boys' basketball games are played goes under the lock.

Why this and not that?

Will McLendon Park still be used as a parking lot during football games after the edict?

The auditorium, too, keeps its doors open. The Central Park Community House's doors will be shut tight.

Why the auditorium and not the Central Park Community House?

To trespass is to violate. Does that mean reprimands for youngsters who can't resist the urge to fly a kite or play a game of scrub in posted public parks? Or fines, maybe, or jail sentences for repeated violations?

Will Birmingham's attraction as a playing site for college football games be dimmed? Will a college team be willing to play at Legion Field and run the risk of becoming involved in another's turmoil? Rich bowl invitations have been shunned for less reasons.

These are only questions. Every Birmingham voter must seek his own answers on how it will be to live in a city without parks and without city provided recreation.

City Hall roundup—

# Park Board's skeleton expenses are outlined

BY LOU ISAACSON
News staff writer

How will the Birmingham Park and Recreation Board's skeleton appropriation of $295,000 be distributed?

After a week of cutting personnel to the barest minimum, Parks Supt. Frank Wagner has come up with the answer.

For the balance of December and January the board will spend $132,194, most of which will go to pay employes being laid off.

From Feb. 1 to Sept. 31 of next year Wagner will have $162,806 to work with, of which $114,481 will go for salaries and wages.

**A breakdown of figures shows that for the seven-month period $15,733 will be for administration and office; fire insurance on closed facilities will take $2,505; nursery, $23,726; Jimmy Morgan Zoo, $75,415, and maintenance, $45,425.**

A further breakdown by classification of the $162,806 for February through September shows $114,48 will go for salaries and wages; insurance, $2,589; telephone, $371; fuel, lights and water, $5,075; supplies, $435; zoo food, $21,000; vehicular operation and repair, $3,920; cost to install charge at zoo, $9,935; zoo veterinary service, $1,400, and repairs and maintenance, $2,600.

THERE IS A CHANCE the board will save the $9,935 set up for installing the admission charge at the zoo.

At its meeting Friday former Mayor James W. Morgan opposed charging an admission fee to the zoo.

Morgan, who earlier advocated the charge, said he felt the zoo would be the only thing left in Birmingham for children and to add an admission charge would "add insult to injury."

Wagner said Legion Field, although it is operated on a separate fund, is maintained by the board.

**Another problem Wagner faces is what to do with furniture and other equipment no longer used when park facilities are shut down.**

Wagner said that each community center houses about $15,000 worth of inventory. All available storage facilities are now filled to capacity.

The board also is concerned about meeting current obligations on projects such as those at Roebuck Community Center and in North Birmingham. Both projects have overrun original cost estimates by about $15,000.

**The board's only alternative to meet these obligations is to ask City Commission for permission to appropriate money from the Downey Fund, which was originally set up to construct a Negro community center.**

## *License hearing set*

UNLESS FEDERAL authorities intervene, City Commission will conduct a hearing Tuesday on whether the Greyhound Bus Station restaurant license should be revoked.

Mayor Art Hanes said that "Ordinance 369 is still on the books and as long as it is we will conduct the hearing."

Hanes referred to an ordinance relative to separation of the races. Ralph Sizemore, restaurant manager, is accused of violating the ordinance.

The U. S. Government has filed an application for injunction asking the city be enjoined from further interferring with desegregation of bus station facilities.

**Two weeks ago the commission adopted a resolution ordering the Greyhound Post Houses, Inc., operators of the restaurant, to appear before it at 10 a.m. Tuesday to show cause why its license should not be revoked.**

## *Lease investigated*

City Atty. J. M. Breckenridge is expected to have ready next week an opinion on the legality of a parking concession lease at Municipal Airport.

Mayor Hanes asked Breckenridge to investigate the lease between the city and Airport Parking Co.

**Hanes said he asked for the investigation to determine if there is anything wrong in the contract.**

"If there is any fraud, bribery, conflict of interest or violation of public trust," Hanes said, "legal proceedings will be instituted to cancel the lease."

## *Hanes cancels trip*

Mayor Art Hanes has canceled a trip to two Army installations and will hold "open house" at City Hall Monday night.

Hanes said he canceled the tours at the last minute because "of pressing problems here and a hearing scheduled for Tuesday before the commission."

Hanes had planned to travel to Fort Polk, La., and Camp Hood, Tex., at the invitation of Maj. Gen. Henry V. Graham, to visit units of the 109th Evacuation Hospital to inspect recalled National Guard personnel.

# Birmingham plans city park closing

BIRMINGHAM, Ala. — This Deep South city, faced with a federal court order to integrate public facilities next month, took the first step Friday toward closing most of them Jan. 1.

Birmingham's Mayor Art Hanes said Legion Field, where upwards of 50,000 fans watch major college football, and the municipal zoo would remain open.

So will Vulcan Park atop Red Mountain and Woodrow Wilson Park in downtown Birmingham, he said.

MAYOR HANES directed Frank Wagner, head of the parks board, to dismiss all but the few maintenance men needed to keep up what remains in operation after Jan

Montgomery, Ala. closed its parks Jan. 1, 1959, after an integration suit was filed U.S. District Judge Frank M. Johnson Jr. later ruled that the parks must be integrated if reopened but he said the city could not be made to operate parks.

U.S. District Judge H. Hobart Grooms, ruling last October in a suit brought in Birmingham, threw out a city ordinance requiring segregation in virtually all types of public facilities.

* * *

**THE CITY** has appealed the ruling, but barring a delay order from federal court, the ruling will go into effect Jan. 15 even if the appeal is still pending.

About one third of Birmingham's population of 340,00 is colored

SAVE BIRMINGHAM—

# Dealing With Facts Is The Park Solution

THERE IS NO question but that the three commissioners of the City of Birmingham believe they have in very real effect a "mandate" from a majority of the voters of Birmingham proper—within the City of Birmingham limits—to enforce segregation at all costs.

It is naive to deny that this is the case. Their "mandate" is a matter of plain fact by all political reckoning.

It is obviously true, further, that the overwhelming majority of business, professional and civic leaders of the Birmingham and Greater Birmingham area see in projected closing of parks and recreation facilities an immediate tragic blow to this community—both Birmingham proper and the Greater Birmingham area.

THIS GROUP also sees this kind of action as a signal flag hoisted to the master over City Hall which says to the entire nation that Birmingham plans to be absolutely "diehard" in the racial matter, that it intends to resist all court orders by any and every device which can be achieved within law, short of violence hopefully.

Closing the parks, to be fully candid about the problem, would have to be regarded as a probable forecast of further closing of any other publicly-supported institutions which were threatened by integration. This means, foremost, schools.

THUS THE PRESENT situation. It is one in which the POLITICAL position of the commission is defensible. It is one in which the city commissioners do not interpret their public offices as requiring them to exercise creative leadership. Rather—and they have logic from a pure political standpoint—they judge the people who put them in office as having spoken. And they judge their political requirement as being basically to follow what they estimate to be the Birmingham voters' wishes.

THE POSITION of the business and civic leadership of the Greater Birmingham area, in **The Birmingham News'** opinion, is sound. In the opinion of men who keep our work wheels turning and work to bring new industry to Birmingham, to make this an economically healthy area with plenty of jobs for the citizens, parks closing will suspend a pall over this district.

This step of closing parks could imperil ALL the Birmingham district.

Businessmen do not think this idly. They think it in terms of the economic barometer. This district already is suffering from unemployment and from short work weeks for numbers who still hold jobs.

Business leadership of the community is arguing that, despite any political "mandate" the commissioners believe they have, the City Commission to fulfill its TRUE duty to Birmingham's people should look beyond the immediate emotions and desires of our people. They, too, must think of workers' future pay checks.

The businessmen believe that, at the absolute minimum, City Commission should reverse a policy of obvious haste in reaching a decision.

The business leaders think that if all could get together and discuss the situation, including the expressed opinions of Birmingham voters of course, then we would at least understand each other better. If there is a way out short of closing parks, then we might come up with it.

The plea of organizations asking the City Commission—numbers of such organizations—is NOT for integration. It IS for studying whether most of our facilities can be kept open, for examining whether a condition of understanding can be developed among whites and Negroes of Birmingham to prevent a loggerheads situation from developing.

IT IS VERY important that city commissioners and EVERYONE in Birmingham proper and in the Greater Birmingham district as well realize that we still have time here in our community to get and keep control of this situation.

You CANNOT do it if the policy of ANYONE is to be flat closing of anything and everything threatened. This invites challenge from extremists among the Negroes not just in Birmingham—but over the nation.

It invites Negro leaders—CORE leaders—to make an example of Birmingham. Some of these have shown the lengths to which they will go. The prospect of violence, let everyone fully understand—and we know this right here in Birmingham—does NOT stop the most ardent Negro activists.

Let us in City Hall and out of it NOT provoke trouble we may be able to escape. Let us use the opportunity we yet have to prevent Birmingham from being sewed into the racial fabric that includes, right today, Albany, Ga., and Baton Rouge, La.

MAYOR ART HANES has spoken a great deal about this problem during the past week. He now appears to be in a position of rejecting the advice of many responsible business and civic leaders.

Some of these leaders are among the people who vigorously supported him in his candidacy. Any rejection of their views by him would change his previous policy of counseling with those whom he knows as both friends and concerned supporters. This in itself should be very seriously thought out by our new mayor.

CITIZENS OF BIRMINGHAM, citizens of Greater Birmingham, human qualities of emotion and concern are involved, and they are the experience of all. Certainly these give us great difficulty. But no matter what has been said so far, let us not allow the CRIME of omission—the crime of not trying every inch of the way to reach a common bond of understanding, a common policy, a common basis on which we can try to save as much as we can of the customary way of Birmingham life.

If we do not use our best brains, if we do not use LONG-RANGE political wisdom, then all, in and out of City Hall, will find that troubles of today are small indeed compared with those which might be dropped upon us in the tomorrows ahead.

THIS COMMUNITY must not be put upon the cross of total despair. Commissioners, citizens of all this district, let us show faith in ourselves, belief in ourselves, consideration of the problems of each in a position of responsibility—be it elective responsibility or that of maintenance of a sound and prosperous industrial district.

We CAN do this job. But we all MUST get down to it.

OCTOBER NOV.

# After parks' ruling—

The Birmingham News

# City facing

Wed 10-25-61

# big decision—

Birmingham, Ala

# integration

BY IVAN SWIFT, News staff writer

se Birmingham city officials today faced their biggest itegration problem so far—a federal court ruling desegregating recreation facilities here.

U. S. District Judge H. H. Grooms listened to a full day of testimony Tuesday before he ruled that segregated city parks are illegal.

**Judge Grooms made it plain that he based his ruling on previous decisions by the U. S. Fifth Circuit Court of Appeals and the U. S. Supreme Court.**

"Under rulings from (those courts)," Judge Grooms said, "we have no alternative but to grant the relief prayed for."

THOSE WORDS — "the relief prayed for"—are legal terms, but Negroes at the trial took them as an omen.

"Le me go to church, I got to talk to Jesus," a stout Negro woman said, as she bustled out of the court room.

The decision doesn't mean that Birmingham's public recreation facilities desegregate today. Judge Grooms has to write and sign his order.

The city has the right to ask for reviews and it has the right of appeals.

**Judge Grooms also withheld his decision regarding leased recreation facilities such as Fair Park, Birmingham Zoo Railroad and a pitch and putt golf course at Green Springs Park.**

But he said that under the law as interpreted by courts higher than his, segregation at public parks is unconstitutional.

CITY ATTY. J. M. Breckenridge's defense was eloquent and strong.

"We are making progress in this town," he said.

But he told the court "to maintain a public park system in this city, it's necessary that Negroes and whites use separate facilities

**"The government can't require integration, it can merely prohibit enforced segregation."**

Negro Attys. Ernest Jackson Sr. and W. L. Williams Jr., systematically showed that the city's park and recreation facilities are segregated.

JACKSON, who fought and lost a school integration case here, brought witness after witness to the stand, to show that Birmingham public facilities are segregated.

Actually, the testimony showed that recreation facilities are not as segregated as most area residents believe.

James H. Ball Jr., operator of a food concession at Jimmy Morgan Zoo the past five years, admitted that his stand used to have signs saying "colored" and "white."

**Ball said the "colored" sign disappeared when "the wind blew it down. We never did put it back. It didn't mean nothing no way."**

He told Breckenridge that he served Negro and white equally, and that both races stood in the same line for service.

# B'ham Facility

Atlanta World 61

# J'Crow Outlawed

Thurs 10-26-61

BIRMINGHAM, Ala. (UPI)—Federal Judge H Hobart Grooms Tuesday ordered desegregation of all Birmingham parks, swimming pools and other recreation facilities.

Atlanta Geo

Grooms issued the order at the close of the hearing which heard testimony from several Negro and white witnesses that the city facilities are "customarily" segregated. The suit was brought by 15 Negroes.

The city was expected to appeal the decision.

Involved are 67 parks, four golf courses, 38 playgrounds and various swimming pools and other recreational facilities

In making the decision Groome said he had "no other choice" in view of recent decisions of the U. S. Supreme Court.

He directed the plaintiffs in the case, the Rev. Fred L. Shuttlesworth and 14 other Negroes, to amend their petitions to include the controlling bodies of the municipal auditorium and the city art museum.

The verdict touched off a jumping and shouting demonstration in the courtroom where about 200 Negroes had sat quietly throughout the session of the court.

Grooms ordered that all public recreational areas and parks, the city zoo and the municipal auditorium be ordered opened to Negroes on the same basis as whites.

# MIX BAN INVALID AT BIRMINGHAM

The Times-Herald

## U.S. Ruling Affects Public Recreation Spots

Fri 10-27-61

BIRMINGHAM, Ala. (AP) — A federal judge ruled Tuesday that segregation of public recreation placges in Birmingham is unconstitutional.

The ruling by U. S. district court Judge H. H. Grooms came on a suit brought by 15 Negroes, including Rev. F. L. Shuttlesworth, former pastor and Negro integration leader here.

Wed 10-25-61

The judge reserved a ruling on segregation of leased facilities at public parks. This include such businesses as children's rides and concession stands.

Grooms gave the Negroes time to specifically name defendants in those sections of city recreational facilities which are leased.

Affected by the ruling are the city's 67 parks, four golf courses and 38 playgrounds.

**HELD UNCONSTITUTIONAL**

Specifically ruled unconstitutional was section 859 of the Birmingham city code. The section requires segregation in any room, hall, theater, picture house, auditorium, yard, court, ball park, public park, or other indoor or outdoor places to which both white persons and Negroes are admitted.

Grooms said he based his decision on rulings by the U. S. Fifth Circuit court of appeals and the U. S. supreme court that segregation in public recreation facilities in unconstitutional.

The ruling came at the end of a one-day hearing.

Shuttlesworth, first of several witnesses to testify, said he was rebuffed when he sought to use facilities at a children's park and a golf course here.

Shuttlesworth said he has not attempted to integrate the city zoo. Later testimony brought out that it is segregated only in restrooms and concession stand facilities.

**OTHER NEGROES HEARD**

W. E. Shortridge, a Negro funeral director, testified he has lived in Birmingham for over 50 years and that Ensley Park is used exclusively by white persons.

Nathaniel C. Lee, a young Negro church organist, told the court he wrote to the Birmingham art museum asking if a Negro group could visit the facility.

The letter he received in reply, read into the court record, said the museum would be "delighted" for the group to make the tour. The letter also said the museum has separate, but equal, restroom facilities.

Lee also showed pictures he had taken at the city zoo showing signs over segregated facilities there.

Defendants in the suit were Birmingham's three city commissioners and members of the city park and recreation board.

# Birmingham Parks

Commercial Appeal

# Will Be Integrated

Wed

## City May Appeal Order Of Federal Judge

Wed 10-25-61

BIRMINGHAM, Ala., Oct. 24. —(UPI)—Federal Judge H. Hobart Grooms Tuesday ordered integration of Birmingham parks and recreation facilities after a day-long hearing on a 2-year-old suit brought by 15 Negroes.

Birmingham, Ala.

Judge Grooms issued the order in a surprise ruling at the close of the hearing which included testimony on the part of several Negro and white witnesses that the city facilities are "customarily" segregated.

City Atty. C. L. Breckenridge was not available for comment on whether an appeal would be undertaken. It was believed the appeal would be the probable course with the parks facing possible closure pending outcome of the appeal.

Involved are 67 parks, four golf courses, 38 playgrounds and various swimming pools and other recreational facilities.

In granting the order, Judge Grooms said he had "no other choice" in view of recent decisions of the United States Supreme Court.

He directed the plaintiffs in the case, Rev. Fred L. Shuttlesworth and 14 other Negroes, to amend their petitions to include the controlling bodies of the municipal auditorium and the city art museum for presentation for a hearing later on.

Excluded from the order were lessees who operate on city owned property but are not under city jurisdiction.

# Second city law on mixing voided

A second Birmingham segregation ordinance wil become void next Jan. 15.

Federal Judge H. H. Grooms Wednesday formally issued the ruling he made recently in a suit brought by a group of Negroes, against City Commission and the Park and Recreation Boarc Ordinance 597, which made unlawful "Negroes and white persons to play together."

**Thus, in nine weeks, segregation will no longer be legal here at any public theater, auditorium, ball park, playground, or at "all types of entertainment, games, sports, amusement or recreation therein to which the public is admitted."**

This includes Municipal Auditorium, the Musem of Art, Legior Field, Jimmy Morgan Zoo, anc public parks, golf courses, swimming pools and tennis courts.

CITY ATTY. J. M. Brecken ridge said the city would "defi nitely appeal" the ruling, whicl pertained to City Irdinance 859.

The formal order noted some temporary exceptions to the seg regation ban.

These are the public library system; the Birmingham Zoo Rail road Inc.; Bertis F. Carroll, operator of a pitch and putt goli course; James H. Ball, operator of a food concession at Lane Park; and the Alabama State Fair Authority, operator of the fair grounds and Kiddieland. Operators were given 60 days to show why the inqjunction should not include them.

**Grooms' order made it clear he was bowing to authorities in higher courts. He noted the Supreme Court has the last say in the matter.**

"This court is chained by the array of authorities . . . apart from whatever personal opinion it may entertain, it must of necessity bow to the same," said the ruling.

IT CONTINUED: "Whether under color of law, statute, ordinance, policy, practice, custom of usage, or as a means to preserve the public peace, or as a claimed valid exercise of state police power, such unlawful discrimination, having been found to exist, may not be puermitted to continue.

Grooms ruled the city is not required to operate recreational facilities, btut if it does, "they have to be on a non-segregated basis."

Earlier, the judge had overruled

# Birmingham's Parks Open On 'Closed' Basis Tuesday

BIRMINGHAM (AP) — Effective Tuesday, the public parks in this Deep South city will be closed—but they'll still be open.

Apparently both Negroes and white persons will be able to use them—but the parks won't be integrated.

The paradoxical situation developed out of Birmingham city officials' latest efforts to combat court-ordered integration.

U.S. Dist. Judge H. Hobart Grooms ruled last October that segregation in public recreation facilities—the golf courses, swimming pools, playgrounds and picnic grounds—is unconstitutional.

He set Jan. 15 as the deadline for integration.

**BUDGET SLASHED**

The city commission then reacted by slashing the city parks and recreation board budget drastically, leaving little more than a shadow of the $1 million plus the board had asked.

The reduced budget wiped out most maintenance and all improvements for all but a couple of parks, leaving little doubt that they would be closed down.

The park board approved the posting of "no respassing" signs on community center buildings. The signs started going up Thursday. The centers will be boarded up later.

**NO SECOND TO MOTION**

But how do you close a golf course? Or an open playground?

Mayor Art Hanes went before a special meeting of the Parks and Recreation Board, of which he is a member, and moved that "no trespassing" signs also go up at the parks.

He got no second to his motion.

He made the motion again, and a second time it failed to get a second.

Obviously angered, Hanes told the board:

"In effect you've kept your parks open to integration after Jan. 15. I've told you what the city commission's wishes are and that is to post the parks. If you don't think you can work with the city commission and stomach such a decision, the commission will consider accepting any of your resignations."

None of the board members offered a resignation.

Except for the 16 community centers, which include the city's six public swimming pools, all of the city's recreation facilities apparently will be open on a first come, first served basis—minus maintenance, and minus the segregation ordinance that was overturned in federal court.

About one-third of Birmingham's population of 340,000 is Negro.

# Birmingham Park Gates Kept Ajar

## Board Balks Mayor On 'No Trespass' Signs For Facilities

BIRMINGHAM (AP) — The Birmingham Parks and Recreation Board voted Thursday to close most of the city's public recreation facilities but took no steps to see that the facilities are not used.

Tempers flared several times as the five-member board twice refused to go along with Mayor Art Hanes' request that the parks be posted with "no trespassing" signs.

Such signs were posted Thursday at the 16 community centers here. This was in support of an earlier park board vote to close the parks as of Jan. 1.

**NO SECOND TO MOTION**

Twice Hanes moved for posting the signs. Both times he failed to get a second to his motion.

Obviously angered, Hanes told the board:

"In effect you've kept your parks open to integration after Jan. 15.

"I've told you what the city commission's wishes are, and that is to post the parks.

"If you don't think you can work with the city commission and stomach such a decision, the commission will consider accepting any of your resignations."

**'NO CONTROL NOW'**

Park Board member Jimmy Morgan, former mayor, stood up and, shaking his finger at Hanes, said:

"You are wrong, Art. We are not for integration."

Another board member, Mrs. J. H. Berry, told the mayor she resented very much being called an integrationist.

Hanes told her:

"You've got no control over it now."

The public recreation facilities here are under federal court order to integrate by Jan. 15.

The closing of most of the facilities became all but definite earlier this month when the board, at the urging of Hanes, approved a drastically slashed budget for their operation this year.

**WITHOUT SANCTION**

However, the board's action Thursday apparently means that the parks will be available to anyone who wants to use them without city sanction.

The board voted earlier to close the 16 community centers.

City Attorney J. M. Breckenridge said the board's action means that if there is any reason for police action at the recreation facilities officers will have to act under ordinances unrelated to segregation, such as disorderly conduct.

Recreation facilities not affected by Thursday's action are Vulcan Park, Woodrow Wilson Park in downtown Birmingham, and the City Zoo.

**POOLS AT CENTERS**

Neither Vulcan nor Woodrow Wilson parks have any picnic facilities. Such facilities are available adjacent to the city zoo but reservations for the sites will no longer be made.

Club houses at the golf courses are being closed but the courses will remain open on a first-come first-serve basis. It was not clear whether parks employes would be retained to collect greens fees.

Breckenridge suggested that the board adopt a resolution forbiding anyone from wakling on the golf courses but no action was taken.

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ALABAMA

OCT.

BIRMINGHAM - PARKS

# Birmingham Weighs Close Of All Parks

BIRMINGHAM, Ala. Oct. 28 (AP). Caught up in the legal battle over segregation, the immediate future is uncertain for Birmingham's public recreation facilities.

The picnic grounds, the playgrounds, the swimming pools, and golf courses—these and other facilities may remain segregated, may become integrated, or they may be closed down or sold to private operators.

The future clouded over Tuesday when a federal judge in this city of 340,000—one-third of which is Negro—ruled that racial segregation in public facilities is unconstitutional.

**THE RULING** gave Birmingham its first major threat of court-enforced integration on a large scale.

Specifically, U.S. District Judge H. Hobart Grooms, ruling in a suit brought by a group of Negroes, threw out a Birmingham city ordinance requiring segregation in virtually all types of public recreation facilities, both indoor and outdoor.

**The ruling covers Birmingham's art museum, the municipal auditorium, six swimming pools, four golf courses, 38 playgrounds and 67 parks, including Legion Field, where upwards of 50,000 watch major college football.**

The facilities now are no more integrated—or segregated—than they were before the ruling. The judge so far has not signed and issued the formal directive.

* * *

**BUT THE REACTION** to the ruling was immediate.

"It is our intention to appeal," said city Atty. J. M. Breckenridge after a meeting with city commissioners.

Also, the city has asked the judge to hold off his order until the city has a chance to appeal.

**"We hope he will," said Commissioner Eugene Connor. "If not, we will close the parks immediately, including Legion Field, swimming pools, golf links and all other facilities affected by the decision.**

"These will be put on the market for sale to private concerns."

Connor added:

"The great majority of the people of Birmingham do not want integration. It will cause nothing but chaos and bad relations between the two races.

"We have given our Negroes public parks, swimming pools, community centers and golf links, and I don't believe the great majority of Negroes are behind this Negro lawyer from Jacksonville, Fla., and the so-called Rev. Shuttlesworth, who now lives in Cincinnati."

His reference was to Ernest Jackson Sr., the Negro attorney who handled the suit, and Rev. F. L. Shuttlesworth, one of the Negroes who brought the suit. Shuttlesworth formerly was a Negro leader here.

# MIXING ORDER APPEAL DECIDED

## Birmingham Facilities May Be Sold

BIRMINGHAM, Ala. (AP) — The city of Birmingham moved Wednesday to overturn or at least delay implementing a federal court order desegregating recreation facilities.

Mayor James W. Morgan and city commissioner Eugene Connor told city attorney to:

1—Prepare an appeal to higher courts.

2—Prepare a request that the integration order be held off until higher courts have a chance to rule.

U. S. district Judge H. Hobart Grooms ruled Tuesday that Birmingham's city ordinance requiring segregated facilities in virtually all public amusement places—golf courses, auditoriums, ball parks, picnic grounds and the like — is unconstitutional.

Rather than integrate immediately, the city will rid itself of these recreation facilities, Connor said.

If Grooms refuses to delay implementation of the order, he said, "We will close the parks immediately, including Legion Field, the swimming pools, the golf links, and all other facilities affected by his decision. These will be put on the market for sale to private concerns."

The ruling grew out of a suit filed by a group of Birmingham Negroes.

# Birmingham Asks Delay In Mixing

## Recreation Facility Sale Is Considered

BIRMINGHAM, Oct. 25. — (AP)—The City of Birmingham moved Wednesday to overturn or at least delay the implementing of a Federal court order desegregating recreation facilities.

Mayor James W. Morgan and City Commissioner Eugene Connor told the city attorney to:

1. Prepare an appeal to higher courts.

2. Prepare a request that the integration order be held off until higher courts have a chance to rule.

United States District Judge H. Hobart Grooms ruled Tuesday that Birmingham's city ordinance requiring segregated facilities in virtually all public amusement places — golf courses, auditoriums, ball parks, picnic grounds and the like—is unconstitutional.

Rather than integrate immediately, the city will rid itself of the recreation facilities, Mr. Connor said.

If Judge Grooms refuses to delay the implementation of the order, he said, "we will close the parks immediately, including Legion Field, the swimming pools, the golf links, and all other facilities affected by his decision. These will be put on the market for sale to private concerns."

The ruling grew out of a suit filed by a group of Birmingham Negroes.

38a 1961

FLORIDA

FORT LAUDERDALE
BEACH- WADE-IN
WITHOUT INCIDENT

# Negroes Invade White Beach

FORT LAUDERDALE (AP)—Seven Negroes staged a swim in at Fort Lauderdale's crowded public beach Tuesday. There were no incidents.

Two Negro girls and five Negro boys were led to the beach by Dr. Von D. Mizell, secretary of the county NAACP chapter. All except Mizell went into the water while white swimmers looked on.

Motorcycle police and a paddy wagon parked near the beach soon after the Negroes arrived.

Mizell said the swim-in was not sponsored by the National Association for the Advancement of Colored People or the Congress of Racial Equality.

# Bias Underlies Pool Tragedies In Jacksonville

By WILLIAM KENNEDY

JACKSONVILLE, Fla.—While this city's politicos fought a last-ditch battle to maintain segregated swimming pools, a Negro boy has drowned and a white boy has been snake-bitten.

There is more than circumstantial evidence that these events are not unrelated. Many Jaxons see in them another sacrifice upon the altar of Jim-Crowism, and are fearful lest the continued closing of the pools result in further tragedies as the city's youth of both races, driven by summer heat, take to polluted and snake-infested swimming holes.

It was in June, when the pools were briefly opened on the condition that they be "voluntarily" segregated, that the body of Charles Wilson, age 9, was found lying upon the bottom of the Jefferson St. pool "for Negroes." That afternoon there were 931 paid admissions to the 75 x 125 foot pool. One of the two lifeguards on duty, Julian Walton Jr., age 16, has testified that it was impossible to see to the safety of so many.

**THE CASE** of snake-bite occurred in polluted Hogan's Creek, where white and Negro youth had gone splashing, within sight of the closed Springfield pool. Both pool and creek straddle a line between white and Negro neighborhoods.

The closing of the pools after a day and a half of "voluntary" segregation has come as another black eye to a city whose eyes were heavily blackened already, most notoriously during the rioting of last August.

Under Federal Court order since Dec. 7 to desegregate all city recreational facilities, Jaxons have been free since then to sit together at the coliseum and stadium, play together in the parks, and eat together at the zoo. But for reasons best known to themselves, the city fathers (white, that is) have now chosen to draw the line against Jaxons of different races swimming together in the public pools.

■

**A NEW ODITY** was added to the "Jim Crow Museum" by the manner in which officials sought to circumvent desegregation of the pools. George G. Robinson Sr., executive director of the recreation department, was widely quoted in the press as saying that the pools would open June 10 and remain open so long as no attempt was made at integration. The big idea back of this blackmail was evidently to enable officials to claim that it was not they who were doing the segregating, but the people themselves.

Sure enough, when, on June 11, a group of Negroes led by civic leader Frank Hampton, sought to enter the "white" Springfield pool, they were barred at the door by George Robinson Jr., supervisor of the city's pools, who told Hampton they were all closed "as of now."

Hampton, originator of the suit which won the original injunction restraining the city from segregating its recreational facilities, lost no time in having the Robinsons, father and son, together with the members of the recreation board, hauled before U. S. District Judge Bryan Simpson to show cause why they should not be cited for contempt.

Junior swore under oath that it was not Hampton's appearance at the door but the appearance of a dark cloud upon the horizon which impelled him to close the city's pools, "so help me God."

Senior swore he never said the things thrice attributed to him in the papers. Under examination he admitted that he had made no move to deny the stories either.

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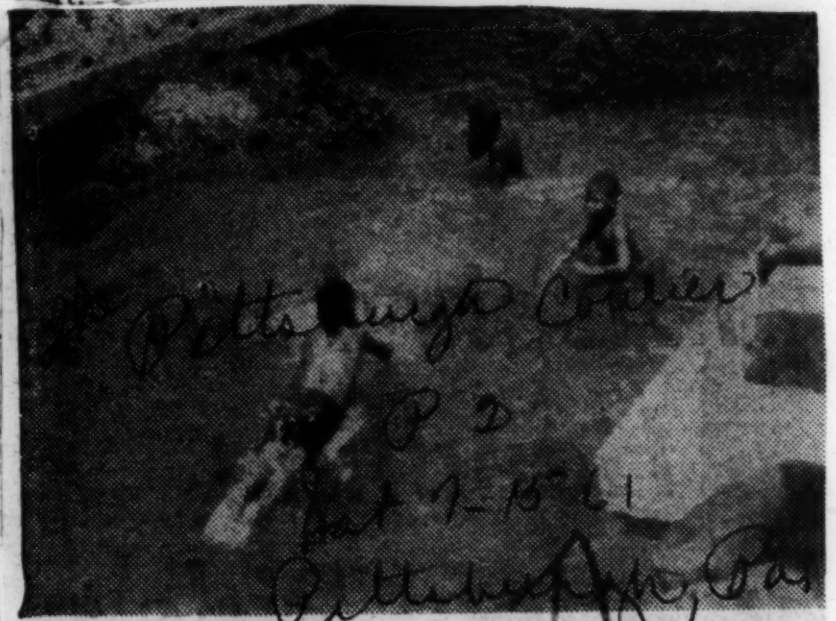
**CARL M. WILSON,** chairman of the five-white-man board of recreation, didn't mind admitting that it was because of Hampton's visitation that the board voted informally on June 12 and formally on June 27 to keep the pools closed permanently.

Judge Simpson evidently saw nothing contemptuous of himself, the law, his injunction, or the Constitution, in all this, for he promptly gave his sanction to all that the city officials had done. Upon leaving the courtroom, The Courier overheard someone saying a fervent "Amen!" to the clerk's invocation, "God save the United States and this honorable court!"



**RESULT OF SEGREGATION** — Driven by summer heat, Jacksonville youth, Negro and white, have been forced into polluted and snake-infested swimming holes, by the decision of the city fathers to close swimming pools rather than desegregate them. The above scene is of polluted Hogan's Creek, which flows past the closed Springfield pool (and the State Board of Health). Street sewers and nearby outhouses drain into it. On this same spot, a white youth was bitten by a moccasin last week.

# Drowning Of Boy Called 'Needless'

## Tragedy follows closing of pools

LYNCHBURG, Va. — The drowning of a 12-year-old boy in an abandoned canal following the closing of city swimming pools here has stirred a lively controversy.

The body of the boy, Brian Robinson, was pulled from the waters of the canal Thursday. Reports were that he was climbing down a ladder into the canal when he apparently slipped. The swift current sucked him through a canal lock, and he bobbed up on the other side.

His older brother, Tyrone, 14, yelled for him to hold on and ran for help, but the boy lost his grasp and sank.

**ON JULY 4th**, the Lynchburg Recreation Department and city police closed the three municipal swimming pools following an attempted swim by colored citizens. Two of the pools were open only to white citizens, but when the Lynchburg Improvement Association urged that all of them be opened to all citizens, all were closed.

The Rev. Virgil Wood, president of the Lynchburg Improvement Association and one of the leaders in the July 4 swim attempt, issued a statement Friday, declaring:

"We view with regret the needless drowning that occurred here Thursday. If our officials had upheld the law, then the city pools would have yet remained open and this tragedy would not have occurred.

"We then call upon our city officials to reopen the pools as the court has indicated or directed."

* * *

**THE REV. MR. WOOD** is pastor of the Diamond Hill Baptist Church, where the boy and his parents are members.

The Rev. Mr. Wood said the courts have clearly stated that all public pools should be open to all citizens, citing the Dec. 7, 1960 decision in the Jacksonville, Florida case.

**MEANWHILE, IN** St. Louis, the Maplewood City Council of the nearby suburb, voted to admit all residents of Maplewood to the municipal swimming pool after an earlier unsuccessful effort by 40 colored persons to purchase admission tickets.

Mayor Thomas A. Richardson said the council discussed the subject an hour in a closed meeting and voted unanimously to lift the ban.

But, in Nashville, Tenn., authorities on Thursday said they were closing all city park swimming pools which had been the target of democracy - seeking citizens.

The City Park Commission cited "financial reason," but Leo Lillard, member of the "non - violent movement" in St. Louis, said the closing of the pools was solely for the purpose of "perpetuating the cause of segregation."

* * *

**IN ATLANTA**, Georgia, attorneys have asked a federal judge to proceed with a hearing on desegregating Atlanta pools and parks. D. L. Hollowell and Horace Ward represent the plaintiffs.

In petitioning the court, the lawyers specifically called the court's attention to another Atlanta case in which the federal court ruled that segregation of Atlanta's municipal golf course was illegal.

# Atlanta Sued For $1 Million By Students

The Pittsburgh Courier
380 90 Park
Pittsburgh, Pa.

ATLANTA, Ga.—Four Atlanta students have filed a suit for $1,000,000 damages against the city of Atlanta; Virginia Carmichael, director of recreation for the city of Atlanta; George I. Simons, general manager, Department of Parks, and James Webb, judge of the Municipal Court.

The suit charges that the city and officials named "require and enforce racial discrimination in the use of public (parks) facilities."

The students charged that they were refused the right to use the tennis facilities at Bitsy Grant Tennis Center on May 13.

Jack Rogers was said to have denied them use on the grounds of race. They were all obviously Negro. Rogers is manager of the tennis court. P-2

The students attempted to gain admission to the Municipal Auditorium on May 12, 1961, to watch wrestling matches open to the public. The manager, H. H. Niegruegge denied them admission and stated that it was the policy of the Auditorium to exclude them because of race.

Let. 5-27-61

**LONNIE KING JR.**, who was jailed for five hours by order of Judge Webb on Feb. 9, 1961, for failure to move from the section of the courtroom reserved for white persons, is a student leader of the commnity.

The students' complaint asked for an immediate temporary injunction barring all racial discrimination in all facilities owned, operated, controlled, or maintained by the city of Atlanta, Ga.

This suit, filed in the U.S. District Court, follows a meeting of local Negro and white leaders with Mayor Hartsfield in which they sought an exchange of views and discussion of the park segregation. It was agreed by the group which met in the Mayor's office, that there would be no publicity. This was stated in answer to a question by the Mayor asking whether there should be reporting members of the press present.

■

**THERE WAS** no discussion of the issues and virtually no exchange of views.

The Mayor did most of the talking during which he stated his personal stand that integration of the parks at this time would not be suitable. He was supported in this by Mr. Leftwich, Mr. Simons, and Miss Carmichael who sat with the Mayor.

The purpose of the integrated group talking with the Mayor was to request that the Mayor take the initiative in desegregating the parks. The Mayor stated to the press, in an article published in the Atlanta Journal (May 9, 1961) that he had convinced the group not to press the park issue at this time. This was emphatically denied by the members of the group and a pool taken to confirm the denial.

The integrated group consisted of Carl Holman and Jesse Hill, members of the Atlanta Committee for Co-operative Action, an integration group; Liza Paschall and Harry Boyte, officials of the Greater Atlanta Council on Human Relations; Q. V. Williamson, a member ACCA; and James R. Wood, director of public relations for the Southern Christian Leadership Conference.

38a 1961

GEORGIA

AUGUST
ATLANTA - POOLS

# Put Off Park Tests, Negroes Are Urged

The Atlanta Constitution
P. 21 Atlanta, Ga.
Fri. 8-25-61

## Await Court Decision, Asks Lawyer After Tennis Push

By BRUCE GALPHIN

The attorney for Negroes challenging Atlanta's park segregation urged all Negroes Thursday to refrain from any further demonstrations until the case is legally settled.

Attorney D. L. Hollowell made the appeal after four Negroes attempted unsuccessfully Wednesday to play at the Bitsy Grant Tennis Courts.

The city has contended in a pending federal court suit that segregation ordinances are no longer enforced in the parks. Negroes who went to the tennis courts Wednesday said they were testing that contention.

**'FOR REPAIRS'**

The facility was abruptly closed "for repairs" and remained closed Thursday until further notice.

Hollowell commented that "it appears that there may be some contradictions between the allegations of the defendants and the actual situation.

"However," he continued, "I am asking not only the plaintiffs but all other Negro young people to refrain from making any further tests of the park situation until we can clarify and adjudicate the current situation."

The desegregation suit, brought by four Atlanta University students, seeks to end racial barriers in all city-owned facilities, including swimming pools. The pools will be closed for the season next week, under normal procedure.

It was understood that Wednesday's tennis court test was unfavorably received by part of the adult Negro community.

Negro leaders reportedly expressed fear that continued demonstrations might have a bad effect on plans for peaceful school desegregation next week.

The Bitsy Grant courts remained closed Thursday. George Simons, city park superintendent, was not available for comment about the length of the closure. Rain would have prevented play most of the day in any case.

38a 1961

GEORGIA

AUGUST
SAVANNAH- POOLS

# Pool Closed As Negroes Show Up

The Atlanta Constitution P. 17

SAVANNAH, Ga. (UPI)— Two small groups of Negro boys and girls attempted Thursday to integrate a large all-white municipal swimming pool in a neighborhood of expensive homes but were balked by a surprise "closed" sign. Atlanta, Ga. Jn. 8 25-61

City police arrived at the scene but made no arrests.

"Closed" signs were displayed both for the would-be ticket buyers, mostly Negro teen-agers, and for a large number of white children who were already swimming in the pool.

The Negroes left without disorder and the white children returned to dressing rooms and went home. The pool remained closed, apparently for the remainder of the day at least.

There was no official announcement of the reason for closing the pool, which is located in huge Daffin Park and centered in an area of expensive homes, but the signs apparently were kept in readiness for such integration attempts.

Negroes attempted to integrate the same pool earlier this year but were similarly thwarted by closed signs.

City officials maintain they have no policy of segregating the parks and pools but say that Daffin Park should be reserved mainly for the surrounding residential area it was intended to serve.

Other white pools are located in several other white residential areas and others are located in each of several Negro residential areas, the officials pointed out.

SAVANNAH, GA.

GEORGIA

DAFFIN PARK

38a 1961

# FBI Investigates Negroes' Arrest At Savannah, Ga.

The News & Courier
Charleston, S. C.
Thurs. 2-2-61

SAVANNAH, Ga (AP) — The United States Department of Justice has ordered a civil rights investigation in connection with the arrest of seven Negroes for playing basketball in Daffin Park playground last week.

Charles Brown, special agent in charge of the Federal Bureau of Investigation office here, said his office had begun an investigation on orders from the Department of Justice in Washington.

Brown said he could not comment further other than to say that results of the investigation will be forwarded to Washington.

Brown said he did not know whether the investigation had been ordered on the basis of a complaint or the initiative of the Department of Justice.

The seven Negroes were arrested on the charge of violating a state law prohibiting unlawful assembly. City police jailed the Negroes after the incident was called to their attention Jan. 23 by a white woman passing through Daffin Park, a public playground used by white persons.

A city recorder's court hearing is scheduled for Feb. 7. E. H. Gadsden, attorney for the Negroes requested postponement when the case went before Judge George E. Oliver last week.

Gadsden and W. W. Law, city and state president of the National Asssociation for the Advancement of Colored People, said they knew nothing about the civil rights investigation.

Law said, however, that he was "very much encouraged at this point. We feel the Justice Department ought to take the initiative when there is a possibility of a civil rights violation."

U. S. District Attorney William C. Calhoun of Augusta, whose office has jurisdiction in the Savannah area, said he had not heard of the Washington order on the investigation nor has his office received any complaint in connection with the Daffin Park case.

City Police Sidney B. Barnes Jr. said FBI agents asked for police records on the Daffin Park case Monday. Barnes says he turned the information over to the agents, although he did not "receive any details" from them on the investigation.

The seven Negroes were arrested when they refused to leave the city-operated basketball court in Daffin Park. Cpl. C. C. Dickerson, Chief Barnes said, read the state law covering unlawful assembly to the Negroes before taking them to jail.

Police took the position that the appearance of the Negroes at a public facility used only by whites in the past served to create a public disturbance and therefore resulted in a violation of the state law regarding unlawful assembly. The city operates separate playground facilities for Negroes but spokesmen for groups seeking full integration say those provided for Negroes are inadequate. Besides, they argue, all city facilities should be open to all regardless of race.

# FBI Agents Get Police Reports Of Park Arrests

Birmingham World
Birmingham, Ala.
Sat. 2-4-61

SAVANNAH — A civil rights investigation in connection with the arrests of seven Negroes for playing basketball in Daffin Park Playground last week, has been ordered by the United States Justice Department.

The probe was revealed by Charles Brown, Special Agent in charge of the Federal Bureau of Investigation in Savannah. Mr. Brown said his office has begun a probe on orders from the Department of Justice in Washington, D. C.

He told reporters he could not comment further other than to disclose that the findings would be forwarded to the nation's capital.

Brown was asked if the investigation had been ordered on the basis of a complaint, or the initiative of the Department of Justice. He said he did not know.

The seven were arrested on January 23 after a white woman reported to police that she had seen them using the public park, which is used by white people. They were arrested on a charge of violating a state law prohibiting unlawful assembly. The white woman was reportedly passing through the park

# FBI Probes Rights Plaint in Savannah

The Atlanta Constitution
Atlanta, Ga.
Thurs. 2-2-61

## 7 Negroes' Arrest at Game In Park Studied for Breach

SAVANNAH (AP)—The FBI has launched a hush-hush investigation of whether the civil rights of seven Negroes were violated in their arrest for playing basketball in Daffin Park.

Police Chief Sidney B. Barnes Jr. said FBI agents have obtained police records of last week's arrests although volunteering no details of the injury. Charles Brown, agent in charge, confirmed the investigation but would not comment on it.

He said it was undertaken on orders from the Justice Department in Washington and the findings would be transmitted to the department.

The Negroes, ranging from 20 to 32, were charged with unlawful assembly when they refused to leave the park reserved for white persons. Police maintained that they were guilty of this offense because they knew their appearance at the playground would create a disturbance.

The city maintains separate playgrounds for Negroes. Integrationists held, however, that these are inadequate and that all public parks should be open to all persons regardless of race.

One of the Negroes had been arrested for sit-down or picketing activity. Another, Nathaniel Wright, 32, was recently convicted of charges of assault and battery on Chatham County Tax Commissioner J. Archie Johnson while at theh courthouse urging other Negroes to register to vote.

A hearing for the seven is scheduled in Recorders Court for Feb. 7.

U.S. Attorney William C. Calhoun of Augusta and Negro spokesmen said they have heard nothing of the civil rights inquiry. W. W. Law, city and state president of the National Association for the Advancement of Colored People, said, however, that he is "very much encouraged" that the Justice Department should initiate such an investigation.

# Official Raps Chicago Police Handling Of Race Incidents

The Montgomery Advertiser

P 10 A

CHICAGO (AP) — Chicago police need to be more decisive in handling of racial and religious incidents, a Chicago police official said Thursday.

A new order to insure that prompt police action is taken to protect the rights and property of all citizens "will be successful for demonstrations," Minor K. Wilson, administrative assistant to Police Supt. Orlando W. Wilson, said, "but police are going to have to be more decisive in their action in the future."

Minor Wilson made the statement when asked for comment by newsmen on two recent racial incidents on the city's South Side.

In one of the incidents last week, a jeering crowd of white teen-agers formed a semi-circle around a group of Negroes at a South Side beach and dared police to try and disperse them. Police did not attempt to break up the group, Minor Wilson said, "because there were not enough at the scene to handle the crowd."

The Negroes, mostly teen-agers, had gone to the beach to swim, but left voluntarily when the crowd formed.

The other incident occurred when 92 Negroes, dislodged by a hotel fire, took refuge in a church located in an all-white neighborhood on the South Side. Police said about 150 white persons gathered outside the church, most of them youths, and greeted the Negroes with catcalls as the Red Cross conducted them to another church.

An official of the National Association for the Advancement for Colored People expressed disapproval to Supt. Wilson because police did not attempt to disperse the crowd.

The superintendent, after an investigation of police conduct at the scene, defended his men, saying, "If it had been handled in any other way, what might have occurred would be anybody's guess." Wilson said if more police had been called to the scene, it might have attracted thousands of onlookers and possible violence.

# Beach Mixing Group Cuffed In Chicago

Montgomery Advertiser

CHICAGO (AP)—Nine persons were arrested Sunday as 80 Negroes and white persons staged a four-hour "wade-in" for the second day at largely white Rainbow Beach.

More than 280 policemen patroled the beach while demonstrators sat in small groups in the sand amid 10,000 bathers and onlookers.

Police said there were no serious disturbances at the beach, but a carload of demonstrators on their way home was curbed three blocks from the beach and its occupants attacked.

David Komatsu, 20, a Roosevelt University student, was pulled from the car, punched and kicked by seven attackers, police said. Another youth, Jeremy Wills, 19, was slapped before the attackers fled. Neither required medical treatment.

POLICE PATROLS

None of those in the car stopped by the attackers was a Negro.

Fifty Negro and white plainclothesmen under the command of Capt. James P. Hackett moved among the crowds on the South Side beach. Thirty uniformed patrolmen also patrolled the area. Another 160 were held in reserve at a nearby parking lot.

As an added show of strength, a police boat cruised offshore.

Under the direction of Norman Hill, 24, a Negro, the demonstrators sat quietly in groups. Some sang songs, including, "We Shall Not Be Moved."

# Police Arrest 3 In Chicago 'Wade-Ins'

Birmingham Post

CHICAGO, July 9 (AP)—Negro and White demonstrators today duplicated yesterday's wade-in" demonstration at the South side's racially tense Rainbow Public Beach, traditionally an all-white facility.

About 70 waders—a third of of them Negros—arrived in chilly mid-morning air while 250 city policemen stood guard on or near the beach. A blue and white Chicago police boat cruised off-shore.

Under the direction of Norman Hill, 24, a Negro, the members of the group dispersed through the beach and sat down on the sand in small groups. When they arrived, only about 30 persons were on the beach. Shortly after noon, the crowd had swelled to 3000.

Capt. James P. Hackett strode the beach with a megaphone, barking orders to the crowds. He warned bathers and onlookers to keep moving and not to form large groups.

There was little incident otherwise, but, by midafternoon three persons had been arrested. A white woman was taken into custody after she kicked sand at another. Several hours later, a white youth and a Negro were arrested after a brief shoving match.

Yesterday, nine persons, three of them Negroes, were hustled off to jail when they did not obey police commands.

Today's group disclaimed any connection with the contingent of youths from the National Association for the Advancement of Colored People (NAACP) that braved the white crowds yesterday.

# 9 Arrested For Wade-In At Mixed Wade-In Jails 9 of 80 in Chicago

Advertiser-Journal

Atlanta Constitution

CHICAGO (AP) — Nine persons were arrested Sunday as 80 Negroes and white persons staged a four-hour "wade-in" for the second day at largely white Rainbow Beach.

More than 280 policemen patroled the beach while demonstrators sat in small groups in the sand amid 10,000 bathers and onlookers.

NO SERIOUS DISTURBANCES

Police said there were no serious disturbances at the beach; but a carload of demonstrators on their way home was curbed three blocks from the beach and its occupants attacked.

David Komatsu, 20, a Roosevelt University student, was pulled from the car, punched and kicked by seven attackers, police said. Another youth, Jeremy Wills, 19, was slapped before the attackers fled. Neither required medical treatment.

None of those in the car stopped by the attackers was a Negro.

POLICE MOVE IN

Fifty Negro and white plainclothesmen under the command of Capt. James P. Hackett moved among the crowds on the South Side beach. Thirty uniformed patrolmen also patrolled the area. Another 160 were held in reserve at a nearby parking lot.

As an added show of strength, a police boat cruised offshore.

Under the direction of Norman Hill, 24, a Negro, the demonstrators sat quietly in groups. Some sang songs, including, "We Shall Not Be Moved."

Those arrested and charged with disorderly conduct included eight white persons and one Negro.

A spokesman for the Chicago Commission on Human Relations praised police handling of the "wade-in." "It was very, very good," he said, "a well-disciplined job of upholding the law."

Saturday nine persons, three of them Negroes, were hustled off to jail when they did not obey police commands.

Sunday's group disclaimed any connection with the contingent of youths from the National Association for the Advancement of Colored People that braved the white crowds Saturday.

Hill said that although he was a member of the Congress of Racial Equality-CORE, the demonstrators had no connection with either CORE or the NAACP. He said the group was called the Positive Action Committee for Equality.

# Chicago

CHICAGO (AP) — A group of Negroes and white persons staged a "wade-in" demonstration Saturday at a public beach on Chicago's South Side. Nine persons were arrested for disobeying police orders.

1,4 E

The demonstration was sponsored by the Youth Work Committee of the National Association for the Advancement of Colored People.

7-9-61

The Rainbow Beach at 77th Street and Lake Michigan had been used exclusively by white bathers until a few years ago. Several incidents of rock throwing have been reported to police recently when Negroes used the same beach.

Montgomery Ala

The NAACP notified police in advance that a mixed group of white persons and Negroes would use the beach Saturday.

# Chicago Race Aid Is Asked By Southerner

P-2 Jun. 7-16-61
The Atlanta Journal and Constitution

WASHINGTON, July 15 (UPI)—Rep. John Bell Williams, D-Miss., demanded today that Atty. Gen. Robert F. Kennedy take action to stop racial violence in Chicago.

He also sent Kennedy a telegram asking whether the federal government intended to protect the civil rights of "white victims" of the racial strife.

Williams acted after reading news reports of violence which swept a southside Chicago neighborhood after the fatal shooting of a Negro boy.

At least six persons were injured last night and today. They included a man who was beaten with an ax handle by Negro teenagers. Another was pulled from his car and beaten, and two white girls who were injured when some sort of bomb was thrown onto their front porch.

Atlanta, Ga.

**WILLIAMS TOLD** Kennedy that "roving gangs of Negro teenagers have attacked, beaten and mutilated 18 innocent and law-abiding white people in one section of Chicago alone, inflicting a reign of terror against law-abiding white people of that city."

"In view of the precedent you set in Alabama," he said, "I would like to know what steps you have taken to stop this violence in Chicago.

"Have you offered to send swarms of federal marshals to protect those innocent citizens? Have you sent a personal representative there to insure that the civil rights of these white victims are safeguarded? Have you demanded that the governor of Illinois and the Chicago police provide protection for these people?"

* * *

**WILLIAMS** added: "It would seem to me that white citizens should be able to enjoy the basic civil right of being free from criminal molestation on the public streets and to be safe and secure in their own homes.

"What action, if any, have you taken or do you contemplate to insure these basic rights for the white people of Chicago?"

He said he was calling Kennedy's attention to the Chicago violence "because the Eastern metropolitan press historically has taken delight in headlining even the most minor incidents of racial unrest and violence which occur in the Southern states, but deliberately censor and suppress news of major racial incidents which occur outside the South."

# Gallion Asks Bobby Speak Over Riots

The Montgomery Advertiser

P-1

By UNITED PRESS INTERNATIONAL

Alabama Atty. Gen. MacDonald Gallion Saturday cabled U.S. Atty. Gen. Robert Kennedy from Montgomery to ask if he intended sending federal offices to quell further racial violence in Chicago, Ill.

Jun. 7-16-61

The telgram, sent to the Justice Department in Washington, said:

Montgomery

"News media reveals racial violence in Chicago for the third straight day with Negroes wielding ax handles, setting explosives and vicious attacks of all kinds on white persons. Eighteen white persons have been injured and 64 Negroes arrested for defying police orders.

**POSITION REQUESTED**

"Since U.S. marshals were so speedily dispatched to Alabama in a situation far less serious, I ask that you reveal publicly whether or not you contemplate sending marshals into Chicago and if not, your reasons behind any position you take."

Some 500 federal marshals were flown to Montgomery the weekend of May 20 following a week of racial violence sparked off by the arrival of an interracial group of "freedom Rider" here. The town was later placed under martial law and the marshals withdrew.

Gallion and Gov. John Patterson claimed at the time the federal government was interfering with Alabama law and that local officers could handle the situation.

The attorney general said he was unaware if Patterson knew of the cable. "I run my own department," he said.

"I have no further comment," he added. "The telgram speaks for itself."

ILLINOIS

CHICAGO- BEACH
ATTY.GEN. MacDONALD GALLION(ALA.
REP. JOHN BELL WILLIAMS (MISS.

# Negro Dentist Sues Golf Club

CHICAGO (AP) — A Negro dentist is suing for $5,000 damages from a golf club that allegedly refused him admittance.

Dr. Irving Sims, 39, filed his suit in circuit court against the Hickory Hills Golf Club, in suburban Oak Lawn, and three of its employes.

His two companions, Charles W. Smith Jr., a pharmacist, and Dr. Dennis Scott, a dentist, sued previously. Smith asked $3,000 damages and Scott $5,000. They are Negroes.

Sims said he and Smith went to the club as guests of Scott who received promotional advertising from the club and a guest membership card through the mail.

Also named defendants in Sims' suit were two Oak Lawn policemen who helped club personnel remove the three men from the premises.

# Chicago Erupts Again As Mixers Hit Beach

The Montgomery Advertiser P.1 Montgomery Adv. Mon. 7-17

## Police Club White Boy; 11 Arrested

The Montgomery Advertiser Mon. 7-17-61

CHICAGO (AP) — The second weekend of organized integration "wade-ins" at Rainbow Beach ended in violence Sunday as police clubbed one white youth unconscious, arrested 10 others, and ordered the beach cleared of 10,000 persons.

The flare-up on the South Side lakefront strand came in mid-afternoon after a quiet day.

Some 100 Negro and white integrationists sat on the sand without incident until afternoon when four white youths were arrested for refusing a police order to sit down.

A short time later, police arrested seven more youths.

**GROWING UNREST**

One of them angrily attacked policemen and was knocked inert on the sand by police billy clubs. He was carried to a police car unconscious as the crowd murmured.

As unrest grew, police Capt. James Hackett faced the crowds with his megaphone and told them: "The crowd on the beach constitutes an unlawful assembly. You will disperse or be arrested in the name of the people of the State of Illinois."

The outbreak came as the integrationists were preparing to leave at the scheduled hour of 3 p.m. They drifted away almost unnoticed as antagonism mounted between the white crowd and some of the 250 police detailed to the beach.

The first sign of friction between the crowd and police came about an hour earlier, when Capt. Hackett ordered 35 uniformed patrolmen from their reserve station to a spot on he beach.

**'GO, GO, GO'**

Forty to 50 youths milled around the detachment, but quickly dispersed when ordered.

Capt. Hackett ordered the crowd home after they surrounded him and his men and began chanting: "Go, go, go."

There was no violence reported between Negroes and whites.

Sunday's wade-in was organized by the Congress of Racial Equality—CORE, the Negro American Labor Council, the West Avalon Community Association, the Positive Action Committee for Equality, and the Temporary Woodlawn Organization, a neighborhood group.

**ADVANCE NOTICE**

Through Norman Hill, an advisor for CORE, the groups sent out advance press notices announcing the demonstration at the beach, as well as their place of assembly some blocks away.

They arrived in 20 automobiles, escorted by four police squads.

The crowd of 10,000 that dotted the 75th to 79th St. beach was described by police as normal for a midsummer Sunday.

On the West Side of Chicago, police prowled the troubled Lawndale district, where 20 white persons have been attacked by roving gangs of Negro juveniles.

Police said the district Sunday remained quiet. Only 14 squad cars patrolled the district, but the force was expected to be swelled Monday when summer school resumes at Harrison High School, scene of many disorders.

Mon. 7-17-61 Montgomery The Montgomery Advertiser P.1

AP Wirephoto

**UNCONSCIOUS YOUTH CARRIED FROM BEACH AFTER SKIRMISH**
Attacked Policemen During Tense Afternoon On Chicago Lakefront

# BOBBY'S AIDE ASSERTS MARSHALS NOT NEEDED IN STRIFE-TORN CITY

The Montgomery Advertiser

WASHINGTON (AP) — A Justice Department spokesman said Sunday there obviously is no need for the federal government to send U.S. marshals to Chicago to deal with racial unrest because local officials are taking necessary action.

7-17-61

The aide to Atty. Gen. Robert F. Kennedy, who declined to be quoted by name, made the comment when asked what the department's reaction was to telegrams demanding such action.

P-1

Rep. John Bell Williams, D-Miss., sent Kennedy a telegram Sunday asking him if he planned to send marshals to Chicago, as he did in Alabama's "Freedom Riders" incidents.

A similar telegram sent to Kennedy by Atty. Gen. MacDonald Gallion of Alabama said the situation in Alabama was "far less serious" when Kennedy sent marshals there than it is in Chicago.

Violence broke out last week in a racially mixed section of Chiago's Southwest Side, where gangs of young Negroes beat a score of whites. At least 65 Negroes were taken into custody.

Kennedy's aide said the marshals were sent to Alabama only "when it was clear that local authorities were unable to guarantee the safety of interstate travelers and to maintain order." The situation in Chicago is different, he said, because "local authorities are taking action to restore order."

Kennedy was not available for comment on the telegrams. He is at Hyannis Port, Mass., where he and President Kennedy are spending the weekend.

38a 1961

ILLINOIS

CHICAGO- BEACH

# 64 Chicago Negro Youths Seized to Halt Gang Terror

CHICAGO (AP)—Police took 64 Negro youths into custody Friday and restored order to a Southwest Side neighborhood that was beset by race disorders for the second consecutive day.

Calm was restored within two hours after police threw a huge emergency control around the neighborhood of Harrison High School.

At least nine white persons were injured in scuffles with gangs of Negro youths. Of the 64 youths seized, 45 were 16 years of age or younger.

It was in this neighborhood that a Negro youth was shot to death Wednesday while walking home from summer classes at Harrison High.

Police blocked off the area to automobiles.

John T. Connors, deputy superintendent, said 10 Negro youths were seized in Douglas Park, a short time after Harrison High, where summer classes are in session, let out for the noon hour. Shortly afterward 50 more were picked up in the area and taken to a district police station.

Officers also seized a teen-age Negro girl in a large group of girls who jeered police picking up youths in Douglas Park.

**DEFIED POLICE**

The youths were seized when they defied police orders to break up their groups and keep moving.

Fernando Molina, 16, was beaten in a fist fight in front of the school and taken to a hospital. He is white.

Some groups of roving Negroes threw stones at windows.

A bus was halted and some of its windows broken. A policeman fired three warning shots over the head of a youth who broke away from him.

Earlier Joseph Zan, 69, was kicked and beaten with a bicycle chain but he did not require medical treatment.

**STRUCK BY BRICK**

Shortly afterward Herman Goodman, 65, was struck on the head by a brick under elevated railroad tracks at 2106 S. Kedzie Ave., and Harry Talmennid, 68, was cut on the arm in a scuffle nearby. They were treated at a hospital.

Two white youths were set upon Thursday by groups of Negro youngsters in separated incidents.

Some general rowdyism in the Harrison High area included stoning of house windows, a march through the high school where a door was broken open for admittance, and a false bomb report to high school authorities.

# Racial Hatred Spinning Web Over Chicago

CHICAGO (AP)—Pointless violence that erupted fitfully and ruthlessly in a racially mixed section of Chicago's Southwest Side appeared under control Saturday.

Shouting matches between groups of unruly youths, seldom requiring police action, continued however.

Some 200 extra police from outlying areas were ordered into the Lawndale and Fillmore districts Friday to help maintain order. Extra police were withdrawn Saturday.

Twelve two - man squad cars normally patrol the two districts during the day. They had help from an additional dozen squad cars Friday.

**SENSELESS ATTACKS**

The swift, senseless attacks by roving gangs of youthful Negroes started Thursday after the mysterious slaying of a Negro boy who was shot from ambush as he walked home from summer school. The gunman has not been found.

Seldom numbering more than six, the gangs appeared suddenly where a single white man or woman walked or was driving an automobile. Swiftly, sometimes shouting obscenities and sometimes silently, the hoodlums swarmed around their victims.

Wielding ax handles, sawed-off baseball bats, short lengths of chain and rubber hose, the marauders beat down their prey in seconds. Before fleeing, they generally rifled the victim's purse or pockets for valuables.

In three days, the victims numbered 20. Some were hospitalized. Among them were two young girls—one 12 years old, sitting on the front porch of her home. The girls suffered cuts and bruises when the gang hurled a homemade bomb at them.

**MAN BEATEN**

One man, 68 years old, was beaten and slashed by razors when a gang of 15 Negroes attacked him.

Sixty-five Negroes of all ages were taken into custody. Police said at least 45 of them were boys and girls under 16. Some older Negroes were charged with aiding a riot, breach of peace and unlawful assembly.

There was no pattern to the attacks, police said. As quickly as a victim was attacked and robbed the gangs fled assembling again at a distant, prearranged location.

Sometimes the gangs would stone a passing bus, taxicab or private car.

Civic and church leaders deplored the violence. They appealed to parents and other adults in the area to control the youthful violators.

Dr. Edgar H. S. Chandler, executive vice president of the Church Federation of Greater Chicago, urged a "return to sanity" in the district.

Dr. Chandler said, "I earnestly hope that every public instrument will be used to restore a sense of responsibility" in the area.

Edward Marciniak, executive director of Mayor Richard J. Daley's Commission on Human Relations, blamed the violence on "unruly teenagers" and pleaded that youths show "a good, clean, Americanism."

While an enlarged police force searched for clues to the mysterious shooting of the negro youth Wednesday, Walter Karlblom, assistant deputy police superintendend, said in a statement:

"We don't even know who shot the boy. We don't even know why he was shot."

**YOUTH SLAIN**

The boy, Matthew Tolber, 16, was slain as he walked from Harrison High School, a mile from his home.

The high school is in the Lawndale Police District, which covers about five square miles of a section southwest of downtown Chicago. Adjacent to Lawndale, is the Fillmore Police District, of about 4½ square miles.

While both districts are southwest of the Loop, this section is locally termed the West Side.

It is densely populated, mostly by Negroes, with a few whites and some orientals.

# 11 Whites Arrested At Chicago Beach

The Atlanta Constitution
P. 2 mon. 7-17-61

CHICAGO (AP)—Police Sunday cleared a South Side beach packed with 10,000 persons and arrested eleven white youths—one of whom had kicked a policeman—during the second weekend of organized integration "wade-ins."

Those arrested, police said, were among more than 500 white youths who jeered officers and a mixed group of some 175 integration demonstrators at Rainbow Beach, traditionally an all-white facility.

The beach is about 12 miles from a West Side area of the city in which racial unrest flared during last week.

Police said the beach emptied peacefully without incident. Later, several white families and a few bathers wandered back and police allowed them to sit on the beach and swim. Otherwise, the beach was deserted.

Police said the 19-year-old who kicked an officer was subdued by several other policemen with nightsticks drawn. The youth, who passed out during the struggle, told authorities he was not knocked unconscious by officers' nightsticks but passed out in the excitement. He said he suffers from epilepsy.

Police said none of the eleven would be charged immediately. They were being held for more questioning.

The kicking incident came in midafternoon several hours after the integrationists had arrived. The integrationists disbanded and left the beach peacefully shortly thereafter.

Four white youths were arrested for refusing a police order to sit down and keep quiet. A short time later seven more were arrested.

The crowd grew restive after the youth who kicked a policeman was carried away unconscious to a police squad car.

CHICAGO BEACH INTEGRATED ON FOURTH ATTEMPT

# Chicagoan Gets 'Wade-In' Response

Birmingham News

**(Editor's Note: The News recently offered a reprint of Chicago Daily News Columnist John Justin Smith's views on the beach "wade-ins" in that city. He has received letters about his column advising moderation—a calling-off of wade-ins, though he has supported integration. The editors offer a follow-up column by him to show Southern readers what is the opinion of some Northerners who have become involved in the Negro activist situation.)**

8/7

ONE OF CHICAGO'S most vexing problems today is racial segregation. No problem faced by the city is so complex and confusing. This is obvious in letters from readers of this column. 8/6 7-31-61

The readers have expressed almost as many shades of opinion on the subject as there are shades of skin on Chicagoans.

A week ago, in sizing up the wade-in demonstrations at Rainbow Beach, I suggested we should ALL stop pushing. That did it. Here are excerpts from some of the letters:

Memphis, Tenn.

John A. McDermott, executive director, Catholic Interracial Council, one of the sponsors of the wade-ins—"Strong though it has been, I don't think our work at Rainbow has been a mistake. We have not acted capriciously. . . .

## Sparks Could Fly

"NEGROES WHO HAVE tried to use Rainbow Beach have been harassed, intimidated, and even beaten, on a continuing basis.

"As a result, integration has not been able to take care of itself or to happen normally at Rainbow Beach as you and I hope it would.

"In the face of this kind of opposition, the choice is either to stand up or surrender. We decided to stand up."

No thoughtful person can dispute that the public beaches belong to the public. But I do dispute the idea that there is a need for wade-ins at Rainbow Beach (see the last letter in this column). And, having seen racial violence over the years, I believe the beach demonstrations could, on a hot afternoon, spark terrible fighting. I'm against it.

## Both Sides Wrong

BEN COHEN, South Crandon Avenue—"The alternative to wade-ins is continued segregation. . . . the results of wade-ins may sc[illegible] violence on the part of those who oppose demonstrations that does not make the wade-ins wrong.

". . . I hope you see my point. Violence is no reason for not continuing the exercise of one's rights."

I see your point. But I don't agree. Desegregation has occurred in many places without the least dangerous demonstration. And about violence: Once a fight has started, both sides are violent. And both sides become wrong.

## No Push To Violence

RUBY DES SELLES, South Park—"What exactly do you mean by we will need peace to solve our racial problems? Peace perhaps that comes with another 100 years of waiting?

". . . I am entitled to the same privileges that others enjoy and you and your kind can't get it through your heads that the Negro is an American citizen."

Here's exactly what I mean: Segregation is bad when it deprives you of your constitutionally guaranteed rights. It should be ended with deliberate haste—but without pushing to the point of violence.

## Reader Was Shocked

ROSEMARY BILO, South Parnell—"I was shocked to read your column. . . . It seems to me you are doing everything to escape the real issue involved—that of freedom in this country for all."

Peggy Roach, North Rogers—"Segregation, by its nature, does cause a man to lose his individual rights—therefore it should be ended. Each of us . . . must accept a personal responsibility for the problem and its solution."

Gordon Wilcher, Lake Park Avenue—"It has been over 100 years since the Negro was legally freed. Now I may ask you, how many years would you suggest we 'quit shoving' and wait patiently for you to fulfill the moral and legal codes. . . ."

Barbara J. Beatty, Sheridan Road—"People with a little bit of knowledge are dangerous. . . . You, Mr. Smith, are lethal. . . . (You) tell these people to stop pushing: everything's coming up roses. . . . I'm tired of waiting."

And the letters went on and on. It's interesting to note that with one exception, all were well tempered. The exception came from a man who was radically and foolishly anti-Negro.

## Mix Without Pushing

BUT ONE LETTER seemed to stand out from all others. It came from Mrs. Martin C. Lasky of South Bennett Avenue. She told of taking her family to Rainbow Beach on a Sunday when a wade-in was staged. They sat on the beach two blocks away and Mrs. Lasky noted:

"There was a young colored woman and two little tots on a blanket not 20 feet from us . . . there she was on the sand at the water's edge with the children.

"She was just another mother showing her children a good time and other families nearby respected their rights to the public beaches. . . ."

There you have it—desegregation without pushing. And this happened two blocks from a wade-in.

# Beach integrated on fourth attempt

The Birmingham News

8/28

By The Associated Press

Peaceful integration has come to a traditionally white beach in Chicago after three week-ends of antagonism among police, bathers and "wade in" demonstrators.

Some 65 Negro and white demonstrators sat on the sand and talked Sunday in their fourth consecutive integration attempt at the beach. A few went swimming.

Several persons were arrested on disorderly conduct charges in the previous demonstrations, and a police detachment of 200 patrolmen stood guard as the integrationists congregated Sunday.

Beach guards estimated that the hot sunny weather attracted about 30,000 bathers to the beach, and about 300 gathered to watch the "wade in" demonstrators. There were no arrests.

Birmingham News

In Jackson, Miss., eight "freedom riders" were due to go on trial today. They are part of a group of 10 who attempted to desegregate the Negro waiting room at a Jackson bus terminal Saturday. Police refused to charge two members of the group, an Indonesian exchange student and a blind woman.

In Dallas, Tex., integration has come to a number of downtown eating places as a prelude to public school desegregation planned this Fall.

Citizens of Yorktown, Tex., voted 166 to 64 to integrate their schools. The Board of Education called the referendum after the state education agency said improvements would have to be made at the district's Negro school.

Extra policemen patrolled New York's Harlem over the week-end after more than 1000 residents of the predominantly Negro area and 150 policemen were involved in scattered disorders Friday night

# 4th Straight Wade-In Held At Chicago

News & Courier

8-2-A

Mon 7-31-61

CHICAGO (AP)—Some 65 Negro and white demonstrators staged without incident a fourth consecutive weekend integration "wade-in" at traditionally all-white Rainbow Beach on Chicago's South Side Sunday.

A police detachment of 200 patrolmen under Capt. James P. Hackett stood guard as the integrationists congregated in a group on the sand about 75 yards from the edge of Lake Michigan. A few went swimming, but most of them sat talking on the beach.

Beach guards estimated that the hot, sunny weather attracted about 30,000 bathers to the beach. About 300 of the bathers gathered to watch the "wade-in" demonstrators.

Birmingham News

There was no shouting Sunday and no arrests," commented Capt. Hackett. The three previous weekend "wade-ins" resulted in some antagonism among police, bathers and demonstrators. Several persons were arrested on disorderly conduct charges.

Sunday's demonstration broke up after about three hours.

The demonstration was organized by the NAACP, CORE (Congress on Racial Equality and PACE (Positive Action Committee for Equality.)

# Racial Tests Hit 2 Areas In Michigan

DEARBORN, Mich. (AP) — A group of 49 Negroes and white persons invaded this Detroit suburb for a discrimination test of public facilities during the weekend and came away saying the group was encouraged.

Those who participated in the integrated "Freedom Ride," as they termed it, included members of the Michigan Young Democrats and the Ann Arbor and Detroit chapters of the Congress on Racial Equality (CORE).

The group concentrated on restaurants.

Service was directly refused in only two of 25 places tested, a CORE spokesman said. In a third, service was not refused but Negroes were met with hostility and insults, the spokesman said.

Officers of the three organizations which participated said they were "encouraged by their findings and feel that continued use of public accomodations by Negroes will establish a clear - cut pattern which will help end discrimination in housing and employment."

An attempt by another group of approximately the same size to integrate a swimming pool in nearby Oak Park resulted in the pool's manager closing operations for the day and sending pool employes home.

Henning Rylander, manager of the Crystal Pool, closed the pool when the first Negro in the group showed a membership card.

Rylander said the pool was a private club, operated by a corporation, and no Negroes ever have been admitted during the pool's 26 years in operation.

The nearly 50 white and Negro teen-agers said they were members of CORE and the Detroit Brotherhood Youth Council.

# 50 Attempt To Integrate Swim Pool

OAK PARK, Mich., July 5 (AP)— About 50 boys and girls, both Negro and white and mostly high school students, today tried unsuccessfully to integrate a swimming club in this Detroit suburb.

Oak Park police kept watchful eyes on the effort and there was no trouble.

Henning Rylander, manager of the Crystal Pool, promptly closed the pool when the first Negro boy in the group appeared with a membership card.

He took the first card and the group retained only one card by a Negro member.

Rylander said the club, in existance for 26 years, was a private organization, operated by a corporation.

"If we like their looks we let anyone in," he said. "No, there have never been any Negroes admitted."

Spokesman for the intergrationists, said the group objected to making color the basis for admission.

"We can understand Mr. Rylander's not wanting to admit roughnecks or persons who would cause trouble," said Botkin, who said he often swam at the pool himself, "but there has never been a Negro admitted to the pool so he can't say people are turned away just on the basis of being roughnecks."

38a 1961

MISSISSIPPI

PARK BENCH- SIT-IN
JACKSON, MISS.

# Park Bench Sit-In Nets Jail For Two

JACKSON, Miss. (AP) — Police arrested two young Jackson Negroes Friday as they used park benches reserved for white. They were charged with breach of the peace for failing to move on.

Chief of Detectives M. B. Pearce identified the two as Amos C. Brown, 20, of Jackson, student at Morehouse College in Atlanta; and James M. Hopkins Jr., 19, of Jackson, student at Mary Holmes Junior College, Negro school at West Point, Miss.

Pearce said Capt. J. L. Ray arrested the two at the city zoo in Livingston Park after they refused his order to move on.

The action was similar to methods used in arresting 98 "Freedom Riders" now in jail. They also were convicted on breach of the peace.

Negroes are allowed to visit the zoo, but are not allowed to sit on benches reserved for whites. There are no benches marked for Negroes. Also, Negroes are not allowed to use the white drinking fountains.

The action Friday followed two previous attempts this week to use all the public facilities at the zoo.

AUGUST
JACKSON-
TEN NEGROES-SENTENCED TO FOUR MONTHS IN JAIL AND FINED $200 FOR SITTING ON BENCHES AT CITY ZOO

**Ten Negroes Sentenced For Zoo Incident**

JACKSON, Miss., Aug. 21. — (UPI) — Ten Jackson Negroes were sentenced to four months in jail and fined $200 each Monday for sitting on benches and picnicking at the city zoo.

Police Capt. J. L. Ray told Municipal Judge James L. Spencer the Negroes had gone to the zoo "for the purpose of having other people become irritated and for the purpose, apparently, of creating an incident."

**Benches Removed**

Both races use the zoo but until this summer only whites customarily sat on its benches. After Negroes began sitting on the benches this summer the benches were removed.

The 10 were convicted of breach of the peace, the same charge used in the cases of almost 300 so-called "Freedom Riders."

Ray said he ordered the Negroes to "move on" but they refused. He said a group of whites had "volunteered" to help police get some of the Negroes out of the area.

The 10 were in separate groups which visited the zoo on different days.

## PARK CLOSINGS HINTED

### Mayor of Jackson, Miss., Would Act to Block Integration

JACKSON, Miss., July 6 (UPI)—Mayor Allen Thompson said today that he would close parks and other public facilities if necessary to prevent integration.

In an address to seventy-five city department heads, the Mayor said that Jackson apparently was "the target of agitators seeking to stir up immature young people and greedy old people."

He urged local Negro citizens to take a public stand for continued segregation of public facilities.

Jackson has been the principal target of the Freedom Riders. In all, 169 of the riders has been arrested here since May 24 for challenging segregation in bus, train and plane terminals.

The latest local demonstration came at mid-day today when six Negroe students attempted to buy tickets in the white waiting room of the Illinois Central Railroad and were arrested after refusing orders to leave.

# 13 Negroes Use Park For Picnic

### Four Arrested On Benches At Swimming Pool At Jackson

By United Press International

JACKSON, Miss., July 5.—Thirteen Negro picnickers enjoyed a brief outing Wednesday under a bright sun at the city park and then tried to integrate facilities customarily reserved for whites only.

Four were arrested after refusing orders to leave. The rest dispersed quietly without incident.

At about the same time, three Negro youths tried to integrate the white waiting room at the Trailways bus station here and were promptly arrested for breach of the peace.

Meanwhile, a Hinds County Grand Jury committee was told it should visit the jailed protest riders at Parchman State Penitentiary and inspect conditions there.

**It's Their Responsibility**

Circuit Judge Leon Hendrick who made the suggestion, said it was their responsibility to inspect the conditions since the riders were still under county supervision.

Several riders who have been released on appeal bonds have charged that the riders are "mistreated" at the prison and Judge Hendrick suggested "you send a committee to Parchman to check conditions there."

The 13 Negroes, wearing beach clothes and carrying sandwiches and a portable radio, held a picnic on a grassy area near Livingston Park swimming pool. A crowd of about 50 white persons, some of them jeering, gathered about 20 feet away across a small drainage ditch but there was no violence.

The Negroes, some sitting on blankets, talked and laughed freely. There were seven male youths and six girls.

One of the girls, Eddie Jean Thomas, 20, Jackson, said when asked why she was there, "I can resist anything but temptation. I'm tempted."

She was one of the four arrested. She and Percy D. Thornton, 18, of Memphis were stopped at the pool's entrance when they attempted to buy tickets to enter and swim. They then went to a bench and after refusing to "move on," they were arrested for breach of the peace.

Two other Negroes also were arrested when they refused to leave the beach. The other Negroes dispersed.

**Group Includes Students**

The group included students from Tougaloo Christian College, Campbell College, Jackson State College and several high schools.

The incident was the latest in a series of integration attempts that have purged Jackson in the past several months. Several attempts had been made to integrate park benches at the city zoo, which also is a part of Livingston Park and not far away from where Wednesday's arrests took place. The benches at the zoo were removed on order of Mayor Allen Thompson to prevent further incidents.

38a 1961

SOUTH CAROLINA

STATE PARKS
N A A C P

# State Parks And Courts Are Target Of NAACP

Dat. 7-8-61
Charleston, S. C.

COLUMBIA (AP) — The National Association for the Advancement of Colored People is filing a federal suit to integrate all the South Carolina state parks.

The complaint was reported mailed from Columbia Thursday by attorneys for the state NAACP chapter to the clerk of court at Charleston. It names the State Forestry Commission and officials, who operate the multi-million dollar park system.

However, court officials in Charleston said late Friday that no complaint has been received.

The last time Negroes brought an action against a state park, it was permanently closed by the legislature. That is Edisto State Park, closed for the past three years.

State officials have yet to state what their position will be about the parks in the face of the new suit.

The complaint enumerates that Negroes were unable to gain access to two state parks — Myrtle Beach Aug. 30 last year, and Sesquicentennial near Columbia last June 25.

In addition to Edisto, the state has 22 parks. Not all have social and swimming facilities, however. For instance, Brookgreen Gardens, in the state park system, is open to all. It features a mammoth outdoor display of sculpture.

And there are some park facilities for Negroes. As an example, Hunting Island State Park operates a first class beach front for Negroes.

Many of the parks have no swimming areas, but nearly all have picnic facilities.

38a 1969

TENNESSEE

MEMPHIS - POOLS

# Negroes Gripe As Nashville Pools Close

Jackson Daily News
p. 1
Sat. 1-22-61

NASHVILLE, Tenn. (UPI) — A group of Negroes today planned to draft letters protesting the closing of the city's swimming pools and send copies to the Board of Park Commissioners, City Council and the mayor.

The park pools were closed Thursday afternoon. Edwin Crutcher, chairman of the Park Commission, said the action was taken for "financial reasons."

Negro Z. Alexander Looby, a city councilman, said the Negro group is asking for a detailed explanation of the "financial reasons" for which officials said the pools were closed.

Crutcher and other city officials have refused to discuss the matter with newsmen.

38a 1961

# Text Of Opinion By Judge On City Park Integration

The text of yesterday's opinion by Federal Judge Marion S. Boyd, approving the Park Commission's plan of gradual integration of its system, follows:

Gentlemen, we have had a full hearing today of all of the matters involved, and here briefly are the Court's views.

The plaintiffs, invoking the Court's injunctive powers, are asking in this proceeding that the defendants be enjoined forthwith from operating certain public facilities under the jurisdiction of the Park Commission of the City of Memphis, including golf courses, tennis courts, playgrounds, parks, and the Pink Palace Museum, upon a racially segregated basis.

Restrictions on a number of the facilities here involved, including the Brooks Memorial Art Gallery, the boat dock at McKellar Lake, and the Zoo were lifted some time ago.

At least 21 parks, I believe, are now open to general use without restriction.

Now, the defendants are voluntarily proposing in this proceeding to remove the restrictions with respect to the amusement facilities at the Fairgrounds, and all municipal golf courses, according to a plan which they claim is necessary to an orderly transition of its heretofore segregated system to one which will admit all comers without regard to race or color.

## Museum Deal Cited

The defendants seem to have no objection to a removal of the restrictions with respect to the Pink Palace Museum, but because of certain expressed conditions in the deed conveying this property to the city over thirty-five years ago, there is a risk which might result in a reverter to the original grantor, or its successors. That is, in the event of the integration of that facility. With respect to this particular facility, the defendants are requesting of the Court at this time that the legal questions involved be left to the state courts for a ruling under the doctrine of abstention.

Now, the City of Memphis, through its Park Commission, carries on a very large and extensive operation in the City of Memphis. Its activities are many and varied. All things considered, the plan it proposes in this proceeding to take care of the Fairgrounds amusement facilities and the golf courses the Court is convinced is about as good as can be devised. In getting up this plan, many things necessarily had to be considered. The effective dates with respect to one or two of the golf courses are projected into the future to some extent, but the whole program under the plan, as the Court understands, may and will be accelerated in the light of new developments. The Court is well satisfied it is the purpose of the defendants to do this with all deliberate speed.

Of course, in passing upon this plan, local conditions to be encountered with respect to maintenance of law and order, the avoidance of violence and confusion in the community, revenues available from concessions, though not absolutely controlling, may, among many other things, as practical matters be weighed and considered by the Court on application for an injunction of the type here sought. Time to organize the change-over to integration after all of these years is to the Court important. The legal rights of all citizens, white and colored, are not to be overlooked in what we do here today.

## Stairstep Plan Favored

Apparently the defendants have given consideration to these matters. And they, as I say, are matters for the Court to consider on application for the injunctive relief sought.

It is true no case dealing with a plan or program of integration of facilities as here involved is cited, but we do know that our Court of Appeals in Kelly against the Nashville Board of Education, cited by the defendants, approved a so-called stairstep plan for integrating the Nashville schools. The reasoning in that case seems to the Court to have application in this case. The problems here are somewhat comparable to the problems faced by the Nashville schools.

No valid objection to this plan in the Court's opinion is offered in this case. The plaintiffs merely say they want all of these facilities fully integrated now. Nothing else seems to matter.

The Court believes that good will and understanding between the races in this city can be best preserved and promoted by the plan here suggested by the defendants. The defendants, who are high minded public officials, have put much thought and effort into this plan. It is sound, fair, feasible and equitable. It is reasonable and within the spirit of the law, and the Court is convinced is proposed in utmost good faith. The Court approves it in all things.

It should be stated here that pending the transition period under the plan offered no citizen will be deprived of his right to play golf or to avail himself of other activities sponsored by the Memphis Park Commission.

With respect to the Pink Palace Museum, the Court thinks it wise that it stay any adjudication which might affect the title to this valuable property until the state courts can have an opportunity to decide the complex questions involved. The doctrine of abstention in matters of this nature of course has been recognized by the courts, including the Supreme Court, many times.

## 'Should Take Initiative'

The Court thinks the defendants, however, should take the initiative on this particular matter and get a suit under the declaratory judgment act of Tennessee filed in the Shelby County Chancery Court. This should be done within 90 days.

Incidentally, it occurs to the Court that additional parties will be necessary to a full adjudication of the matter. But this, of course, will be left for you lawyers to decide.

The John Rogers tennis courts on Jefferson Avenue in all probability will be abandoned as such at an early date before the year is out according to the proof, since the ground upon which they stand, presently owned by the City of Memphis is too valuable for the purpose for which they are presently being used and plans are on foot to sell the property. The Court suggests to the defendants under their over-all plan that they consider opening up these particular facilities by Jan. 1, 1962, on an integrated basis if the property has not been disposed of by the City or the tennis courts at that location are not abandoned.

Now, no plan is offered in this proceeding concerning the integration of other recreational facilities of the Park Commission. That is, the playgrounds and community centers.

The proof is that integration of the races and utilization of these facilities is a matter which in the interest of all the citizens of Memphis calls for more study. The defendants are not prepared to offer a plan to cover this highly importtnt phase of the Park Commission's activities at this time.

The superintendent of this department has been asked by the Park Commission to get up a plan which will accomplish this objective. The proof is that a target date for such integration of the races in the use of these particular facilities cannot be set at this time.

As the Court understands, additional time is necessary for additional study and planning for an orderly transition of these activities on an integrated basis.

## Immediate Move 'Unwise'

The Court in the circumstances wil lnot order through injunction at this time the immediate integration of these particular recreational facilities of the Memphis Park Commission. It would be unwise for the Court to do so for many reasons. Additional time in the Court's opinion is of the essence. It is absolutely necessary for a full consideration of this troublesome matter by the defendants so that adequate plans for the transition may be devised and agreed upon.

The Court will hold this case open so that these particular matters can be given further study and consideration by the Board of Park Commissioners. The proof is that something in the way of a plan could be ready for submission to the Court in approximately one to two years.

The Court in the circumstances does invite the department to submit such a plan in this proceeding, but thinks this should be done within a period of six months.

Since the defendants have been acting for some time on a voluntary basis and have desegregated a number of its facilities, and are in perfect good faith proceeding in an orderly and effective manner to complete the whole job with respect to those remaining which are here involved, the Court rules that an injunction is unnecessary.

## Up To State Courts

So, gentlemen, get up a judgment right away approving the plan submitted with respect to the Fairgrounds and the golf courses and sustaining the defendants' request for stay with respect to the Ping Palace Museum, so that the state courts may pass upon the questions there involved.

The judgment should also provide for the filing of a plan with respect to the playgrounds and community centers within six months.

The costs in this proceeding will be equally divided between th eplaintiffs and defendants.

Now, the Court in these remarks has only hit the high spots. They will serve, at least temporarily, as the Court's findings and conclusions under the rules. Others in more detail will probably be necessary, so the Court suggests you gentlemen who represent the defendants might within the next week get up additional ones to be filed with the Court. The Court will need an original and about five copies.

Counsel for the plaintiffs may if they desire also propose findings and conclusions to the Court.

38a 1961

TENNESSEE

MEMPHIS - PARKS

# Negroes Appeal Memphis Ruling

MEMPHIS (AP) — Negro attorneys have appealed a federal court ruling against an injunction that would have opened the city's parks to all races immediately.

The appeal, which will go to the Sixth U.S. District Court of Appeals at Cincinnati, protests to a ruling by federal Judge Marion Boyd, June 15 in favor of a gradual desegregation plan for the citys parks. The judge had approved a city park commission plan.

The appeal was filed Friday.

The Negro attorneys also objected to the judge's postponing adjudication on the desegregation of Memphis' museum for 90 days until a question of title could be cleared up.

The museum's deed apparently restricts its use to caucasians. If the clause is violated, the museum may revert back to its original owners.

38a 1961 VIRGINIA CITY POOLS

# 'We insist,' swim-in group says; all city pools close

LYNCHBURG, Va. — "We insist."

These two words resulted in the closing of the three city swimming pools here last week.

The words were uttered by Virgil Wood in reply to a threat that if a group of colored youngsters insisted on swimming at Miller Park, the pool would be closed.

When Mr. Wood, president of the Lynchburg Improvement Association, "insisted," the Miller Pool was closed as well as the pools at Riverside Park and the jimcrow pool at Jefferson Park.

Except for the pool, Miller Park was "integrated." The colored group — not allied with either the NAACP or CORE, held a picnic at the park and enjoyed other activities before attempting to swim.

FLOYD K. McKENNA was the recreation supervisor who made the decision. He was backed up by City Manager Robert Morrison and police chief, Maj. R. D. Brooks, both of whom were on the scene.

They had been alerted to the possible "swim-in" attempt when the Rev. Mr. Wood called to ask about park facilities including the pool.

Three times, Mr. McKenna said, he pleaded with the Rev. Mr. Wood not to let his group try to use the pool.

An interracial crowd watched at the pool entrance when the colored group attempted to buy tickets. There was no disorder, however.

• • •

MR. MORRISON, city manager, said later: "As far as I'm concerned, the pools are closed to the public. Any decision I make, of course, is subject to the will of the city council.."

He said the closing was "a matter of public safety."

The city attorney had already advised him that according to a U.S. court decision, "the city does not have the right to deny any citizen's admission to a pool operated by the City of Lynchburg.

"The only way to legally prevent their admission is by closing the pools."

• • •

IN THE "SWIM-IN" group were O. C. Thaxton and six boys. They had come with their suits — ready to swim. A local paper identified them as: Herbert Collins Jr., 9, son of Mrs. Susie Collins; Alvin Everett, 13, Mrs. Paige Everett; Conrad Wayne, 14, Mr. and Mrs. Ralph Wayne; Frederick Doswell, 13, Mrs. Edgar A. Doswell; Jimmy L. Hunter, 7, Mr. and Mrs. Gene C. Hunter; James E. Hunter, 11, (grandson of) Mrs. Lelia Sandige.

In certifying the pool as closed, the city manager said: "I'm awfully sorry this situation came about because I know it will deprive a lot of children of good, wholesome fun."

Much further south in Ft. Lauderdale, Fla., seven colored youths swam at a public beach where previously only white persons swam. Dr. Von D. Mizell, local NAACP official, led the group of two girls and five boys.

Shortly after they arrived, motorcycle policemen and a paddy wagon parked nearby. There was no disorder and no arrests.

**CLOSING POOL** — City officials in Lynchburg, Va., close the swimming pool gates as this group of colored boys attempted to enter. Coming up the steps toward camera is Floyd McKenna, director of Parks and Recreation in Lynchburg, and at side is chief of police Major R. O. Brooks.

## Close 3 pools to bar mixing

LYNCHBURG, Va.—(ANP) — Lynchburg's three public swimming pools were closed Independence Day when five colored persons tried to gain admittance to a pool reserved for white swimmers.

City Manager Robert Morrison said the action was was taken because "as we saw it, there was a matter of public safety involved."

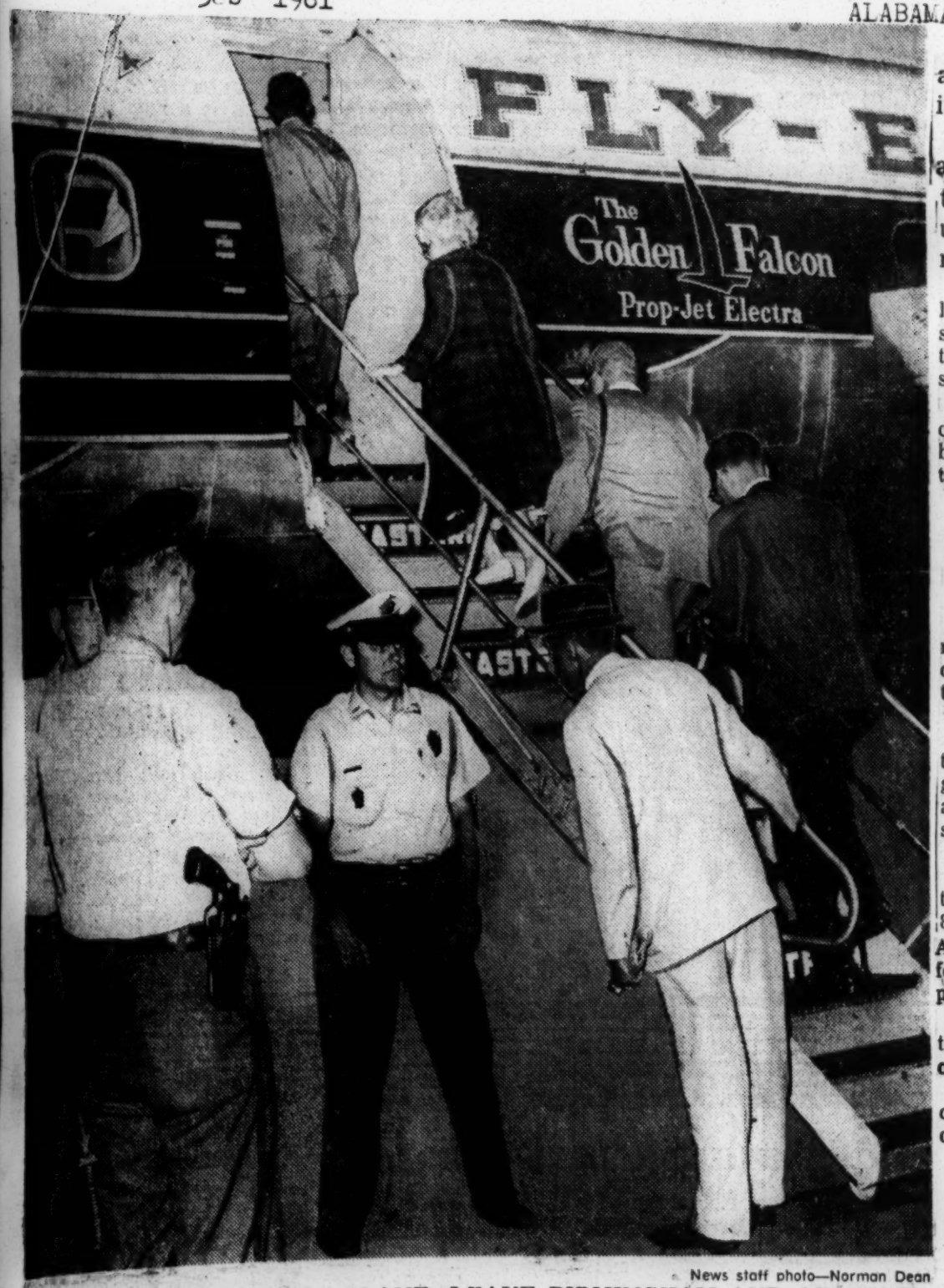
The closings came at 1:20 p.m. when the colored persons, a man and four youngsters tried to enter the Miller Park Swimming Pool. The pool had opened to the public at 1 p.m. after private swimming lessons had ended.

Also closed were the white Riverside pool and the colored Jefferson Pool.

38b 1961

ALABAMA

CORE FREEDOM RIDERS
SUN. MAY 14, 1961
BIRMINGHAM, ALA.




News staff photo—Norman Dean

**INTEGRATIONSTS BOARD PLANE, LEAVE BIRMINGHAM AND ALABAMA**
**. . . Flight left at 10:38 p.m. last night, after delays, bomb scares**

# Integrationists fly to Orleans

BY DON BROWN, News staff writer

A traveling integrationist group, which found trouble and delay at every turn in Alabama, reached the end of its journey today in New Orleans.

The 17 whites and Negroes left Birmingham ground at 10:38, last night on a shiny airliner—weary, battered, hours behind schedule, but still labeling their mission "successful."

"Our mission was to test the law that Negroes can ride unsegregated in interstate transportation," said Negro B. Elton Cox, spokesman for the group.

"We have proven there is discrimination and that violence can be brought about without protection from the law."

**The integrationists—who called themselves "freedom riders"—tried unsuccessfully for eight hours yesterday to get out of town.**

Drivers of Greyhound Bus Lines refused to take out a 3 p.m. bus, on which they had planned to ride to Montgomery.

AN EASTERN AIRLINER, due to depart at 6:50 p.m. for Montgomery, was finally canceled about 8:30 p.m., after a bomb scare.

A CAPITAL FLIGHT, scheduled to leave here for New Orleans at 8:55 p.m., was delayed indefinitely. Airline officials reported dense fog covered Mobile, a layover point.

This forced a ticket-switch back to Eastern, which finally got them out.

Another bomb scare also occurred during the last changeover in planes.

**More relieved than anyone when they left the ground were police, highway patrolmen, plain clothes officers and FBI agents who guarded the group in the bus and air terminals.**

Crowds gathered at both places, but authorities cleared the terminals of anyone who did not have official business there.

THE GROUP—MEMBERS of the Congress of Racial Equality (CORE)—landed in New Orleans about midnight. Tomorrow they will observe the anniversary of the May 17, 1954 Supreme Court decision on school desegregation.

**This will end their 13-day trip through the South, they said, and they will disband for their homes.**

Their arrival in Alabama Sunday, by bus, touched off racial violence in which the bus was burned and many of the CORE members beaten in attacks in Anniston and Birmingham.

THEY WERE TO continue on yesterday to Montgomery, then to Jackson, Miss., and finally to New Orleans.

The 17 persons in the group had been traveling on two buses, integrating the seating wherever possible.

Greyhound drivers, however, refused to drive the bus they were to ride out of the city.

**Gov. John Patterson issued a statement saying he would not be responsible for the safety of the group between here and Montgomery—only "to the nearest state line."**

Extra police were on alert at Montgomery. The bus station lunch counter also was closed.

It was reported the CORE members had been advised by Atty. Gen. Robert Kennedy to by-pass Mississippi. The White Citizens Council there said the move was wise.

PATTERSON'S STATEMENT, issued yesterday, said:

"The citizens of this state are so enraged over the actions of these agitators that it is not safe for them to remain in this state any longer. Crowds are gathering in Montgomery, Wetumpka and other places along the route that the bus will travel, and in my judgment it is not safe for them to travel from Birmingham to Montgomery.

**"In view of the tenseness of the situation, it is impossible to guarantee the safety of these agitators. Our advice to them is to get out of Alabama as quickly as possible. We will escort them to the nearest state line; however, we will not escort them to any other cities in Alabama to continue their rabble-rousing.**

"As governor, I take full responsibility for the safety of responsible citizens visiting Alabama, but I cannot accept the responsibility for the safety of a group of renegades who are here for the avowed purpose of stirring up trouble."

THE JACKSON CITIZENS COUNCIL sent a telegram to Atty. Gen. Kennedy saying:

"Congratulation on your display of common sense in advising the wandering ministrels of racial friction to stay out of Mississippi."

"Such agitators are neither wanted nor needed here. You are to be commended for your sound advice in this instance. It is refreshing to see the highest legal officer of our federal goevrnment recognizing the plain fact that Mississippi intends to remain segregated.

**"With your continued help in keeping agitators away, Mississippi will continue to enjoy peaceful race relations within the historic pattern of our segregated social order."**

Kennedy had joined in easing tension in the South and to assist the CORE group without further violence after the Alabama incidents.

An assistant to Kennedy was on the same plane from Birmingham to New Orleans with the integrated group. John Seigenthaler said he had no knowledge of a request to the group to by-pass Mississippi.

The assistant attorney general was quiet but observant as he silently followed the group out of the terminal to waiting cars, apparently watching for further violence.

# Birmingham Labeled City Of 'Of Hatred'

NEW ORLEANS (AP) — One of the 17 "Freedom Riders" — nine whites and eight Negroes testing segregation practices in

the south — said Tuesday hatred of the Negro "prevails as a spirit" in Birmingham, Ala.

The group, 14 of them, held a press conference in the lobby of a dormitory on the campus of the predominately Negro Xavier University. They said their violence-marked trek through the South had ended and they would leave New Orleans Wednesday night for their homes.

James Peck of New York City, the chief target of attackers at Birmingham Sunday, told newsmen "it is disheartening to see a city engulfed in such a state of hatred."

**HOLDS CONFERENCE**

Peck had 57 stitches in his head from the melee in Birmingham. He talked to newsmen with his head wrapped in white gauze bandages.

Peck, who is white, termed the trip a success because it proved that "one could not travel freely in this country."

One of the Birmingham attackers, Peck said, taunted the group:

"You dirty Communist. Why don't you go back to Russia? You're ashamed of the white race and you're ashamed of the nigger race."

Peck said he hoped the trip "would have a sobering effect on our country."

**PATTERSON BLAMED**

"If we are going to live as a Christian nation," said B. Elton Cox, a 29-year-old Negro from High Point, N.C., "we are going to have to clean up our own back yard."

Cox blamed Alabama Gov. John Patterson for the violence in Alabama. He said that Patterson's lack of interest toward the freedom riders and his failure to furnish them protection had the same meaning as "go to it, boys, they're all yours."

Albert Bigelow of Cos Cobb, Conn., the unofficial leader of the junket, told a newsman:

"I was ashamed to be a white man in South Carolina and Alabama."

The group said it would remain in New Orleans until Wednesday night for a celebration of the U.S. Supreme Court's decision in 1954 declaring school segregation unconstitutional. The 7th anniversary celebration will be held in a Negro Baptist Church.

## KLANSMAN, FATHER HELD

# Three Arrested In Race Fracas

BIRMINGHAM (AP) — A young Ku Klux Klansman, his father and another man were arrested Tuesday on charges growing out of a white mob's beating of a group of integrationists at a Birmingham bus station Sunday.

Jesse Oliver Faggard, 20, operator of a doughnut machine at a Birmingham bakery, was arrested at his house at the nearby Alton community shortly after midnight.

The charges were later reduced to disorderly conduct and young Faggard was released on $300 bond.

His father, Jesse Thomas Faggard, 48, also of Alton, was arrested on a disorderly conduct charge when he appeared at the jail to make bond for his son.

Detective Melvin Bailey said both were identified through a newspaper photograph of the savage brawl in which three persons were severely beaten.

Bailey listed the third man arrested as Howard Thurston Edwards, 22, of Irondale, a Birmingham suburb. He said Edwards is a print shop foreman in Birmingham.

**NO CHARGE**

He was being held without charge, Bailey added.

The younger Faggard signed a statement admitting participation in the mob action, said Bailey.

Bailey said Faggard identified himself as a Klansman, and said he showed up at a Birmingham bus station Sunday in response to a call from another Klansman promising "action."

Members of a Congress for Racial Equality (CORE) group were attacked by a club-swinging mob of white men when they stepped off a bus at the Trailways station in downtown Birmingham.

Three men — two white and one Negro — were beaten severely. Several others, including some bystanders, also were beaten.

The CORE group, composed of both white persons and Negroes, was touring Dixie on regularly scheduled buses testing racial segregation at bus stations. They abandoned the bus plans and flew out of Alabama Monday night to New Orleans, last stop on their itinerary.

Bailey said Faggard gave this account of events:

A Klansman called him Thursday and told him to be at the Greyhound bus station Sunday if he wanted to see some "action."

Faggard went to the station and joined several other men. They waited until 4 p.m., when they heard the Greyhound bus carrying the CORE people had been set afire outside Anniston.

Then they went to the Trailways bus station, three blocks away, where another bus carrying CORE people was expected.

A few moments after they arrived at the Trailways station, a bus pulled in carrying Negro and white members of the CORE tour.

A Negro got off the bus and walked through the rear door of the station.

Faggard said one of the men in front of him grabbed the Negro and told him to "get out of here, the Negro waiting room is over there."

"All at once," Faggard said, "people started pushing, shoving and kicking."

Later he returned to the Greyhound station and witnessed — but didn't take part in — an attack on three bystanders, according to his statement.

The grand larceny portion of the charge against Faggard resulted from the seizure of a camera from a newsman at the Trailways station.

# Ambushers Burn Bus, Riot Hits Birmingham

## Violence Trails CORE On Swing Into Alabama

The Montgomery Advertiser

P. 1 Mon. 5-15-61

ANNISTON, Ala. (AP)—A group of angry white persons Sunday attacked two buses carrying Negro and white "Freedom Riders" who are seeking to knock down bus station racial barriers.

A little later, 60 miles to the west, one of the buses ran into another angry crowd of white men at a Birmingham bus station. The integrated group took a brief but bloody beating and fled.

No serious injuries were reported.

Both buses were carrying members of the Congress of Racial Equality — CORE — on a swing through Dixie testing segregated facilities in bus stations. They call themselves "Freedom Riders."

**The crusading group of Negroes and whites attacked by mobs at Anniston and Birmingham Sunday is scheduled to arrived in Montgomery at an undisclosed time Monday.**

State investigator Ell M. Cowling, acting on a tip of possible trouble, was aboard a Greyhound bus attacked near Anniston. He barred the bus door with his body when the crowd of white men tried to board the bus. Two highway patrolmen fired their pistols into the air to quiet the crowd of about 200 which had followed the bus from Anniston.

**THREW FIRE BOMB**

Somebody threw a fire bomb through a bus window. Twelve persons were hospitalized, mostly for smoke inhalation. Ten of them later were released.

The bus, stalled about six miles out of Anniston by a flat tire, was destroyed by the blaze.

FBI Agent Thomas J. Jenkins of Birmingham said his agents were making an inquiry into the bus burning to determine if there had been any violation of federal law.

He declined to comment further.

Those who weren't hospitalized were taken back to Anniston and placed on another bus. They completed their ride to Birmingham and arrived at Birmingham's Greyhound station without incident.

The CORE members left Washington 10 days ago with six white and seven Negro "Freedom Riders." The number has fluctuated at various stops. On the Anniston bus the CORE group included five Negroes and four white persons. The number on the Trailways bus which reached Birmingham was not known.

**INTO TWO GROUPS**

They split into two groups in Atlanta and took separate buses into Alabama. The trouble started when the Greyhound, carrying the nine "Freedom Riders" and five other passengers, reached this northeast Alabama City of about 30,000.

The Trailways bus which later ran into difficulty at Birmingham had its first trouble at Anniston also.

Dr. Walter Bergman, 61, a former Michigan State University professor and a member of the CORE group, said a fight had broken out on the bus.

The Trailways station was closed, but Bergman said he got off, got sandwiches nearby, and was getting back on the bus when a policeman came up.

"The driver said he wasn't going to move until the Negroes moved to the back of the bus," Bergman said. "At that time, about 10 white men attacked Charles Person, a student at Morehouse University, Atlanta.

"And then James Peck stepped forward, then they turned on us. Peck was beaten about the face and got a deep cut on his scalp.

"Then they beat me and were kicking me. And then they threw

**A spokesman for the Associated Press Wirephoto network Sunday explained the absence of photographs on Birmingham's racial clash thusly: "Chances for pictures look poor. All of the cameras were smashed."**

the Negroes and others over me. There was no other violence until we got to Birmingham."

Bergman said three policemen had stood outside the bus at Anniston while this took place.

**ADMITTED TO HOSPITAL**

The bus continued to Birmingham where Peck was admitted to a hospital in fair condition.

When the bus arrived at Birmingham it met more trouble.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.

The white men obviously waiting for the arrival of the bus, covered telephone booths and exits. They refused to permit a newsman to use a telephone.

The fighting broke out in several areas around the station in downtown Birmingham.

No police were in evidence until several minutes after the outbreak.

A white man left the bus, and shook hands with one of the Negro passengers at the Birmingham station.

**HESITATED, WALKED**

The Negroes hesitated momentarily, and then walked into a passageway leading into the waiting rooms.

To the left was a sign which designated the Negro waiting room. The other Negroes followed a few feet behind him.

Several white men stopped the young Negro man, and one of them told him: "The Negro waiting room is back that way." They turned him around forcefully, and pushed him.

The Negro group turned back into the passageway, but were met by another group of white men entering from the opposite end of the hall.

The Negro man tried to walk through the men, but a husky white man knocked him against the wall.

**'HIT HIM'**

Several white men entered the passageway from the white waiting room. They stood behind the young Negro.

"Hit him," one of them said.

A man slammed his fist into the young Negro's face. He fell to the floor, blood spurting from his nose.

As he got up, the white man hit him again. This time, the Negro fell backward into the arms of the white men. They pushed him up again. The white man slammed the Negro in the face again.

A white man who had been riding the bus with the Negroes attempted to interfere. He was beaten in the face until he lay on his back, blood streaming from his nose.

The injured Negro youth and the white man staggered outside through the entrance, and into the bus parking area outside.

The group followed them. The Negroes and white men who accompanied them ran from the bus station with the white attackers behind them.

It was all over in about three minutes.

There was no way to determine the number of attackers. Some apparently had been waiting in the bus station before the incident.

An aged Negro woman who was on the bus stood among the milling crowd, crying: "It started on the bus. It started on the bus."

The "Freedom Rider" group and the attackers had disappeared within 15 minutes after the first outbreak.

Two newsmen were attacked by the crowd outside the bus station. One, Tom Langston of the Birmingham Post-Herald, was hurt painfully, but was not hospitalized.

Clancy Lake, a radio newsman was attacked as he sat in his closed automobile broadcasting an account of the violence. He escaped serious injury.

In an alley behind the bus station, a group of photographers had leaped into their automobile, but were blocked by another crowd of white men. They seized several cameras, smashed some of them and made off with the others.

Police made no arrests immediately.

# Battered 'Freedom Riders' Make Talks At Negro Rally

BIRMINGHAM (AP) — About 30 Negroes gathered in a church Sunday night to hear talks by Negroes and white persons beaten up at a Birmingham bus station a few hours earlier.

The meeting was held at Bethel Baptist Church, where the Rev. F. L. Shuttlesworth is pastor. Shuttlesworth is president of the Alabama Christian Movement for Human Rights, a Negro organization.

The first of the beating victims to speak was Dr. Walter Bergman, a former Michigan State University professor and a member of the Congress of Racial Equality. He said CORE is a coordinated organization of nonviolent action groups that believe in racial equality.

Bergman's left eye was swollen and he had several small cuts on his face, which he said were the results of an attack by white men against his group on the bus.

Six white persons were in the audience, three newsmen and two members of CORE. The sixth was not identified.

Shortly before the meeting started, Shuttlesworth dispatched three cars to Anniston to pick up members of the CORE group who were injured aboard another bus.

Shuttlesworth led off the program telling the group, "when white men and black men are beaten up together, the day is coming when tey will walk together."

He said, "no matter how many times they beat us up, segregation has still got to go. Others may be beaten up, but freedom is worth anything."

Members of the audience shouted "Yeah" and "amen."

# Bus Burns, 14 Injured As Race Fights Flare

BIRMINGHAM, Ala. (AP) — Violence trailed a mixed group of persons testing desegregation at interstate bus stations in the Deep South Sunday.

A Greyhound bus carrying 14 persons, nine of them members of the "Freedom Riders," was stoned and burned outside of Anniston in north Alabama. Ten persons were taken to a hospital where they were treated, mostly for smoke inhalation.

At the Trailways station in Birmingham, violence erupted after a group of "Freedom Riders" arrived from Atlanta.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.

The white men, obviously waiting for the arrival of the bus, covered telephone booths and exits. They refused to permit a Negro man to use a telephone.

*"Freedom Riders" spent Saturday night in Atlanta, had no trouble in Georgia. Page 8.*

The fighting broke out in several areas around the station in downtown Birmingham.

No police were in evidence until several minutes after the outbreak.

Two newsmen were attacked by the milling crowd outside the bus station. One, Tom Langston of the Birmingham Post-Herald, was hurt painfully, but not hospitalized.

Clancy Lake, a radio newsman, was attacked as he sat in his closed automobile broadcasting an account of the violence.

He was on the air when his windows were smashed.

"I moved to the other side of the car, but they broke the windows on that side, too," Lake said.

One of the men swung a length of pipe at Lake's direction, but he ducked to one side. It glanced off the side of his face, but he was not hurt seriously.

In an alley behind the bus station, a group of photographers had leaped into their automobile, but were blocked by another crowd of white men. They seized several cameras, smashed some of them and made off with the others.

No arrests were made.

The group who sought to break the segregation barrier left Washington several days ago. They split into two groups in Atlanta and took separate buses—a Greyhound bus and a Trailways bus—into Alabama.

**TIRES CUT**

At Anniston, the bus station was closed, but a crowd of between 150 and 200 persons milled around outside the station.

Joseph Perkins Jr., identified as field sceretary of the "Freedom Riders," told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut, "because I could hear the air hissing."

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

**USED FIRE DEVICE**

They sought to enter the vehicle, but were prevented from doing so by E. M. Cowling, a state investigator who stood in the doorway while the bus driver attempted to change the tire.

The crowd milled around outside, Cowling said, before an incendiary device was thrown through a broken rear window of the bus.

The passengers did not leave the bus immediately.

But smoke finally forced them to leave. The bus was destroyed by fire.

The Trailways bus which later ran into difficulty at Birmingham had its first trouble at Anniston also.

Dr. Walter Bergman, 61, a former Michigan State University professor and a member of the CORE group, said a fight had broken out on the bus.

The Trailways station was closed, but Bergman said he got off, got sandwiches nearby and was getting back on the bus when a policeman came up.

"The driver said he wasn't going to move until the Negroes moved to the back of the bus," Bergman said. "At that time, about 10 white men attacked Charles Persons, a student at Morehouse University, Atlanta.

"And then James Peck stepped forward, then they turned on us. Peck was beaten about the face and got a deep cut on his scalp.

"Then they beat me and were kicking me. And then they threw the Negroes and others over me. There was no other violence until we got to Birmingham."

Bergman said three policemen had stood outside the bus at Anniston while this took place.

The bus continued to Birmingham where Peck, a white man of New York City, was admitted to a hospital in fair condition. Peck is editor of the Cordaton, a publication of CORE.

38b 1961

ALABAMA

C O R E FREEDOM RIDERS
BIRMINGHAM, ALABAMA
SUN. MAY 14, 1961

# Mixers Attacked, Resume Bus Trip

Jackson Daily News pg 1 ✓
Jackson Miss ✓
Mon. 5-15-61

## Bus Destroyed By Firebomb, 'Freedom Riders' Clubbed

BIRMINGHAM, Aa. (AP)—A bus was destroyed by a firebomb and several members of a racially-mixed group of "freedom riders" were brutally beaten as they sought to bring their test of color barriers in bus stations into Alabama.

Members, however, vowed to continue their swing which started in Washington 11 days ago.

All told, 13 persons were taken to hospitals Sunday—12 for smoke inhalation suffered when some one in a crowd of angry white men threw a fire bomb into a stalled bus outside Anniston, and one for head cuts suffered at the hands of white men using pipes for clubs at a Birmingham bus station.

Two other persons required medical attention. None was hurt critically.

No arrests were made in Anniston or Birmingham.

The "freedom riders" — eight white persons and eight Negroes —are members of the Congress of Racial Equality. They are riding regularly scheduled buses through the South to test racial segregation.

This was their first encounter with mass violence.

The group divided in Atlanta for the trip through Alabama, nine taking a Greyhound bus and seven boarding a Trailways bus, all headed for Birmingham.

**TROUBLE AT ANNISTON**

Both buses ran into trouble at Anniston, about 50 miles from the Georgia line.

When the Greyhound bus arrived there, the bus station was closed and an angry crowd of about 200 white persons milled around.

Members of the crowd smashed some bus windows with bars and lengths of pipe.

The driver headed for Birmingham, but six miles outside Anniston the bus had a flat tire. A crowd of white men who had followed in cars sought to board it.

They were blocked by Alabama state investigator, Ell M.. Cowling who had ridden the bus from Atlanta on a tip.

A fire bomb—believed to have been a soft drink bottle containing gasoline—was thrown through a window of the bus.

Highway patrolmen, summoned by a passing motorist, fired pistols into the air to disperse the crowd. The passengers got off before the bus was destroyed by flames.

**BOARD BUS**

The Trailways bus left Atlanta about an hour after the Greyhound bus. Dr. Walter Bergman, 61, a former Michigan State University professor and a member of the CORE group, said about eight or ten white men had boarded the bus in Atlanta.

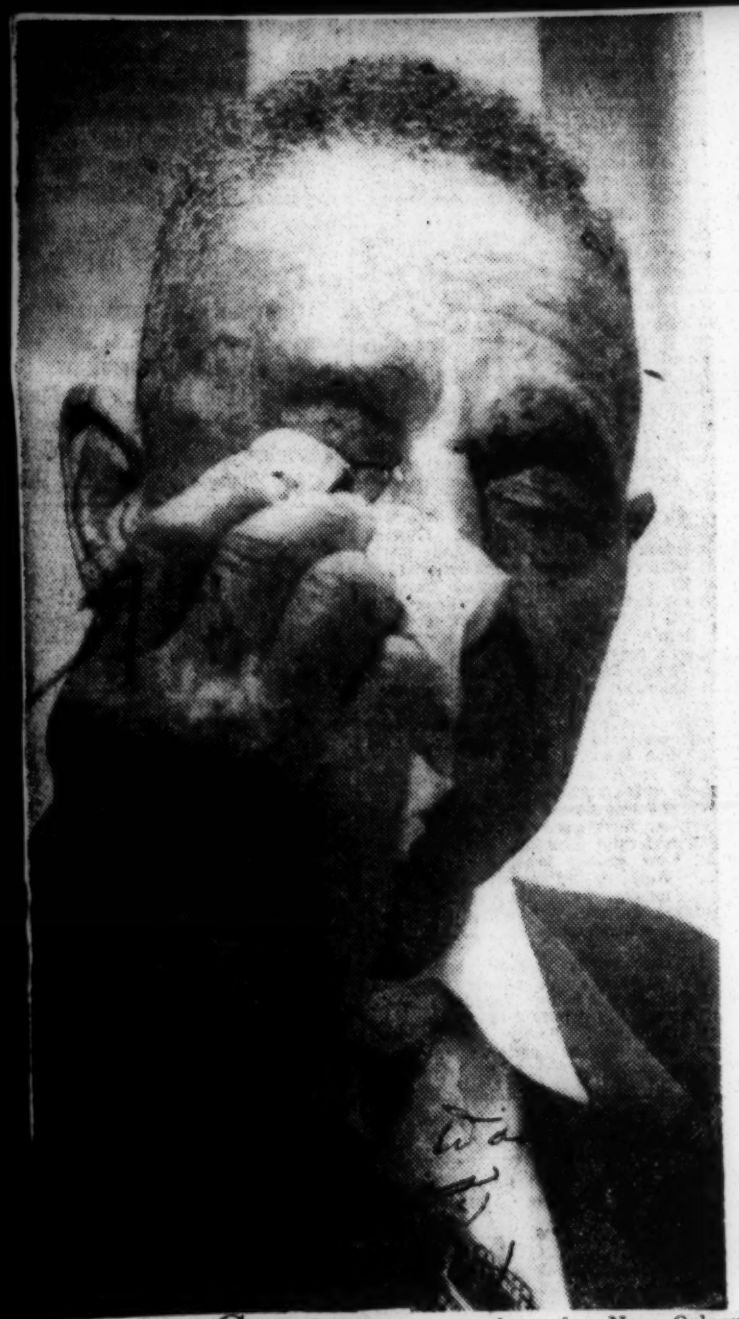
He said they beat several members of the group, including himself, at Anniston. When the bus reached Birmingham, 60 miles west of Anniston, a crowd of white men was waiting.

Two members of the CORE group, a Negro and a white man, were beaten when they headed for the white waiting room.

Outside, on the bus docks, white men using lengths of pipe as bludgeons, mauled others, including a Negro bystander.

Jackson Daily News
Jackson Miss
Mon, 5-15-61

**INJURED IN DEMONSTRATION** — James Peck (above), 46, New York City, was beaten at Birmingham bus station yesterday when white men attacked a group of so-called "freedom riders" testing bus segregation on a ride through the South. Right, Jimmie Ayers, 71, a bystander, was treated for cuts and bruises sustained in the melee. Ayers said he was standing on a sidewalk a block from a bus station where the violence flared when three white men leaped from an automobile and attacked him.—Daily News-AP Wirephotos.



# Tense Group Kept Watch At Terminal

By BOB COHN
Advertiser Staff Writer

BIRMINGHAM — Tensions which disrupted into mob violence Sunday in Birmingham and Montgomery hung heavy in a Birmingham bus station Monday.

Seventeen white and Negro members of CORE (Congress of Racial Equality) were in the Greyhound terminal's white waiting room preparing to board a bus scheduled to take them to Montgomery. Bus drivers refused to take the bus out, however, and they boarded a 6:50 p.m. plane for New Orleans. A bomb threat emptied the plane.

The Rev. Martin Luther King, reportedly in Atlanta Monday, was to have addressed the group at a large rally in the capital city at 7:30 p.m. Monday.

**2:45 ARRIVAL**

The group which was attacked at the Trailways terminal Sunday arrived at the Greyhound station at 2:45 p.m. Monday 15 minutes prior to the scheduled departure for Montgomery.

James Peck, 46-year-old white journalist, who was attacked Sunday, said, "It's been rough, but I'm getting on that bus to Montgomery." A copy of a local newspaper was folded under Peck's arm. It contained pictures of the mob beating him and another re-photograph of him lying on an emergency operating table.

Tension mounted in the now-integrated bus station until it became evident that the bus was not going to carry the CORE group to Montgomery. Everyone at the station, including newsmen, sightseers and officials, continually peered over his shoulder waiting for trouble. It never arrived.

**LONE DRUNK**

A lone drunk wandered into the station, and after offering to take on all the CORE members by himself, was promptly arrested.

Bus drivers who voted not to drive under any circumstances stood firm and the integrated group finally huddled with the Rev. F. L. Shuttlesworth, Birmingham integration leader.

"There are two ways to handle a strike," Shuttlesworth said of the drivers' refusal to drive. "We can either abide by it, or break it."

When asked what he meant by "break it," Shuttlesworth replied, "Now that the station is integrated, we can stay here and wait them out. They are bound to put a bus through sooner or later." Shuttlesworth added that the decision as to what to do was up to the CORE people themselves. Shuttlesworth was not traveling with the group.

**CARS RULED OUT**

Albert Bigelow, an architect from Connecticut who was traveling with the group, decided that car transportation to Montgomery was not feasible. Still determined, however, to meet King in Montgomery, Bigelow asked the counter clerk on arrival at the airport if it was possible to get his group on a flight to Montgomery. She said the flight was filled.

Just before leaving the bus station, Bigelow remarked, "The Klan is gathering in the area. I think we had better get out."

The Negroes appeared undisturbed by the situation in the bus station, and sat and read magazines awaiting some decision. Cameramen had a field day, taking pictures of the integrated proceedings.

There were 10 uniformed policemen in the station, along with plainclothesmen, including FBI agents, men from the attorney general's office and two Montgomery detectives who were going to follow the group to Montgomery.

CORE GROUP PONDERS NEXT MOVE AT BIRMINGHAM TERMINAL
James Peck (In Bandages), Ed Bodenheim, CORE Secretary Genevieve Hughes

C C R E -- FREEDOM RIDERS
MAY, 1961
BIRMINGHAM, ALABAMA

BIRMINGHAM JAILS RACIAL TEAM

Birmingham,Ala.(AP)-A racially mixed group of college students from Tennessee,trying to crack bus station segregation, were taken to jail Wednesday after a tense four hours at the Greyhound teminal here.
The small number of white persons allowed on the loading docks by police sent up a cheer and a round of hand-clapping as officers loaded the group into patrol wagons. As the wagons pulled away, the students sang.
Police Chief Jamie Moore said the eight students-seven Negroes and a white girl- were taken into protective custody.
"It is dangerous for you and for others to stay here," Moore told the students.
All told 16 persons were taken into custody- 14 Negroes, a white man and the white girl.
Ten of them-including the two white persons were on the bus coming into town.
Of the 16, all but three were held in protective custody.
Two were charged with failing to obey an officer, and held on $25 bond each.
The Rev F.L. Shuttlesworth, Birmingham Negro minister and president of the pro-integration Alabama Christian Council on Human Relations, was charged with infering with an officer and refusing to obey an officer. His bond was set at $25 on each count.
As the students were loaded into patrol wagons small knots of people stood on the sidewalks and in a parking lot next to the bus station.
As the groups broke up and reformed, police used two police dogs to help disperse them.
The bus station arrests came shortly after the group found it self stymied in an effort to board a bus for Montgomery.
During the four hours the students spent at the bus station,police said they received a bomb warning, but the danger time expired without incident.
The students rode into Birmingham on a bus from Nashville,Tenn., then found themselves stranded when drivers refused to take them out of town.
Police boarded the incoming bus on the outskirts of Birmingham, arested a white man and a Negro - for refusing to change seats, and put two officers on the bus for the remainder of the ride to the bus station.
This is the same station in which 17 members of a racially mixed Congress of Racial Equality group found themselves bottled up for more than two hours Monday when drivers refused to move the bus. The group finally went to the airport in cars and flew to New Orleans.
The station is in downtown Birmingham, three blocks from the Trailways station where a white mob attacked a racially mixed group arriving on a bus Sunday.
Meanwhile, a fourth man has been arrested in connection with the disturbance at the Trailways station last Sunday.

THE ATLANTA CONSTITUTION
p.2
Thurs. May 18, 1961
Atlanta,Ga.

38b 1961

ALABAMA

C O R E FREEDOM RIDERS
BIRMINGHAM, ALA.
SUN. MAY 14, 1961

# Protection For Riders

Atlanta Daily World Atlanta, Ga

# Asked By Atty. General

June 5-16-61 P1 8

## FBI Investigating Attack On Group Riding In South

BIRMINGHAM, Ala. (UPI) — A group of whites and Negroes touring the South in a methodical test of segregation in bus terminals said Monday it would continue despite two incidents Sunday of overt violence. Atty. Gen. Robert Kennedy asked the state to provide police protection.

The Rev. Fred L. Shuttlesworth, Baptist minister and Birmingham leader, said the group met at his home Monday morning and voted unanimously to continue the trip. Some members of the group were beaten by angry segregationists Sunday at a Trailways bus station in Birmingham and a Greyhound bus carrying other members was burned Sunday, apparently by a fire bomb, near Anniston, Ala.

"The group, sponsored by the Congress on Racial Equality (CORE), did not disclose its specific travel plans but previous plans called for the tour to go from Alabama into Mississippi and Louisiana, ending in New Orleans. One source said the "freedom riders" would leave Monday afternoon for Montgomery where Ku Klux Klansmen have said they would intercept the buses.

**FBI INVESTIGATING**

The FBI said it was looking into the violence and was expecting a preliminary report Monday.

Roy Wilkins, executive secretary of the NAACP, sent a telegram to the attorney general urging an investigation and pointing out that the Birmingham outbreak occurred at an interstate bus terminal, constituting a violation of a ruling by the Supreme Court.

Atty. Gen. Robert Kennedy asked state officials to give the integrationists safe conduct to New Orleans but Alabama Gov. John Patterson turned him down, saying "The citizens of the state are outraged I cannot guarantee protection for this bunch of rabble-rousers."

Earlier reports had said Alabama and Louisiana authorities had granted Kennedy the guarantee and that Kennedy had suggested the riders whisk through Mississippi via a coastal route, avoiding the arch - segregationist state's capital of Jackson.

But Patterson said he was receiving reports that the group would be met along the way by crowds which the governor said were gathering along the route.

Patterson said "I refuse to take the responsibility to guarantee their safe passage from Birmingham to Montgomery due to the tenseness of the situation." Patterson said he would give them protection "only to the nearest state line."

But late Monday afternoon it appeared the group would not be able to continue by bus. Shortly after 6:30 p. m. EDT the bi-racial group took its bags off the bus and the Greyhound Bus Company said "we're having some difficulty getting a driver."

A shouting mob greeted the Greyhound bus at Anniston Sunday, shouting and slashing at the tires. Police refused to let anyone leave the bus.

The vehicle left town but one of the tires went flat just outside the city. At this point the segregationists who had been following in automobiles closed in and began throwing stones at the windows. A fire bomb was thrown through broken window and the bus caught fire.

**FELLED BY FUMES**

Several passengers were felled by the fumes but all got out before the bus was completely burned out.

**FREEDOM RIDERS PASS THROUGH ATLANTA** — This group of "Freedom Riders," though victimes of verbal insults, were nevertheless happy and confident as they paused for a photo while stopping off over-night in Atlanta. The front row includes: Joseph Perkins, New York City; W. G. Bergman, Detroit, Mich.; Herman Harris, Englewood, N.J.; Jim Peck, New York City; James Farmer (group spokesman), New York City; Albert Bigelow of Cos Cob, Conn. On the back row are: Charles Person, Atlanta; Jimmy McDonald, Washington, D.C.; Henry Thomas, Washington; Ocharwe Hugke, New York City; Isaac Reynolds, Detroit, Mich.; Mae Frances Moultrie, South Carolina; Frances Burgman, Detroit, Mich.; and Ivan G. Moore, Morris, S.C. (Photo by Perry)

The tour, which began in Washington earlier this month, is a conscious attempt to test the racial statuts of bus station waiting rooms. Federal courts have ruled that such waiting rooms dealing in interstate commerce — and hence a subject to federal laws — may not be segregated.

The group generally has met little difficulties on the tour although one integrationist was punched by whites when he tried to enter an all - white waiting room at Rock Hill, S. C. and two of the group were arrested in Winnsboro, S. C.

# 'Freedom' Bus Stoned, Burned

## 2d Group Of Integrationists Attacked In Birmingham Station

By The Associated Press

Birmingham, Ala., May 14.—Violence trailed a mixed group testing desegregation at interstate bus stations in the Deep South Sunday.

A Greyhound bus carrying 14 persons, nine of them members of the "Freedom Riders," was stoned and burned outside Anniston in north Alabama. Ten persons were taken to a hospital and treated, mostly for smoke inhalation.

At the Trailways station in Birmingham, violence broke out after a group of "Freedom Riders" arrived from Atlanta.

Both buses were on regular runs.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.

White men, obviously waiting for the arrival of the bus, covered telephone booths and exits. They refused to permit a newsman to use a telephone.

### 2 Newsmen Attacked

Two newsmen were attacked by the milling crowd outside the bus station. One, Tom

*Factors behind a rising wave of militancy among Southern Negroes is discussed on Page 4.*

Langston of The Birmingham Post-Herald, was hurt painfully but was not hospitalized.

Clancy Lake, a radio newsman, was attacked as he sat in his closed automobile broadcasting an account of the violence. He was on the air when his windows were smashed.

A man swung a length of pipe in Lake's direction, but he ducked. The pipe glanced off the side of his face. He was not hurt seriously.

### Cameras Smashed

In an alley behind the bus station a group of photographers had leaped into their automobile but were blocked by another crowd of white men. Several cameras were smashed and others taken.

The group who sought to break the segregation barrier left Washington several days ago. They split into two groups in Atlanta and took separate buses into Alabama.

At Anniston the bus station was closed, but a crowd of 150 to 200 milled around outside the station.

Joseph Perkins, Jr., identified as field secretary of the "Freedom Riders," told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut "because I could hear the air hissing."

### Whites Trail Bus

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

They sought to enter the vehicle but were stopped by Eli M. Cowling, a State investigator who stood in the doorway while the bus driver attempted to change the tire.

Tho crowd milled around outside, Cowling said, before an incendiary device was thrown through a broken rear window.

The passengers did not leave the bus immediately, but smoke finally forced them out. The bus was destroyed by fire.

At the Birmingham station, the Negroes hesitated momentarily and then walked into a passageway leading into the waiting rooms.

To the left was a sign which designated the Negro waiting room. The group hesitated and then a young Negro walked ahead of the group.

### Others Follow

He walked about 10 feet into the white waiting room. The other Negroes followed.

Several white men stopped the young Negro man and one of them told him:

*"The Negro waiting room is back that way."*

They turned the Negro around forcefully and pushed him.

The Negro group turned back into the passageway but were met by another group of white men entering from the opposite end of the hall.

"Where do you think you are?" one of them asked.

The Negro man tried to walk through the group of men, but a husky white man, chewing on a cigar, knocked him against the wall.

### Negro Felled

Several white men entered the passageway from the white waiting room. They stood behind the young Negro.

"Hit him," one of them said.

The man with the cigar slammed his fist into the young Negro's face. He fell to the floor, blood spurting from his nose.

As he got up the white man hit him again. This time the Negro fell backward into the arms of the white men. They pushed him up.

The man with the cigar hit him in the face again.

A white man who had been on the bus with the Negroes attempted to interfere.

The man with the cigar beat him until he lay on his back, blood streaming from his nose.

The injured Negro youth and the white man staggered outside into the bus parking area outside.

The group followed. The Negroes and white men who accompanied them ran from the bus station with the white attackers behind them.

The "Freedom Rider" group and the attachers had disappeared within 15 minutes after the outbreak.

# Bus Integrationists Forced Off Airliner by Bomb Scare

By The Associated Press

BIRMINGHAM, Ala. (AP)—Battered integrationists abandoned their bus trip through Alabama Monday night, only to be forced from an airplane by a bomb scare as they sought to reach New Orleans.

The 17 members of the Congress of Racial Equality and other passengers, were forced to leave an Eastern Air Lines plane after the FBI said it had received a telephone call a bomb had been concealed aboard the plane.

The plane was searched, no bomb was found, but an Eastern employe told the passengers the flight was canceled because of the bomb scare.

There was no immediate indication as to what move the integrationists would make next.

Alabama's Gov. John Patterson announced that the state could not guarantee their safety and he urged them to leave Alabama as quickly as possible.

The "Freedom Riders," many of whom suffered severe beatings at Anniston, where a bus was burned, and Birmingham Sunday, were stymied when Greyhound bus drivers refused to drive them to Montgomery.

Plans originally included stops at Montgomery and either Mobile, Ala., or at Meridian, Miss.

**MADE CALLS**

Representatives of the group made frequent telephone calls to their New York offices and to Washington, where one of them talked with U.S. Atty. Gen. Robert Kennedy.

An administrative assistant to the attorney general, John Siegenthaler, was en route to Birmingham from Washington.

The Rev. B. Elton Cox, 29, Negro minister of High Point, N.C., and a member of the CORE group, said the trip into Alabama was successful "because it proves that citizens of this country can't ride as citizens despite Supreme Court rulings on interstate passengers."

The integrationists had planned to leave Birmingham by bus at 2 p.m. Monday, but waited at the Greyhound station until about 5 p.m. when it became evident the Greyhound drivers were'nt going to drive.

Private automobiles drove the group to the airport without incident.

Patterson issued a statement in Montgomery which said:

"In view of the tenseness of the situation, it is impossible to guarantee the safety of the agitators. Our advice to them is to get out of Alabama as quickly as possible.

**NEAREST STATE LINE**

We will escort them to the nearest state line; however we will not escort them to any other cities in Alabama to continue their rabble-rousing."

The CORE group is on a Southwide swing that started in Washington 11 days ago. They were scheduled to reach New Orleans in time to attend a mass rally of integrationists Wednesday night.

Minor incidents dotted their rides aboard regularly scheduled buses, but the first mass violence happened in Alabama Sunday.

## Bomb Scares Follow Bus Driver Balk

By THE ASSOCIATED PRESS

BIRMINGHAM — Battered integrationists abandoned their bus trip through Alabama Monday night and — after two bomb scares — flew to New Orleans by plane.

The departure of the 17 members of the Congress of Racial Equality (CORE)—nine white people and eight Negroes—ended

Pictures On Page 6A

two days of violence and race tension in Alabama.

They were forced to leave an Eastern Air Lines plane after the FBI said it had received a telephone call a bomb had been concealed aboard the plane.

Eastern said later the flight was canceled, although no bomb was found.

A later call to a public insurance booth in the airport waiting room told a woman clerk that a bomb had been concealed in the air terminal itself.

**SET TO GO OFF**

A man's voice told Miss Jean Taylor the bomb was set to go off within 18 minutes. At the end of this time, however, there was no explosion.

The integrationists earlier had purchased tickets aboard a Capital Airlines plane, but were shunted back to an Eastern plane when Capital reported the weather at Mobile would prohibit the plane leaving immediately.

The Mobile Weather Bureau said the weather there was clear.

They left aboard an Eastern plane at 10:38 p.m. It was due to arrive in New Orleans at 11:33 p.m.

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(Continued From Page 1)

bile, or Meridian, Miss.

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The Rev. B. Elton Cox, 29-year-old Negro minister of High Point, N.C., and a member of the CORE group, said the trip into Alabama was successful "because it proves that citizens of this country can't ride as citizens despite Supreme Court rulings on interstate passengers."

He said Alabama was the place they expected the most violence, and added: "I wrote my will before I left home."

The integrationists had planned to leave Birmingham by bus at 2 p.m. Monday, but waited at the Greyhound station until about 5 p.m. when it became evident Greyhound drivers weren't going to drive.

**PRIVATE AUTOS**

Private automobiles drove the group to the airport without incident.

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"We will escort them to the nearest state line; however, we will not escort them to any other cities in Alabama to continue their rabble-rousing."

Public Safety Director Floyd Mann said earlier that a highway patrol escort for the bus had been planned after talking with the U.S. attorney general.

In Washington, Kennedy aides said the attorney general had asked the State of Alabama to provide local police protection for the group.

The CORE group is on a southwide swing that started in Washington 11 days ago. They were scheduled to reach New Orleans in time to attend a mass rally of integrationists Wednesday night.

Minor incidents dotted their rides aboard regularly scheduled buses, but the first mass violence happened in Alabama Sunday.

Aboard a Trailways bus, white men attacked one CORE group at Anniston. They ran into further violence at Birmingham, where two were beaten severely. Others were beaten less severely.

A Greyhound bus, carrying the other CORE group, also ran into trouble at Anniston.

A firebomb was thrown through a window, filling the bus with smoke.

State Investigator Ell M. Cowling kept the crowd from surging onto the bus. He boarded the bus at Atlanta after a tip of possible violence.

Highway patrolmen, halted by a passing motorist, fired their pistols into the air to quiet the crowd, and the passengers got off. None was hurt seriously but 12 were treated for smoke inhalation.

There were no arrests at Birmingham or Anniston.

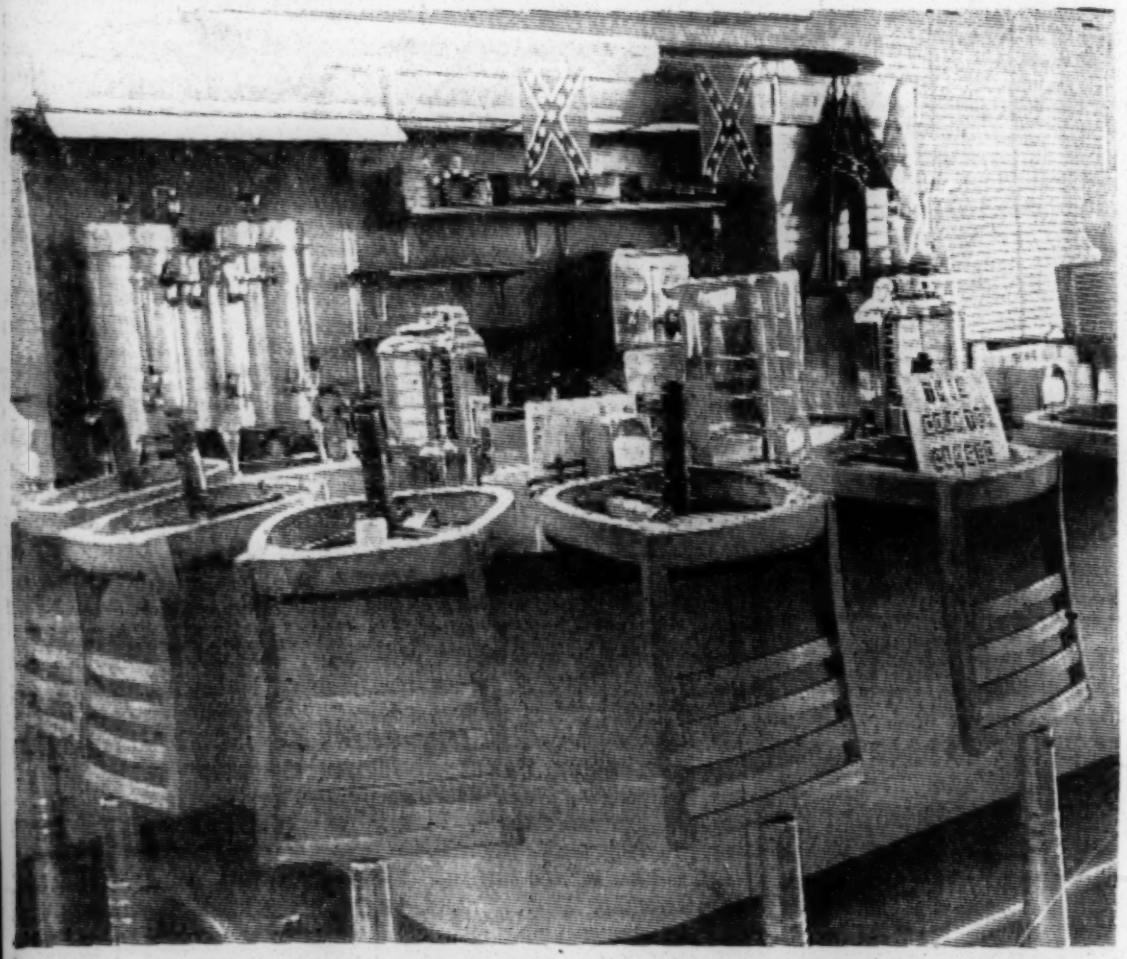
## *JAVITS URGES FEDERAL ACTION*

**WASHINGTON (AP) — Sen. Jacob K. Javits, R-N.Y., Monday made public a telegram to Atty. Gen. Kennedy saying "I hope no effort will be spared to bring to justice those who took part in these incidents." He asked for a report on any action the justice department may plan.**

**The telegram said Javits was "shocked by reports of violence, injury to persons and destruction of property involving the burning of an interstate bus and attacks on persons in the Birmingham Bus Terminal."**

**Javits called the incidents clear violation of Americans' civil rights, and violation also of federal laws against conspiracy and destruction of interstate motor vehicles. He suggested the incidents might show a need for action of some sort by Congress.**

# Integrators Skip City, Head For New Orleans



BUS STATION LUNCH COUNTERS CLOSED AS 'HAZARD' TO SAFETY
Greyhound Stools Upended; Trailways Also Put Off Limits

*LUNCH COUNTERS CLOSED*

## Lawmen On Alert Here To Halt Troublemakers

By STUART CULPEPPER

Local law enforcement authorities remained on the alert for trouble stemming from the anticipated visit of the "Freedom Riders" here from early Monday morning until long after dark, concentrating most of their attention on the bus terminals.

Restless crowds moved through and around the two terminals here, waiting for the scheduled bus to arrive. Most of them said they had heard the news of the group's inability to get out of Birmingham, but they thought that it was a trick to sneak the group into the city undercover.

**SMALL CROWD WAITED**

The crowd gathered around the Greyhound Station here never reached a mass of more than 50, and that was around 5:45 p.m. The group was scattered from the dry cleaning building above the station on Court street, to the front of the Post Office below the station. Several stood across the street. At least half of the crowd was teen-agers.

In front of the Trailways Station a small crowd of people stood around and waited, but the group was not as excited as the one around the Greyhound Station. They began dwindling away from the stations around 6:15

After a stern warning against violence by Police Commissioner L. B. Sullivan, city police took strong measures to insure the peace. Detectives and burly patrolmen in plain clothes rode around the city for most of the day, concentrating on the bus station areas. By 4 p.m. most of the patrols had disbanded and the patrolmen were back in uniform. Two detectives were sent to Birmingham Saturday night to see how the police there would handle the situation, and to watch for the kind of trouble that might develop here.

Sullivan had said earlier that "we do not intend to permit outside forces to create, provoke, or otherwise incite any racial incident in our city." He added that "violators would be dealt with according to law."

The Alabama Association of Citizens Councils urged Montgomerians Sunday night to stay away from the bus stations and not give the CORE group the publicity they were seeking.

**COUNTERS CLOSED**

Both bus stations closed their lunch counters early Monday morning. It was after noon before the group decided to come in on a Greyhound, but the Trailways counter remained closed anyway.

After 12 noon, the two stations put up signs on the closed off counters saying that they were shut down because of fire department orders. Asst. Fire Chief Rufus Talley, head of the Fire Prevention Bureau, said a "routine inspection" of the two buildings showed hazardous conditions at the eating places.

Talley said the decision to close the counters was based on an inspection May 11, and a follow-up visit Monday. He denied any connection between the expected arrival of the CORE group and the closing of the lunch room facilities. Blamed for the closing at the stations were "improper electrical fuses, accumulated grease in [illegible] places and unapproved exits" at the Trailways Station.

At the Greyhound station, the cause was attributed to faulty fire extinguishers, unapproved exits, and an accumulation of lint, dust, and grease.

**MOUNTED PATROL**

At closed Kiwanis Park on Columbus street a group of mounted sheriff's deputies were standng by most of the day to prevent any major disorder, but they never put in an appearance downtown. The horsemen have been used to help put down disturbances here in the past.

Earlier, Public Safety Director Floyd H. Mann here had assigned a highway patrol car to escort the bus to the Montgomery city limits. He said he ordered the escort because of the destruction of a bus Sunday afternoon by a mob outside of Anniston. Mann said he acted for "the safety of the people of Alabama as well as those on the bus."

When the bus was unable to leave Birmingham on schedule, Gov. John Patterson called off the highway patrol guard and said that the only escort the "Freedom Riders" would get would be to the state line, with no stops in between.

Montgomery Improvement Association President Ralph Abernathy wired President Kennedy and asked him to come down and investigate the state personally.

The MIA called the recent attacks on the buses, "vicious and brutal attacks," and invited the President to come and see "first hand just how the Negro people, who have always been loyal to this nation, are being treated."

Earlier, the MIA had wired Gov. Patterson a protest against Sunday's violence and said the incidents happened "because of the failure of law enforcement agencies to assume their responsibilities." Abernathy, in the wire, asked the governor to speak out "firmly for human rights."

City police remained vigilant through the early part of the evening for any incidents which might arise from the day's tensions or another change in plans by CORE.

C O R E FREEDOM RIDERS
SUN. MAY 14, 1961
ANNISTON, ALABAMA

At Anniston and Birmingham

# Bus Is Burned, Young Negro Beaten In Separate Alabama Race Clashes

ANNISTON, Ala., May 14 (AP)—An integrated group calling themselves the "Freedom Riders" ran into violence today at Anniston.

The Greyhound bus they were riding was attacked and finally burned by demonstrators.

No serious injuries were reported.

The group, under the sponsorship of the Congress of Racial Equality (CORE), is making a bus trip through the deep South to test desegregation policies at bus stations serving interstate passengers.

The bus, on a regular run rather than special charter, reportedly carried 14 passengers, nine of whom were "Freedom Riders."

In Birmingham, white men and Negroes battled at the downtown Trailways bus station. The fighting broke out as a group of Negro and white persons entered the white waiting room. Several white men stood in front of a young Negro.

The Negro hesitated and turned and slowly walked toward the door.

As he reached the door the white crowd in the waiting room pushed him into a hallway. Several other white men coming through the hall from the opposite direction pushed him against the wall, knocked him down, and beat him.

A white man who got off the bus with the group of Negroes protested. He also was pushed and struck in the face. His face was covered with blood.

In the Anniston incident, the bus stopped only briefly but the rear window and two side windows were broken. Tires also apparently were slashed.

A tire went flat about five miles out of Anniston, on the Birmingham highway. About 50 carloads of demonstrators and spectators trailed the bus out of the city and were on the scene.

State investigator E. M. Cowling said he was standing at the door when a smoking incendiary device was hurled through a broken window. The bus smoked for a few minutes, then burst into flames.

Radio station WDNG said the bus passengers clambered through windows to escape the fire. One Negro rider was hit on the head with a chain by an unknown person, the station said.

# 'This is Ala. you b---s,' they shout

By MOSES NEWSON
AFRO Staff Correspondent

ANNISTON, Ala.—Seven Freedom Riders went through two hours of "blazing hell" here Sunday when an angry mob waylaid and burned the $49,000 Greyhound bus on which they were passengers six miles west of this community.

The mean-looking, shirt-sleeved ruffians attempted to take the Freedom Riders off the vehicle at Anniston when they began breaking out windows and cursing obscenties.

Only the cool-headed action of two Alabama state investigators in plain clothes forestalled what was obviously a planned lynching.

SOME OF THE bus passengers escaped by jumping out of the windows, while others attempted to protect themselves by crouching beneath seats.

As the bus neared Anniston about 2:10 p.m. another Greyhound leaving Anniston stopped it. A man in plain-clothes came aboard and warned passengers that 16 to 20 hoodlums were crowding around the Anniston station and to be careful.

He said it looked like it might be a nasty situation. He also reported that the bus station had been closed.

At the intersection of 10th and Noble streets, two cars fell behind the bus. As it pulled up to the station, the ugly hoodlums began crowding around.

"This is Alabama, you black bastards. Come on out and integrate," shouted one bull-voiced mobster.

* * *

THEY CALLED the Freedom Riders yellow cowards, Communists and other such names.

Then they began breaking out windows with sections of lead pipe and pieces of chain.

Two plain-clothes officers, Eli Cowlin and Harry Sims with drawn pistols held the mob at bay and prevented them from taking the Freedom Riders off as they threatened to do.

As the bus with the Freedom Riders still aboard left the city, one of the cars that had approached the bus at 10th and Noble Sts., got in front of the bus.

The driver kept slowing down almost bringing the bus to a halt, but he refused to let the bus driver pass.

IT WAS LATER learned that the mob had slashed the bus tires and the car driver was apparently waiting for the air to seep out.

A line of cars followed the bus out to the area where it was brought to a halt.

The mob again started breaking out windows and hurling threats.

Later some one pushed a fire bomb through a broken window.

In a matter of seconds the bus was enveloped in a fog of thick, black, stiffling smoke. Women started screaming and children were crying.

JUST AS the bomb burst into a thousand rivlets of liquid flame, one of the Freedom Riders, Genevieve Hughes leaped through a window.

A free-lance reporter traveling with the group, also a white woman, went out of the window. Larry Hoppe, a passenger, who boarded at Atlanta, attempted to hide on the floor.

Mrs. Roberta Holmes, 68, of Birmingham, who was returning from Atlanta where she had buried her sister, was cut by the flying glass.

Outside the bus Highway Patrolmen and other officers protected the Freedom Riders while most of them were down on the ground coughing, gagging and vomiting.

* * *

MRS. ALMA BAKER of Anniston, who lived across the street from the incident, pushed through the mob of hoodlums with a pitcher of water with which she bathed the faces of the women and gave what relief she could.

Later, suffering from numerous cuts and abrasions, the Freedom Riders were taken to the Anniston Memorial Hospital for treatment. None seemed to be in critical condition.

* * *

NO ARRESTS had been made as late as 6 p.m. Sunday, the AFRO was told.

Freedom Riders who went through the experience were Edward Blankenheim, Albert Bigalow, Mae Frances Moultrie, Genevieve Hughes, Henry Thomas, Joseph Perkins and Jimmy McDonald.

Greyhound officials promished another bus would pick the group up at the hospital to continue the journey into Birmingham.

FREEDOM RIDER — Moses Newson, AFRO city editor, whose by - line is remembered for his brilliant coverage of the Emmett Till, Little Rock School and Florida A. and M. rape cases, is on tour through the South with CORE Freedom Riders testing unsegregated use of bus terminal waiting rooms, cafes and rest-room facilities.

# 'Freedom Riders' Attacked In Bus

The News and Courier
Charleston, S.C.
Mon. 5-15-61

ANNISTON, Ala., (AP) — Violence trailed a group of Negro and white persons testing desegregation at interstate bus stations in the Deep South Sunday.

A Greyhound bus carrying 14 persons, nine of them members of the "Freedom Riders," was stoned and burned outside of Anniston in Northern Alabama. Ten persons were taken to a hospital where they were treated, mostly for smoke inhalation. 1A

At the Trailways bus station in Birmingham, violence erupted after a group of "Freedom Riders" arrived from Atlanta.

The group who sought to break the segregation barrier left Washington 10 days ago. They split into two groups in Atlanta and took separate buses—a Greyhound bus station was closed, but a crowd of between 150 and 200 persons milled around outside the station.

Joseph Perkins Jr., identified as field secretary of the self-styled "Freedom Riders," told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut, "because I could hear the air hissing."

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

They sought to enter the vehicles, but were prevented from doing so by Ell M. Cowling, a state investigator who stood in the doorway while the bus driver attempted to change the tire.

The crowd milled around outside, Cowling said, before an incendiary evice was thrown through a broken rear window of the bus.

The passengers did not leave the bus immediately.

But smoke finally forced them to leave. The bus was destroyed by fire.

There was some scuffling among passengers and the white group before highway patrolmen arrived.

Floyd Mann, Alabama director of public safety, said two state highway patrolmen fired shots into the air to disperse the crowd around the blazing bus.

"I think quick action by the patrolmen may have saved some lives," he said when reached by telephone at Montgomery.

Somebody in a nearby house called patrolmen at the Anniston post, Mann said, and when they reached the scene they had to push through the crowd around the bus to help the people out.

The group, under the sponsorship of the Congress of Racial Equality — CORE — started the journey from Washington with six white and seven Negro "Freedom Riders." Spokesmen said the number has fluctuated at various stops. The News & Courier

On the Anniston bus the CORE group included five Negroes and four white persons. The number on the bus which reached Birmingham, 50 miles west of Anniston, was not known.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.

The white men obviously waiting for the arrival of the bus, covered telephone booths and exits. They refused to permit a newsman to use a telephone.

The fighting broke out in several areas around the station in several minutes after the outbreak. Charleston, S.C.

No police were in evidence until downtown Birmingham.

A white man left the bus, and shook hands with one of the Negro passengers at the Birmingham station. 2A

The Negroes hesitated momentarily, and then walked into a passageway leading into the waiting rooms. Mon. 5-15-61

To the left was a sign which designated the Negro waiting room. The other Negroes followed a few feet behind him.

Several white men stopped the young Negro man, and one of them told him: "The Negro waiting room is back that way." They turned him around forcefully, and pushed him.

The Negro group turned back into the passageway, but were met by another group of white men entering from the opposite end of the hall.

The Negro man tried to walk through the men, but a husky white man knocked him against the wall.

Several white men entered the passageway from the white waiting room. They stood behind the young Negro.

"Hit him," one of them said.

A man slammed his fist into the young Negro's face. He fell to the floor, blood spurting from his nose.

As he got up, the white man hit him again. This time, the Negro fell backward into the arms of the white men. They pushed him up again. The white man slammed the Negro in the face again.

A white man who had been riding the bus with the Negroes attempted to interfere. He was beaten in the face until he lay on his back, blood streaming from his nose.

The injured Negro youth and the white man staggered outside, through the entrance, and into the bus parking area outside.

The group followed them. The Negroes and white men who accompanied them ran from the bus station with the white attackers behind them.

It was all over in about three minutes.

There was no way to determine the number of attackers. Some apparently had been waiting in the bus station before the incident.

An aged Negro woman who was on the bus stood among the milling crowd, crying: "It started on the bus. It started on the bus."

The "Freedom Rider" group and the attackers had disappeared within 15 minutes after the first outbreak.

Two newsmen were attacked by the crowd outside the bus station. One, Tom Langston of the Birmingham Post-Herald, was hurt painfully, but was not hospitalized.

Clancy Lake, a radio newsman, was attacked as he sat in his closed automobile broadcasting an account of the violence. He escaped serious injury.

In an alley behind the bus station, a group of photographers had leaped into their automobile, but were blocked by another crowd of white men. They seized several cameras, smashed some of them and made off with the others.

Police made no arrests immediately.

## No complaints received—

# Knowledge of stone tossing denied by Anniston leaders

The Birmingham News 5/15 Birmingham Ala.

ANNISTON, Ala., May 16—Police Commissioner W. S. Weatherly and Mayor George T. Morris issued statements today in which they disclaimed knowledge of the actions of racially tense crowds in Anniston Sunday night.

**Weatherly said he had not received any complaints from Negro motorists that their automobiles were stoned.**

The stonings occurred a block from the city police station. Men armed themselves with rocks and pelted the automobiles of Negro motorists as they passed in front of the Greyhound bus station.

News 5-16-61

ALTHOUGH POLICE CARS cruised past the crowd several times, no attempt was made to break it up.

Weatherly said today Anniston police were under orders not to permit any large assemblies on the streets. He said he was unaware of the incident.

Mayor Morris said no special instructions were given after the bus burning Sunday afternoon "because there were none to give." He said he was not at the bus station Sunday night.

## 'FREEDOM RIDER' BUS IS BURNED IN MIXING TEST

The Times Picayune New Orleans La.

### Anniston and Birmingham Report Disorders

Mon 5-15-61

ANNISTON, Ala., (AP) — Violence trailed a group of Negro and white persons testing desegregation at interstate bus stations in the Deep South Sunday.

**A Greyhound bus carrying 14 persons, nine of them members of the "Freedom Riders," was stoned and burned outside of Anniston in northern Alabama. Ten persons were taken to a hospital where they were treated, mostly for smoke inhalation.**

**At the Trailways bus station in Birmingham, violence erupted after a group of "Freedom Riders" arrived from Atlanta.**

The group who sought to break the segregation barrier left Washington 10 days ago. They split into two groups in Atlanta and took separate buses—a Greyhound bus station was closed, but a crowd of between 150 and 200 persons milled around outside the station.

Joseph Perkins Jr., identified as field secretary of the self-styled "Freedom Riders," told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut, "because I could hear the air hissing."

### CARS TRAIL BUS

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

They sought to enter the vehicle, but were prevented from doing so by Ell M. Cowling, a state investigator who stood in the doorway while the bus driver attempted to change the tire.

**The crowd milled around outside, Cowling said, before an incendiary device was thrown through a broken rear window of the bus.**

**The passengers did not leave the bus immediately.**

But smoke finally forced them to leave. The bus was destroyed by fire.

There was some scuffling among passengers and the white group before highway patrolmen arrived.

Floyd Mann, Alabama director of public safety, said two state highway patrolmen fired shots into the air to disperse the crowd around the blazing bus.

### POLICE CALLED

"I think quick action by the patrolmen may have saved some lives," he said when reached by telephone at Montgomery.

Somebody in a nearby house called patrolmen at the Anniston post, Mann said, and when they reached the scene they had to push through the crowd around the bus to help the people out.

The group, under the sponsorship of the Congress of Racial Equality — CORE started the journey from Washington with six white and seven Negro "Freedom Riders." Spokesmen said the number has fluctuated at various stops.

### BEATINGS REPORTED

On the Anniston bus the CORE group included five Negroes and four white persons. The number on the bus which reached Birmingham, 50 miles west of Anniston, was not known.

**Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.**

## ALABAMA WHITES FIRE BI-RACIAL BUS

The New York Times New York N. Y.

Mon. 5-15-61

### 'Freedom' Riders' Attacked in Anniston, Birmingham on Trip Testing Laws

1 C

By The Associated Press.

ANNISTON, Ala., May 14—Violence trailed a group of Negro and white persons testing desegregation laws at interstate bus stations in the Deep South today.

A Greyhound bus carrying fourteen persons, nine of them "freedom riders," was stoned and burned outside Anniston, in north Alabama. Ten persons were taken to a hospital, where they were treated, most of them, for smoke inhalation.

At the Trailways station in Birmingham, violence erupted after a group of freedom riders had arrived from Atlanta. The group is sponsored by the Congress of Racial Equality.

The group, seeking to break the segregation barrier, left Washington ten days ago. It split into two groups in Atlanta and took separate buses, a Greyhound and a Trailways bus, into Alabama.

At Anniston the bus station was closed, but a crowd of between 150 and 200 persons milled around outside the station.

Joseph Perkins Jr., identified as field secretary of the freedom riders, told a reporter several windows in the bus station at Anniston had been broken. He said some of the bus tires had apparently been cut, "because I could hear the air hissing."

### Fire Destroys Bus

The Greyhound bus had to stop six miles from Anniston wih a flat tire. Several automobiles filled with white men trailed the bus. They sought to enter the vehicle, but were fended off by Ell M. Cowling, a state investigator who stood in the doorway while the bus driver attemped to change the tire.

The crowd milled around outside, Mr. Cowling said, then an incendiary device was thrown through a broken rear window of the bus.

Smoke forced the passengers to leave. The bus was destroyed by fire.

There was some scuffling among passengers and the white group before the Highway Patrolmen arrived.

Floyd Mann, Alabama's director of public safety, said two state Highway Patrolmen had fired shots into the air to disperse the crowd around the blazing bus.

"I think quick action by the patrolmen may have saved some lives," he said by telephone from Montgomery.

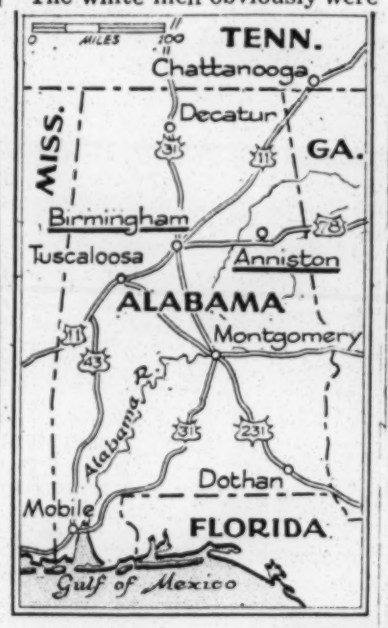
Someone in a near-by house called patrolmen at the Anniston post, Mr. Mann said, and when they reached the scene they had to push through the crowd around the bus to help the passengers out.

The group started the journey from Washington with six white and seven Negro freedom riders. Spokesman said membership of the group had fluctuated. The N. Y. Times

On the Anniston bus the C. O. R. E. group included five Negroes and four white persons. The number on the bus that reached Birmingham, fifty miles west of Anniston, was not known. New York. N.Y.

Several white men attacked thegroup inside the Birmingham station, beating a Negro youth and a white man who was apparently accompanying the group.

The white men obviously were waiting for the bus, and covered telephone booths and exits.




The New York Times May 15, 1961

ALABAMA OUTBREAKS: Races battle in Birmingham and Anniston (underlined).

The fighting broke out in several areas around the station in downtown Birmingham. No police were in evidence until several minutes after the outbreak.

A white man left the bus and shook hands with one of the Negro passengers at the Birmingham station.

The Negroes hesitated momentarily, then walked into a passageway leading to the waiting rooms.

To the left was a sign that designated the Negro waiting room. The group hesitated, then a young Negro walked ahead.

He walked about ten feet into the white waiting room. The other Negroes followed, a few feet behind.

Several white men stopped the young Negro, and one of them told him:

"The Negro waiting room is back that way."

They turned him around forcefully, and pushed him. The Negro group turned back into the passageway, but were met by another group of white men entering from the opposite end of the hall. Mon 5-15-61

The Negro man tried to walk through, but a husky white man knocked him against the wall.

Several white men entered the passageway from the white waiting room. They stood behind the young Negro.

"Hit him," one of the said.

A man slammed his fist into the young Negro's face. He fell to the floor, bleeding from the nose.

As he got up, the white man hit him again. This time, the Negro fell backward into the arms of the white men. They pushed him up again. The white man struck him again.

A white man who had been riding the bus with the Negroes attempted to interfere. He was beaten in the face and feel on his back, blood streaming from his nose.

The injured Negro youth and the white man staggered outside to the bus parking area, with the white attackers behind them.

It was all over in about three minutes.

There was no way to determine the number of attackers. Some apparently had been waiting in the bus station before the incident.

### Federal Aid Sought

Marvin Rich, the C. O. R. E. community relations director in New York, reported last night that James Farmer, national director, was trying to reach Attorney General Robert F. Kennedy "to protest the assaults and to ask for guarantees of freedom on the public highways."

There are nineteen persons now engaged in the freedom ride, he said, seeking to test segregation on bus company vehicles, restaurants and rest rooms on trips due to end in New Orleans on May 17.

Previously, Mr. Rich said, the only violence had occurred last Tuesday in Rock Hill, S. C., when two riders—one white and one Negro—were beaten up in a waiting room. The day before, he said, a Negro participant had been arrested and acquitted in Charlotte, N. C., on a charge of trespassing made while he was waiting to get his shoes shined.

According to Mr. Rich, the Trailways group—six Negroes an dthree whites—met its first trouble in Anniston, on its way

to Birmingham. As it was about to leave a rest stop, he said, the bus driver announced that the Greyhound bus has just been burned. The driver said he would not leave until the Negroes sat in the rear of the bus, in accordance with Alabama law.

When the Negroes in the party remained in various places in the bus, eight white passengers assaulted them, Mr. Rich said. Jim Peck, 47 years old, of Riverside Drive, New York, and Walter Bergman, 61, of Detroit, white C. O. R. E. passengers, were also beaten for protesting before all the Negroes were eventually bodily lifted into the rear of the bus, Mr. Rich said.

In Birmingham, Mr. Peck was injured so badly that he was hospitalized, Mr. Rich said. Mrs. Bergman was the third white C. O. R. E. passenger in the Trailways group.

# MOB STONES, BURNS BUS IN RACIAL ROW

Chicago Daily
Ordnance P-1
Mon. 5-15-61

## Negro Struck on Head by Chain

Chicago, Ill.

Anniston, Ala., May 14 (UPI)—A bus carrying a bi-racial group testing bus segregation laws in the south was stoned and burned by a mob of white men today and its 22 occupants were rushed to a hospital for treament.

None of the 15 white and 7 Negro riders was believed to be seriously injured.

Witnesses reported that one Negro was struck on the head with a chain as the occupants fled from the burning bus, but the arrival of state highway patrolment prevented further violence.

**On "Freedom Ride"**

Most of the passengers aboard the Greyhound bus, which was en route from Atlanta to Birmingham, were members of the so-called "freedom ride" of the Congress on Racial Equality. The group is traveling thru southern states in an attempt to integrate bus station facilities.

The bus station here was closed around noon, before the bus arrived, in an attempt to avoid violence. About 100 white men were at the station when the bus arrived.

Witnesses said the mob began yelling for the riders to get out of the bus. But a state policeman in plain clothes barred the door and kept the bus passengers inside.

**Follow in 50 Cars**

The men then began stoning the bus and slashing the tires. The bus left the station but about three miles outside Anniston, two of the tires went flat.

The white men, following in 50 cars, stopped around the bus and yelled for the passengers to alight.

A fire then started in the bus. Police were not certain whether a fire bomb or flare was tossed into the vehicle or whether the fire started inside the bus.

**Negro Hit with Chain**

The occupants began pouring from the bus. They were met by the mob. Witnesses reported some blows struck and one Negro was struck by a man wielding a chain. State highway patrolmen arrived and prevented further violence.

The bus occupants were rushed to the emergency room of the Anniston hospital for treatment of burns and lacerations, apparently received when some of them had to climb thru the bus windows to escape.

# Two face hearing in bus burning

The Birmingham News P-4
Mon. 5-29-61

ANNISTON, Ala., May 29—(AP)—A hearing was scheduled in U. S. District Court here today for two of four men arrested on charges of setting fire to an interstate passenger bus near here May 14.

A Greyhound bus carrying a group of "freedom" riders was stoned and burned by a mob outside Anniston en route from Atlanta to Birmingham.

**The violence was among the first instances that set off a chain reaction of race clashes in Alabama.**

Facing a hearing today were Frank B. Johnson, 43, a maintenance man, and Robert Dale Couch, 19, unemployed.

Jerry Ronald Eason, 22, a flower shop employe, and Daleford Leonard Roberts, 42, a cab driver, waived preliminary hearing when they were arrested last Monday.

THEIR ARRESTS were announced in Washington by U. S. Atty. Gen. Robert Kennedy.

The FBI has been making extensive investigations of the bus burning and other violence involving interstate bus travel in Alabama.

Birmingham, Ala.

**The Justice Department would reveal nothing concerning the arrest of the four, and said nothing else would be disclosed until their trial.**

Federal authorities said they did not know whether the four men were members of the Ku Klux Klan.

The government has obtained a federal court injunction against KKK interference with interstate passenger buses.

If convicted, the men could be sentenced to as much as 20 years in prison and fined up to $10,000. They were held under $5000 bond.

38b 1961

ALABAMA

CORE FREEDOM RIDERS
SUN, MAY 14, 1961
Birmingham, Ala.

# Driver Spurns Integration Bus

BIRMINGHAM, Ala., May 15 (AP). A battered team of integrationists testing bus station color barriers in the South was stymied today when a Greyhound bus driver refused to drive them from Birmingham to Montgomery.

The bus was due to depart at 3 p.m., but no passengers were allowed to board it.

An unidentified driver told a reporter, "We aren't going to drive it. That's final."

D. J. Owens, manager of the Greyhound terminal here, said, "Our dispatcher is seeking to solve the difficulty."

**Next Move Uncertain**

A spokesman for the group of integrationists said, "It may be necessary for us to wait here until Greyhound decides its service will be restored. We don't know what our next move will be."

The members of the Congress of Racial Equality — eight Negroes and eight white persons — were attacked at Anniston, Ala., and at Birmingham on the two buses they rode into Alabama from Atlanta yesterday.

At the request of Atty. Gen. Robert F. Kennedy today, following conversations with him by telephone, the CORE leaders decided to put all their people on one bus, "because it would be easier to protect than two buses," a spokesman said.

At Montgomery, Police Commissioner L. B. Sullivan said officers would "take whatever action is necessary to suppress agitation and prevent violence."

The Rev. F. L. Shuttlesworth, a Birmingham Negro integration leader, said he talked this morning by telephone with Kennedy.

**Promised Protection**

"Mr. Kennedy told me we would have some kind of protection," Shuttlesworth said.

He didn't say what kind of protection the attorney general promised for the 100-mile trip.

But at Washington, Kennedy aides said the attorney general has asked the State of Alabama to provide local police protection for the group.

His office said Kennedy has been in telephone contact with Alabama officials "and others" on the matter of protection.

Shuttlesworth is not a member of the team making the trip, but headed up a rally where the CORE people appeared last night, and the meeting today was held at his house.

## 17 Take To Air In Alabama Ride

'Freedom Riders' Buy Plane Tickets After Violence Disrupts Plans

By The Associated Press

BIRMINGHAM, Ala., May 15. —A group of integrationists testing bus station racial barriers in the South planned to leave Alabama Monday night by plane for New Orleans after outbreaks of violence in Anniston and Birmingham Sunday.

Alabama's Gov. John Patterson said earlier that the state could not guarantee their safety. He urged them to leave the state as quickly as possible.

It was shortly after Governor Patterson's announcement in Montgomery that the group picked up their luggage at a Greyhound bus loading ramp in Birmingham and returned to the white waiting room inside the bus terminal.

**Tickets Purchased**

A representative of the group purchased 17 tickets on a plane to New Orleans.

The battered team of integrationists was stymied at Birmingham when Greyhound bus drivers refused to drive them to Montgomery.

Governor Patterson issued a statement in Montgomery in which he agreed to have them escorted to the nearest state line. He said they would not be escorted to another city in Alabama.

**Jackson Bypassed**

In Washington, aides to Atty. Gen. Robert Kennedy said the attorney general had asked the State of Alabama to provide local police protection for the group.

It was also understood that he advised the group to bypass Jackson, Miss., which had been a scheduled stop of the so-called "Freedom Riders."

The group ran into its first violence on the trip through the South Sunday when a bus was burned near Anniston, Ala., and a group of white men attacked other members of the group in Birmingham.

## Violence Erupts As Racial Group Tours Alabama

Bus Is Stoned And Burned, Several 'Freedom Riders' And Newsmen Injured

By The Associated Press

BIRMINGHAM, May 14. — Violence trailed a mixed group of persons testing desegregation at interstate bus stations in the Deep South Sunday.

A Greyhound bus carrying 14 persons, nine of them members of the "Freedom Riders," was stoned and burned outside of Anniston in North Alabama. Ten persons were taken to a hospital where they were treated, mostly for smoke inhalation.

At the Trailways station in Birmingham, violence erupted after a group of "Freedom Riders" arrived from Atlanta and sought to enter the white waiting room.

Several white men attacked the group inside the Birmingham station, beating a Negro youth and a white man apparently accompanying them.

**Two Newsmen Attacked**

The white men, obviously waiting for arrival of the bus, covered phone booths and exits. They refused to permit a newsman to use a phone.

The fighting broke out in several areas around the station in downtown Birmingham.

No police were in evidence until several minutes after the outbreak.

Two newsmen were attacked by the milling crowd outside the bus station. Tom Langston of the Birmingham Post-Herald, was hurt painfully, but was not hospitalized.

Clancy Lake, a radio newsman, was attacked as he sat in his closed auto broadcasting an account of the violence.

He was on the air when his windows were smashed. He was hit in the face by a length of pipe, but was not hurt seriously.

In an alley behind the bus station, a group of photographers had leaped into their automobile, but were blocked by another crowd of white men. They seized several cameras, smashed some and made off with the others.

The group which sought to break the segregation barrier left Washington several days ago. They split into two groups in Atlanta and took separate buses—a Greyhound and a Trailways—into Alabama.

**200 Mill Outside Station**

At Anniston, the bus station was closed, but 200 persons milled around outside the station.

Joseph Perkins Jr., identified as field secretary of the "Freedom Riders," said several windows in the bus station at Anniston had been broken. He said some of the bus tires apparently had been cut.

The Greyhound bus had to stop six miles from Anniston because of a flat tire. Several automobiles filled with white men trailed the bus.

They sought to enter the vehicle, but were prevented from doing so by Ell M. Cowling, a state investigator who stood in the doorway while the bus driver attempted to change the tire.

The crowd milled around outside, Cowling said, before an incendiary device was thrown through a broken rear window.

The passengers did not leave the bus immediately.

But smoke finally forced them to leave. The bus was destroyed by fire. There evidently had been some fighting on the Trailways bus, but it was not determined whether it occurred after it left Atlanta.

CORE FREEDOM RIDERS
SUN, MAY 14, 1961
Birmingham, Ala.

# Bomb Scare Grounds Integrationist Group

## Forces 17 Off Airliner At Birmingham; Were First Stymied At Bus Station

By The Associated Press

Birmingham, May 15.—A bomb scare forced a group of integrationists and other passengers off an Eastern Air Lines plane Monday night.

Seventeen members of the Congress of Racial Equality, forced to take a plane to New Orleans instead of a bus as planned, boarded the plane, which was due to leave the airport at 6:50 p.m.

Gordon Cary, a field representative of C.O.R.E. from New York City, said passengers then were asked to leave the plane because a bomb supposedly had been planted aboard the aircraft.

**Caller Gives Warning**

The plane was being searched.

Jeff Dishongh, district sales manager for Eastern, said the F.B.I. called Eastern a few moments before the plane was scheduled to depart and said a telephone caller warned that a bomb was aboard.

F.B.I. agents were sent to the airport. The search was expected to take about an hour.

The integrationists' plans for leaving Birmingham followed outbreaks of violence in Anniston and Birmingham Sunday.

Alabama's Governor John Patterson said earlier that the safety. He urged them to leave the state as quickly as possible.

**17 Tickets Purchased**

It was shortly after Patterson's announcement in Montgomery that the group picked up their luggage at a Greyhound Bus loading ramp in Birmingham and returned to the white waiting room inside the bus terminal.

A representative of the group purchased 17 tickets for New Orleans on a flight departing at 6:50 p.m. The original 16 members of the group were joined by Carey.

The group would make no

The battered integrationists were first stymied at Birmingham when Greyhound Bus drivers refused to drive them to Montgomery.

About 2 hours after their bus was scheduled to leave, they got into several private automobiles and were driven to the airport without incident.

The bus was due to depart at 3 p.m., but no passengers were allowed to board it.

An unidentified driver told a reporter:

*"We aren't going to drive it. That's final."*

D. J. Owens, manager of the Greyhound terminal here, said, "Our dispatcher is seeking to solve the difficulty."

Alabama Public Safety Director Floyd Mann said he had assigned a highway-patrol car to escort the bus from Birmingham to Montgomery.

A little later, however, Governor Patterson canceled the escort order. The Governor said feelings are so high in Alabama that it is unsafe for the integrationists to remain in the state.

He said he would provide a patrol escort to the nearest State line but "we will not escort them to any other cities in Alabama to continue their rabble-rousing."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
TUSKEGEE INSTITUTE
REEL 190

The members of C.O.R.E.—eight Negroes and eight white persons—were attacked at Anniston and at Birmingham on the two buses they rode into Alabama from Atlanta Sunday.

At the request of United States Attorney General Kennedy, after conversations with him by telephone, the C.O.R.E. leaders had decided to put all their people on one bus, "because it would be easier to protect than two buses," a spokesman said.

The Rev. F. L. Shuttlesworth, a Birmingham Negro integration leader, said he talked Monday morning by telephone with Kennedy. He said:

*"Mr. Kennedy told me we would have some kind of protection," Shuttlesworth said.*

At Washington, Kennedy aides said the Attorney General had asked the State of Alabama to provide local police protection for the group.

**F.B.I. To Investigate**

His office said Kennedy has been in contact with Alabama officials and others on the matter of protection. And the Justice Department said the F.B.I. has been directed to determine if any federal laws have been violated.

The C.O.R.E. group is on a South-wide swing aboard regularly scheduled buses. It started in Washington 11 days ago and was scheduled to end in New Orleans Wednesday. They met their first mass violence in Alabama Sunday.

Aboard a Trailways Bus, white men attacked the C.O.-R.E. people at Anniston when they refused to move to the back of the bus.

Another group of white men jumped them when they arrived at Birmingham a couple of hours later.

No arrests have been made in Anniston or Birmingham.

# Three fined after arrest near station

The Birmingham News, P-5

Three young white men arrested a block from the Greyhound Bus Station early on the night of May 19 while a group of "freedom riders" was at the station, have been fined in Recorder's Court here. Sat. 5-27-61

One of the defendants also drew a jail sentence.

Fined $50 and costs and sentenced to 30 days in jail on a charge of loitering after warning was James L. Jones, 27, of 608 Jefferson-blvd.

**Judge C. H. Brown Thursday afternoon also fined Jones $15 and costs on charges of carrying a concealed weapon (knife). Jones filed an appeal.**

Judge Brown assessed fines of $25 and costs each against Charles L. Green, 22, Birmingham Rt. 7, and H. S. McKiney, 26, of 1404 Fourth-av. w. Both were charged with loitering after warning.

# Whites Raid Buses; 5 Bias Foes Injured

New York World-Telegram and Sun
Mon. 5-15-61 P-1

United Press International.

BIRMINGHAM, Ala., May 15.—White and Negro "freedom riders" who set out to crash Deep South segregation barriers were attacked by white men in two cities yesterday.

A crowd of about 100 white men, some armed with clubs and knives, attacked and burned a Greyhound bus on which nine members of the Congress on Racial Equality were riding at Anniston, Ala. There were 13 other persons on the bus, including an Alabama state investigator.

Another group of white men here attacked James A. Peck, New York City, editor of a CORE publication and one of the leaders of the tour. Mr. Peck and a Negro student from Morehouse College, Atlanta, were hospitalized. No arrests were made.

In Washington today the Federal Bureau of Investigation was asked to investigate the outbreaks. A Justice Department spokesman said the FBI would seek to determine whether any federal law was violated. New York, N.Y.

He said the FBI expected to get a "preliminary report" today on the two race clashes. The investigation was requested by Judge William L. Longshare, U.S. attorney for the Anniston area, and Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People.

The Anniston attack destroyed the bus, and three persons were hospitalized for

# Rome Man Seized In Alabama Strife

The Atlanta Constitution
Atlanta, Ga.

ROME, Ga. (UPI) — Alabama and Georgia detectives late Friday arrested a man at a paper mill here on a charge of "intent to murder" a Birmingham, Ala., television news director during a racial disturbance in Birmingham.

The Floyd County sheriff with detectives from Birmingham and Rome arrested Hershell W. Acker. He was later picked from a lineup here by three witnesses, including the victim of the attack.

Sat. 5-27-61

The Alabama warrant specifically charged Acker, 30, with beating with "intent to murder" TV news director Clancey Lake, of Birmingham, in the vicinity of the Greyhound bus station May 14.

P-10

The charge resulted from racial violence at the bus station which broke out when so-called mixed Negro and white "Freedom Riders" arrived in the city from Atlanta en route to Montgomery.

Acker was arrested by Birmingham detectives A. M. Bailey and V. T. Hart, Rome detectives Bill Terhune and Oscar Williams, and Floyd County Sheriff Joe Adams.

He was being held in city jail here facing extradition to Alabama on the charges.

who took the camera of News Reporter Tom Lankford during the melee, according to Bailey.

Bailey also quoted Gordon as saying Acker was in the group that later came to him and told him to remove the film from Lankford's camera.

The detective aid Acker was viewed in the lineup by Gordon, Lankford and Clancy Lake, news director for WAPI-TV.

BAILEY SAID ACKER first denied he was in Birmingham that Sunday, but later admitted he was in the city, after being told two witnesses had taken down his license number as he drove away from the bus terminal.

**"He denied taking any part in the mob violence," said Bailey. "He said he came to Birmingham to visit a girl."**

Bailey quoted Acker as saying he lied to an FBI agent several days ago when he told the agent he "went fishing" on Mother's Day.

BAILEY SAID HE and Det. V. T. Hart will call on Georgia Gov. Ernest Vandiver Monday and ask that Acker be extadited to Birmingham for trial.

**An extradition hearing will be held June 15, in Rome, Bailey said.**

Making the trip Friday from Birmingham with Bailey and Hart were Gordon, Lankford and Lake.

Participating with the detectives in the arrest were Rome Dets. Bill Terhune and Oscar Williams and Floyd County Sheriff Joe Adams.

# Georgian jailed in beatings here

The Birmingham News
Birmingham, Ala.

ROBE, Ga., May 27—A stocky paper mill worker was arrested and charged here Friday in connection with the Mother's Day racial violence in Birmingham's Trailways Bus Depot.

Herschel W. Acker, 30, was charged with assault with intent to murder, according to Birmingham Det. A. M. Bailey. Acker was released on $2000 bond. P-1

"We're not positive who was assaulted," Bailey said. "But our best information is it was a Negro who was with Peck (James A. Peck, a leader of the integrationist 'freedom riders'.)"

**Bailey charged Acker was the "crew-cut, dark-haired fellow either holding the victim or bending down to strike him."**

The fact of the accused man, along with several others, was snapped by Tommie Langston, photographer for The Birmingham Post-Herald, as one of the "freedom riders" was being beaten, the detective said.

Sat. 5-27-61

BIRMINGHAM NEWS Reporter Bud Gordon picked Acker out of a police lineup as one of the men

38b 1961

# U.S. Sues To Integrate Airport at Montgomery

MONTGOMERY, Ala. (AP)—The Justice department brought a suit in U.S. District Court here Wednesday to end what it called racial segregation practices at Dannelly Field, the Montgomery municipal airport.

The action brought immediate criticism from the city attorney who accused the Justice Department of seeking publicity by commenting on the suit before the defendants have been served with first papers.

The civil suit charges that the airport's present operation violates provisions of the Federal Aviation Act of 1958.

Atty. Gen. Robert F. Kennedy said he acted at the request of the Civil Aeronautics Board and the Federal Aviation Agency.

He said the suit raises the issue that segregation at Dannelly Field imposed "an unlawful and unconstitutional burden upon and interference with interstate and foreign commerce."

"We have taken this case to court only after being unable to work out a voluntary solution with local authorities," the attorney general said.

Montgomery City Atty. Calvin Whitesell said no city ordinance requires racial segregation at the airport. He noted that there are separate water fountains and rest rooms, and waiting rooms partitioned off, for those who want to keep to themselves. But he said signs read "colored may use" or "white may use" the different facilities, but no signs indicate compulsory racial separation.

Associated Press Wirephoto

UNLAWFUL BURDEN"

ALABAMA

## Bobby's Sky Hook

THE Justice Department's suit against waiting room facilities at Dannelly was hardly unexpected. But the legal questions involved are not identical with those in bus and railroad terminal cases.

Burke Marshall, assistant attorney general for civil rights, seemed in fact to take a dim view of the government's airport case in an interview published in *The New York Times* June 12.

Most people assume, Marshall said then, that segregation at federally subsidized airports should be the easiest to end: "They have the impression the federal government can just snap its fingers and end it at the airports," he told *Times* reporter David Halberstam. "But it's not as simple as buses and railroads."

Little, if any, federal money has been spent by southern communities on airport waiting rooms, rest rooms and restaurants. Under a policy begun under the Eisenhower Administration, federal money has been used almost entirely for runways, hangers and other airport improvements of this kind.

Waiting rooms and restaurants were built with municipal funds in almost every southern city accepting the money. This, Marshall said, is his problem. The Justice Department must define the interest of the United States in the situation as it exists. If the facilities had been constructed with federal funds, the interest would have been clear, he said.

The Federal Aviation Agency is not a regulatory agency in the sense that the Interstate Commerce Commission is, nor does it have the broad powers under the Motor Carrier Act.

Charles J. Lowen, administrator of aeronautics, issued the directive which has Marshall worried. Known as "Memo 41," it said that if part of an airport project is to be segregated it must be excluded from participation in the program of federal aid to airport. If separate but equal facilities were planned, the memo continued, neither separate facility would qualify for federal aid.

Had this directive not been issued—inviting, as it did, Southern communities to avoid segregation-strings—Marshall would have had his "legal hook," as he called it June 12. (It need scarcely be added that federal school construction money would also provide the same hook for Justice Department intervention.)

As it is, the Justice Department must proceed on the weaker contention that the permissive signs and local customs practiced at Dannelly constitute an undue burden on interstate and foreign commerce. Obviously, Marshall is not overconfident that the courts will buy this argument, but it's the only hook handy and Bobby said try it.

AIRPORT MONTGOMERY
DANNALLY FIELD, MONTGOMERY MUNICIPAL AIRPORT

# Justice Dept. Files Airport Suit In Ala,

MONTGOMERY, Ala.) — (UPI) — The Justice Department filed suit Wednesday in Federal Court here demanding that Negroes be allowed to use all facilities of Montgomery's municipal airport including restaurant and drinking fountains.

Gov. John Patterson immediately accused U. S. Atty. Gen. Robert Kennedy of "picking on" Alabama.

Patterson has been fueding with Kennedy since the attorney general ordered 600 U. S. marshals to Montgomery May 20 to control racial violence which erupted when white and Negro "freedom riders" challenged segregation barriers at a local bus station. Patterson said sending the marshals was a "fit of youthful temper" on Kennedy's part.

The government complaint charges segregation on the terminal restaurant, waiting and rest rooms facilities and water fountains at Dannelly Field is unconstitutional and violates the Federal Aviation Act of 1958.

Kennedy said the Justice Department brought the action at the request of the Civil Aeronautics Board and the Federal Aviation Agency. He said the government has received numerous complaints about segregation at the municipally-operated airport from local citizens, travelers and foreign visitors to Tuskegee Institute located 35 miles east of here.

The government argued a Dec. 5, 1960 Supreme Court decision prohibiting bus terminal segregation is applicable to air terminals. It has also cited the Federal Aviation Act forbidding discrimination in air transportation.

# Feds Press Integration Of Dannelly

The Justice Department is asking the local U.S. District Court to put an end to segregation at Dannelly Field, the city's airport.

The suit, filed Wednesday, attacks the maintenance of separate restrooms for whites and Negroes. It also charges that Negroes are refused service in the Sky Ranch Restaurant.

The city and the thee city commissioners, Earl James, Frank Parks, and L. B. Sullivan, are named as defendants, along with Ranch Enterprises, Inc., the operators of the restaurant.

**VOLUNTARY SOLUTION**

In Washington, Atty. Gen. Robert Kennedy said the suit was brought when the Justice Department was "unable to work out a voluntry solution with local authorities."

Kennedy also said the government has received more complaints about segregation at the Montgomery airport than at any other airport in the country.

Besides local residents, complainants include interstate travelers who include a number of foreign visitors to Tuskegee Institute, he said.

The suit says it was filed at the request of the Civil Aeronautics Board and the Federal Aviation Agency.

**RACE, COLOR**

The defendants are charged with "refusing table service and dining facilities to Negro interstate and foreign travelers solely on account of their race and color."

The suit continues to say that Negroes are refused service in the restaurant even though they are entitled to it by food checks for vouchers issued in case of flight delay.

Along with the separate rest rooms, the government maintains the restaurant segregation constitutes an "unreasonable preference" for whites, and "undue and unreasonable prejudice" against Negroes.

**NO DATE SET**

The defendants will continue to maintain segregated facilities unless ordered to desist by order of the court, the suit holds.

Judge Frank M. Johnson Jr. was reported out of town at the time the suit was filed and no hearing date has been set.

Calvin Whitesell, a city attorney, said Wednesday that there is no compulsory segregaion at the airport, but there are separate facilities for those "who want to keep to themselves."

Signs say "White May Use," and "Colored May Use," he said.

Four Negroes petitioned the Civil Aeronautic Board in February 1960 to order integrated facilities at Dannelly Field. Three Montgomery ministers and a Baltimore, Md., man, all Negroes, complained that service was refused Negroes in the airport restaurant.

The CAB in May 1960 declined to take any action in the case, ruling that the board lacked jurisdiction over the city and its officials, or over the terminal facilities in question.

Following an appeal by the four Negroes, the complaint was officially dismissed last September, with the suggestion by the board that the Negroes seek "a much more direct, and apprently efficacious, remedy through resort to judicial action."

REST ROOM SIGNS AT DANNELLY FIELD
City Claims No Compulsory Segregation

38b 1961

ALABAMA

CORE FREEDOM RIDERS
SUN. MAY 14, 1961
BIRMINGHAM, ALA

# Freedom Riders Are Stranded

## Beaten Champions Of Civil Rights Denied Bus Seats

By Elsie Carper
Staff Reporter

Sixteen embattled "freedom riders" waited in a Greyhound station in Birmingham, Ala., last night for a bus to take them to Montgomery.

Greyhound bus drivers refused to drive the group of seven whites and nine Negroes who were ambushed and assaulted Sunday by white hoodlums in a bus near Anniston, Ala., and in the station at Birmingham. Efforts were being made to put the group aboard a plane for the trip to Montgomery.

*Lynchburg city manager urges Negroes to go slow on race problems. Page A4.*

Attorney General Robert F. Kennedy called on Alabama State officials to provide police protection for the group which has been touring the deep South to test compliance with Supreme Court decisions outlawing segregation in interstate transportation.

**Left Capital May 4**

The group sponsored by the Congress of Racial Equality left Washington May 4 and planned to be in New Orleans May 17.

Kennedy said he had been assured that the State of Alabama would provide police protection to prevent further outbreaks of violence. In Birmingham, Alabama Safety Director Floyd Mann said he had assigned a highway patrol car to accompany the bus.

The Associated Press reported that the escort order was canceled later by Gov. John Paterson. He was quoted as saying that feelings were so high in the State that it would be unsafe for the 16 men and women ot remain in Alabama.

The Governor said he would provide a patrol to the nearest State line but "we will not escort them to any other cities in Alabama to continue their rabble-rousing."

**Can't Guarantee Safety**

Patterson declared that he could not guarantee their safety because of crowds at Wetumpka and Montgomery, the capital of the State.

The group was scheduled to go from Montgomery through the heart of Mississippi to Jackson and then to New Orleans. Kennedy suggested that the route be changed to take a coastal route through Mississippi avoiding the Mississippi capital at aJckson.

The Justice Department said that the Federal Bureau of Investigation is looking into the two instances of violence that erupted Sunday to determine if there was a violation of Federal law.

A Greyhound bus with seven "freedom riders" and two reporters aboard was stoned and burned outside Anniston, Ala. Passengers suffered from smoke inhalation and one of the "freedom riders" said he was struck by a club while tryin gto escape.

**Second Group eBaten**

A second group was met by a gang of toughs in the Trailways bus terminal in Birmingham. An eyewitness account of the brutal beating of both whites and Negroes was furnished by Howard K. Smith, CBS chief Washington correspondent, on a special assignment in Birmingham.

Smith was alerted to watch Birmingham's bus terminals by a man who said he was close to the Ku Klux Klan. The CBS correspondent said he alternately watched the two bus stations which are a few blocks apart. A large number of heavyset men in sports shirts were loitering about both terminals. They were identified to him as Klansmen without robes.

Late in the afternoon, the men starting drifting over to one of the terminals. Smith followed.

**Receive Word**

They had received owrd, I learned, that the passengers left over from a bus which similar hoodlums set on fire outside Birmingham earlier . . . were about to arrive there," Smith related.

"As the bus arrived and the doors opened, about 30 of the toughs grabbed the passengers and dragged them into alleys and corridors beating them with key rings and sticks and bare fists. About 12 of the attackers knocked down one passenger at my feet and kicked and beat him until his face was a bloody red pulp."

"At that moment, a man behind me whispered in my ear, 'They have identified you from having seen you on television, they say they're hunting for you. You'd better get out.'

I left the terminal and stood on the street corner opposite. All of this happened near police headquarters at City Hall, near the office of the extreme segregationist Police Commissioner Eugene Connor. But no police showed up until exactly 10 minutes later, by which time the attackers had gone to waiting cars and had disappeared as if on signal from someone in the know.

"Birmingham is today," Smith declared, "as it has been described, a city of stark terror and lawlessness."

The Associated Press reported that two newsmen were attacked in the assault.

Tommy Langston, a Birmingham Post-Herald photographer was cornered by a group of white men, beaten painfully and his camera smashed. He was treated at a hospital and released.

Clancy Lake, a radio newsman, was attacked as he sat in a closed automobile a block away broadcasting an account of the violence. TheA ssociated Press said he was on the air when the white men smashed the car windows. Listeners reported his last words on the air were "Help, Help."

They seized his equipment and dragged him out of the car, he said later. One swung at him with a pipe but missed and he broke loose. He escaped with minor cuts.

**Police Were Alerted**

The wire service reported that the Rev. F. L. Shuttlesworth, Negro leader of the desegregation movement in Birmingham, said that Police Commissioner Connor and Police Chief Jamie Moore had been alerted of possible trouble by telegram. Moore confirmed that the telegrams had been received.

The Associated Press quoted Connor as declaring that he had been saying for 20 years that "these out-of-town meddlers were going to cause bloodshed if they kept meddling in the South's business."

# Racial Tension In Alabama Stalls Buses

## Drivers Won't Go As Crowd Swells; Kennedy Phones

BIRMINGHAM, Ala., May 20 (AP).—A band of young Negroes and white persons today renewed efforts to crack racial barriers on buses in Alabama but drivers continued to refuse to carry them.

"I have only one life to give and I don't intend to give it for CORE (Congress of Racial Equality) or the NAACP," Joe Cavanaugh, a Greyhound bus driver, told the group as they tried to board his bus for Montgomery.

The bus did not leave as the integrationists stood around the loading platform, following their pattern of waiting.

Mr. Cavanaugh said he had heard of "a big caravan" waiting down the road to stop any attempt at integrated bus riding in Alabama.

Large crowds which gathered at the Greyhound terminal here late last night had dwindled to small groups of onlookers early today.

The prospects of the youths riding integrated out of here aboard a regularly-scheduled bus appeared dim as this city entered its seventh straight day of mounting racial tension.

**Three Tries Yesterday**

They tried to board three buses and ride integrated yesterday, but none of the buses left the station.

Then they settled down in the white waiting room until daylight. They made no effort to board buses leaving late last night and early today.

The youths entered the station, carrying tickets to Montgomery, Ala., at 2:45 p.m., yesterday. They said they intended to stay "until we get a bus to Montgomery."

Drivers refused to take out buses. Buses for Montgomery weren't cancelled—they just didn't leave the station—when the group tried to board them.

The threat of violence remained, as it has since a white mob jumped the so-called "freedom riders" of the Congress of Racial Equality last Sunday, and beat some of them. The integrated CORE group was testing bus station segregation in the South.

A crowd, building up to several thousand at one time, gathered in the area around the station last night but it thinned out as the night wore on.

**Kennedy Calls Governor**

President Kennedy reportedly tried—and failed—to reach Alabama Gov. John Patterson, then settle for talking with Lt. Gov. Albert Bountwell about the explosive stalemate at the bus station.

What was said wasn't revealed.

The Birmingham Post-Herald reported that a Justice Department spokesman said Gov. Patterson had told a presidential aide that he has the "will and force and equipment" to give full protection to all travelers in Alabama.

The governor couldn't be reached for comment.

The statement was contrary to what he said earlier this week—that he couldn't guarantee the "freedom riders" safe conduct on their segregation-testing tour in Alabama.

At Montgomery, State Court Judge Walter S. Jones issued an injunction prohibiting "freedom riders" or their supporters from "entry into and travel within the State of Alabama, and engaging in the so-called 'freedom ride' and other acts of conduct calculated to provoke breaches of the peace."

**Jail Terms Possible**

The injunction, requested by Alabama Attorney General MacDonald Gallion, could mean five days in jail and a fine for the riders.

One of the integration leaders, the Rev. F. L. Shuttleworth, Birmingham Negro minister, was arrested on charges growing out of the Sunday and Wednesday incidents. He was charged with conspiring to cause a mob to gather. He was freed on $2,000 bond.

The crowd last night, kept away from the bus station about a block in all directions by policemen working with dogs, grew to about 3,000 shortly before midnight, police estimated.

Then their numbers began to thin out.

Inside the station, in the early hours, the 19 Negroes and three white persons, most of them college students from Nashville, Tenn., tried to slep in the white waiting room—leaning back in seats, or resting their head in their hands, or putting their head on a companion's shoulder.

**Students From Nashville**

The group is composed of Tenn., tried to sleep in the white students from several colleges at Nashville, Tenn.—Fisk, Seminary, Tennessee A&I and Peabody Teachers College—along with two who said they were not students.

Policemen carrying billy sticks walked around the large waiting room, asking people without tickets to get out.

At least a half a dozen times

during the night they forcibly removed white men after minor disturbances — arguments, sharp remarks, and one door-shoving incident.

One white man objected to a Negro sitting down near him.

"I can't do anything about it," the policeman replied.

**A group of "freedom riders" waits in the Birmingham (Ala.) bus depot for transportation that never came. The racially mixed group is one of several testing segregated bus facilities in the South. Drivers in Birmingham refused to take the passengers.—AP Wirephoto.**

38b 1961 ALABAMA

NOVEMBER
INTERSTATE COMMERCE COMMISSION

# 2-Fisted Federal

The Montgomery Advertiser

# Blow Cuts Down

Thurs. 11-2-61 p. 1 Montgomery, Ala.

# Bus Station Bars

## But Local Situation Unchanged

By ARTHUR OSGOODE

Montgomery bus terminals were officially desegregated Wednesday, by order of both U.S. District Judge Frank M. Johnson Jr. and the Interstate Commerce commission.

But no effects were apparent at either the Greyhound or Trailways terminals, where segregation continued on an apparently voluntary basis.

Numerous checks throughout the day found small numbers of whites, usually a dozen or less, occupying the white waiting rooms.

In the smaller colored waiting rooms, a handful of Negroes awaited their buses.

**UNDECIDED AIRMAN**

Once a Negro airman paused at the door of the white waiting room at the Trailways station, seemingly undecided on whether to enter, then turned away.

Signs were posted in both stations. In the Trailways station it was placed above the rear exit, so high that the words "Public Notice" were all that could be easily read.

The smaller letters in the body of the notice could not be made out. The notice said, in effect, that the ICC was outlawing bus terminal segregation.

In the Greyhound station, the notice was placed at eye level at the door opening from the white waiting room to the loading area. A few people paused to glance at it briefly.

There were no reported incidents at either station throughout the day.

Johnson's order forbidding bus station segregation was aimed at three bus companies, the city commissioners and police chief of Montgomery, the Alabama Public Service Commission, and the state attorney general.

## *GOVERNOR VOWS TO DEFEND STATE SEGREGATION LAWS*

The Montgomery Advertiser

Gov. John Patterson declared Wednesday that Alabama would defend itself against any moves to tear down the color line in this state.

Thurs. 11-2-61 p. 1 Montgomery, Ala.

Patterson's strongly worded statement was issued shortly after a federal judge enjoined three bus companies and several local and state officials from maintaining segregated facilities at terminals serving interstate passengers.

**Declaring the suit was an "insult to every citizen of Alabama," Patterson said the federal government is "trying to put the bus companies out of business."**

"Some day they will learn that they cannot force people to associate with others, against their will," Patterson said. "A person has the right to choose his own associates and will; the action of the federal government notwithstanding."

**Turning his attention to a possibile renewal of "Freedom Riders" in Alabama, Patterson said he hoped such groups "will not come into our state and cause any more riots."**

"They can all better serve their country by staying at home and minding their own business," he added. "If they continue to invade our state and continue to try to run over us, we want to serve notice that we are going to defend ourselves and we are not going to take it lying down."

The Greyhound Corp., Capital Motor Lines, and Continental Crescent Lines were forbidden to maintain separate facilities for whites and Negroes.

The city commissioners, police chief, and PSC members were enjoined from enforcing segregation, or arresting, threatening, or intimidating Negroes who challenged the custom of segregated bus terminal facilities. Conversely, the same order would protect whites who chose to use facilities previously set aside for Negroes.

Thurs. 11-2-61

Alabama Atty. Gen. MacDonald Gallion was also enjoined from acting to enforce segregation, "directly or indirectly."

One defendant, Sheriff Mac Sim Butler, was not enjoined.

**ARRESTS ORDERED**

In an opinion accompanying his order, Johnson observed that Butler had arrested a group of "Freedom Riders" because he was ordered to do so by the commander of the National Guard contingent enforcing limited martial law in Montgomery last May.

"There is nothing in the record to indicate that Sheriff Butler will make arrests to enforce segregation in the future," said Johnson.

He noted that "none of the defendants specifically denies the existence of such policy and practice (of segregation)." He specifically noted that the three bus companies admitted to maintaining separate facilities for white and colored, and posting signs indicating such separation, though they denied enforcing segregation.

He termed their denial that they are enforcing segregation as "not a sufficient answer," pointing to court and ICC rulings to the effect that the maintenance of segregated facilities in itself amounts to "unjust discrimination."

**GIVES EXCEPTIONS**

But he made it clear that his order did not apply to "every independently operated roadside restaurant at which a bus stops solely to pick up or discharge occasional passengers . . ."

The test, said Johnson, is whether the bus company provides waiting rooms, rest rooms, a restaurant, or other services as a part of its terminal facilities.

The Public Service Commission, Johnson observed, has never rescinded a 1958 order requiring signs designating separate facilities for whites and Negroes at bus and rail terminals.

"The conclusion is inescapable," he said, "that the policy of racial segregation in bus terminals in Alabama is the official policy of the state . . ."

Atty. Gen. Gallion, Johnson asserted, has enforced segregation "contrary to the federal law, a law he was duty bound to uphold."

He brushed aside Gallion's contention that he had sought a state court injunction against "Freedom Riders" solely to maintain public "peace, safety, and tranquility."

He further observed that Gallion "has never considered it his duty to advise local prosecutors or local law enforcement officers" that interstate passengers could not be enforced to segregate.

Johnson had noted previously in his opinion, in connection with the injunction against "Freedom Riders" issued by Circuit Judge Walter B. Jones, that Gallion "went to the bus station and 'served' a copy of the state court injunction on one of the plaintiffs who had already been beaten by the members of the mob."

Johnson said that City Commissioners Earl James, L. B. Sullivan, and Frank Parks have used city firemen and policemen to maintain bus station segregation. When a local bus station was closed on a day of an expected challenge to segregation customs here, he said, it was for "trivial" reasons and "not justified."

**MIDDLE DISTRICT**

Johnson therefore enjoined the city officials from using "fire safety regulations, breach of the peace, disorderly conduct or other statutes for the purpose of enforcing segregation . . ."

His order applies to counties in the Middle District of Alabama, over which his court has jurisdiction. These are Montgomery, Autauga, Lowndes, Macon, Barbour, Bullock, Butler, Chilton, Crenshaw, Elmore, Russell, Tallapoosa, Randolph, Lee, Covington, Coosa, Pike, Coffee, Dale, Geneva, Henry, Houston, and Chambers.

It grew out of the May 20 bus station riot here, which was followed by an injunction against Ku Klux Klan groups from Johnson, who also ruled that Montgomery police and city officials must provide protection to interstate passengers.

The suit was brought May 25 by the Rev. Ralph Abernathy of Montgomery and a number of Negro students, most of them from Fisk University in Nashville.

Gallion, commenting on Johnson's opinion Wednesday, said:

"Judge Johnson has made a finding in his court order that I am a segregationist. This is a fact that I do not deny." He said he plans no appeal of the order.

**PROSPECTIVE CANDIDATE**

Gallion is a prospective candidate for governor of Alabama.

Intervening in the case was another "Freedom Rider" group, headed by the chaplain of Yale University, William S. Coffin, who is also the son-in-law of pianist Artur Rubinstein. Coffin was arrested here May 26 as he sought to get service at the Trailways lunch counter.

With him were three white college faculty members: the Rev. Gaylord Noice, assistant professor at the Yale Divinity School; Dr. David Swift, religion professor at Wesleyan College; and Dr. John D. Maguire, assistant religion professor at Wesleyan and a native of Montgomery.

Also in the group were several Negroes, including Abernathy and the Rev. Fred Shuttlesworth of Birmingham.

## *DECREE APPLIES ONLY TO BUSES*

The Montgomery

**The ICC directive applies specifically to motor carriers (buses) and does not affect operation of airlines and airports and railroads and railway stations.**

Thurs. 11-2-61

**City Atty. Calvin Whitesell said Dannelly Field and other airports are not regulated by the ICC, but by the Federal Aviation Agency and the Civil Aeronautics Board. However, the federal government has filed a suit, which is now pending, to integrate the restrooms, dining facilities and waiting rooms at Dannelly. There have been no recent reports of attempts to integrate these facilities.**

Montgomery

**An official of L&N Railroad said Union Station facilities have been integrated for some time.**

Feb 1961

# Appeal Is Denied To Shuttlesworth

(Courier Press Service)

MONTGOMERY, Ala. — Appeals by Rev. F. L. Shuttlesworth and 13 other Birmingham Negroes from their convictions arising from a bus desegregation effort in October, 1958, were turned down last week by the Alabama Court of Appeals.

The convictions carried fines and/or jail sentences, imposed in Birmingham City Court.

A Federal District Court later ruled in the same situation that city police had no lawful right to arrest the Negroes for seating themselves in the front of the bus and refusing to move when asked to do so.

There were indications that Rev. Shuttlesworth and his associates would try to get the present case into a Federal Court.

The minister was fined $100 and given 90 days. Rev. J. S. Phifer drew a $100 fine and 60 days. The other 12 were given 180 days in jail.

# Rail Station Segregation Temporary?

MONTGOMERY, Ala. — (AP) — A federal court of appeals has ordered a halt to segregation practices at the Terminal train station in Birmingham, Ala., in a ruling that could affect the pattern of Negro travel in many parts of the South.

The order by the U.S. 5th Circuit Court of Appeals was announced in Montgomery. It overturned a 1959 action by the U.S. District Court in Birmingham, which dismissed the suit, and returned the case to that court.

Mayor James. W. Morgan of Birmingham, one of the defendants in the suit filed by Mr. and Mrs. Carl T. Baldwin, Birmingham Negroes, indicated the ruling might be appealed to the U.S. Supreme Court.

The three judge appellate panel ordered the lower court to "obliterate the supposed distinction between interstate and intrastate passengers as well as the use of race or color as the basis of occupancy of either one or both of the waiting rooms in the terminal."

The ruling said records indicated that the police of Birmingham consider that the right to remain in the white waiting room requires one of two things: "That the person be white, or if colored, he be an interstate traveler."

"The obverse is just as obvious," the ruling said. "If not white, or colored with an interstate status, the person must move. Negroes are entitled to be free of that discrimination at the hands of state, city and police officials."

ALABAMA

# Court Orders End Of All Race Bias at Birmingham Station

MONTGOMERY, Ala., Feb. 18 (UPI). — All methods of racial segregation in Birmingham's terminal station have been ordered "obliterated" by a three-judge panel of the 5th U.S. District Court of Appeals, it was learned Saturday.

The court reversed a District judge's ruling Friday which had upheld the Birmingham terminal's practice of allowing Negroes in interstate travel to occupy a white waiting room but segregating Negroes' traveling within the State.

**JUDGE GETS COPY**

The new ruling, made in New Orleans, was disclosed by the office of Judge Richard T. Rives, a member of the Appellate court, who lives in Montgomery. His office received a copy of the decision by mail from New Orleans.

The Appellate judges took note of an Alabama Public Service Commission ruling of 1956 which required the posting of visible signs segregating Negroes in intrastate travel.

**ACTION ORDERED**

They held the terminal is "a public utility and an arm of the State in the execution of State policy."

The ruling directed the District court to take appropriate action "that will obliterate the supposed distinction between interstate and intrastate passengers, as well as the use of race or color as the basis of occupancy of either one or both of the waiting rooms in the terminal."

The appeal arose out of a suit by two Negroes, Carl T. Baldwin and Alexina Baldwin, who were ordered out of the white waiting room after Birmingham police examined their train tickets and found they were not traveling across State lines.

The suit was brought against Birmingham Mayor James W. Morgan and others.

# Terminal Station Is Desegregated By Court Order

Birmingham Terminal Co. was ordered to desegregate its waiting rooms yesterday by U. S. Dist. Judge Seybourn H. Lynne, who stated that the action was the result of "the mandate of the U. S. Court of Appeals, Fifth Circuit."

Desegregation of the terminal came after four years and three months of court litigation, during which Judge Lynne twice dismissed the suit and twice had his ruling reversed by the Court of Appeals.

Yesterday's ruling enjoined members of all three defendant organizations, Birmingham City Commission, Alabama Public Service Commission, and Birmingham Terminal Co. from requiring terminal waiting rooms to be marked for exclusive use of one race, or "from compelling, either directly or indirectly, segregation on the basis of race."

The defendants have 90 days from the date of the Court of Appeals order (March 22), to appeal to the U. S. Supreme Court. There has been no indication that an appeal would be made.

Court costs in the four-year-old lawsuit were taxed against the defendants.

State Atty. Gen. MacDonald Gallion had requested earlier that the Alabama Public Service Commission not be enjoined along with the other defendants because a PSC directive last week had made PSC general orders on separate waiting room facilities inapplicable to the Birmingham Terminal.

Judge Lynne noted the change in rules, but said in his ruling that "to deny . . . relief on the basis of this order would, in the opinion of the court, require an amendment of the mandate of the Court of Appeals for the Fifth Circuit."

Judge Lynne first dismissed the siut in 1957, saying the issues were hypothetical. In 1959 he rejected it again, saying none of the defendants "is denying or threatening to deny Negroes equal privileges."

On the third appeal, a three-judge panel of the U. S. Circuit Court of Appeals directed U. S. District Court here to remedy practices "which we find to be in violation of the Fourteenth Amendment and the civil rights act."

# Birmingham Told To Lift Race Barrier

BIRMINGHAM (AP) — U. S. District Judge Seyborn H. Lynne Monday followed the mandate of a higher court and ruled that segregated seating in Birmingham Terminal Co.'s train station waiting room is unconstitutional.

The action formalized a directive issue by U. S. 5th Circuit Court of appeals two months ago.

And, in effect, it did nothing more than give legal backing to integrated seating, which Birmingham Terminal Co. says has been its practice for several years.

**THROWN OUT TWICE**

The drawn-out case was thrown out of court twice by Linne, and reached an apparent conclusion only after three appeals.

The action grew out of a suit filed by Mr. and Mrs. Carl Baldwin, Birmingham Negroes.

The Baldwins filed suit in 1956 after they were ordered out of the white waiting room by policemen although they held interstate tickets for a train to Milwaukee. Charges of disorderly conduct against the couple later were dismissed.

Defendants in the original suit were the City of Birmingham, the Birmingham Terminal Co., and the Alabama Public Service Commission.

Birmingham City Atty. J. M. Breckenridge declined to say immediately whether the city would appeal the ruling.

The defendants have until mid-May to file an appeal.

Judge Lynne first dissmissed the suit in 1957 saying the issues were hypothetical. In 1959 he rejected it again, saying none of the defendants "is denying or threatening to deny Negroes equal privileges."

On the third appeal, a three-judge panel of the U. S. Circuit Court of Appeals directed U. S. District Court here to remedy practices "which we find to be in violation of the Fourteenth Amendment and the Civil Rights Act."

# Judge Considers Suit To Forbid Bus Segregation In Capital

MONTGOMERY, Sept. 6 (AP)—A Federal judge today took under consideration a "freedom rider" suit seeking to forbid enforced segregation in buses and bus stations and attacking Alabama's breach of the peace laws.

A day and a half of testimony was completed after Asst. Fire Chief R. C. Talley told the court fire hazards led the closing of bus station lunch counters during racial tension here last May.

Talley testified that the cafes in the Greyhound and Trailways depots were closed May 15 and reopened several days later.

Earlier today, Adj. Gen. Henry V. Graham said 11 "freedom riders" were arrested as they sat together at a Montgomery bus station May 25 because he had "become exasperated with the situation." He said he "was tired of those people flaunting their sense of Christian ethics in my face."

**Why Arrested**

U. S. Dist. Judge Frank M. Johnson Jr. asked Graham why the group was arrested when, the day before, two other groups of freedom riders were given a military escort to the Mississippi line.

Graham said he felt that the group of 11 was merely "trying to stir up turmoil." He said he had understood that those escorted to Mississippi would be the last freedom riders to come to Montgomery until the situation was cleared. He considered the integration effort the very next day to amount to a "breach of contract," the major general said.

The 11 tried to get service at a Trailways Bus Station counter customarily patronized by white persons only. Graham said the attempt under the circumstances was "immoral and was definitely calculated to provoke a breach of the peace."

Another witness was Capt. Roland Sevigny of Montgomery, Graham's liaison officer with the sheriff's office during the period of martial rule last May.

**'Explosive'**

Sevigny said the bus station situation May 25 was "definitely explosive . . . the only reason we arrested the freedom riders that day was to prevent bloodshed."

Johnson in the first day of the hearing Tuesday dismissed the complaint against Circuit Solicitor William Thetford, thus permitting him to continue prosecution of the 11 on breach of the peace charges.

But the judge declined to dismiss the case against the other defendants—the Greyhound Corp., Trailways Motor Lines, Alabama Atty. Gen. MacDonald Gallion, Montgomery County Sheriff Mac Sim Butler, the Montgomery City Commission, Police Chief G. J. Ruppenthal and the Alabama Public Service Commission.

# Birmingham Enjoined In Bus Dispute

BIRMINGHAM, Ala. (AP) — A federal judge has enjoined Birmingham Transit Co. from requiring segregated seating on its intracity buses.

The ruling of U.S. Dist. Judge H. Hobart Grooms also prohibits the bus company from displaying signs that would direct white persons to seat from the front and Negroes to seat from the rear.

Grooms ruled that such practices are a violation of the 14th Amendment of the U.S. Constitution.

A spokesman for the bus company said signs started coming down several months ago and no longer were being used when Grooms' injunction was issued Nov. 8.

**The injunction complies with a ruling of U.S. Circuit Court of Appeals, which overturned Grooms' earlier refusal to grant an injunction on the plea of a group of Birmingham Negroes.**

# Injunction bars bus signs here

U. S. District Judge H. H. Grooms has granted an injunction prohibiting birmingham Transit Co. from displaying signs separating white and Negro passenges on buses here.

His order followed a Fifth U. S. Circuit Court of Appeals ruling overturning a previous order by Judge Grooms in which he excluded the transit company from the suit.

**The order said there would be need for further evidence to be taken since the transit company has removed the signs.**

Judge Grooms' order said, in part, the transit company and employes are "restrained and enjoined from further or continued display or maintenance of the signs . . . and from promulgating and enforcing any rule or regulation on the basis of race or color requiring white passengers to seat themselves from the front and colored from the rear."

The bus company had displayed signs requiring white passengers to seat from the front and Negroes from the rear.

**Judge Grooms held that display of such signs is forbidden by the 14th amendment to the U. S. Constitution.**

The injunction proceeding was brought about two years ago by a group of Birmingham Negroes.

38b 1961

ALABAMA

NOVEMBER
INTERSTATE COMMERCE COMMISSION
GOVERNOR PATTERSON

# Mixing will close bus stations—

The Birmingham News

BY CHARLIE GRAINGER
News staff writer

ALEXANDER CITY, Ala., Nov. 3—Forced integration of interstate buses will serve only to close the doors of Alabama's small city bus stations, Gov. John Patterson declared here Thursday night.

The chief executive, returning to his native Tallapoosa County to kickoff a week-long series of "Appreciation Days" told The News: "The people in outlying communities will not tolerate integrated facilities.

GRAINGER

"What they will do is cancel the bus companies' contracts. The reason we have bus stations is for the convenience of the passengers.

**"But this will inconvenience the passenger—meaning severely restricted restroom and eating facilities in the South."**

FOR THE SECOND day after U. S. Judge Frank M. Johnson Jr. enjoined three bus companies and several state and local officials from maintaining segregated facilities in terminals serving interstate passengers, the governor strongly warned against more freedom rider movements into the state.

"As far as we are concerned we will enforce the laws of the State of Alabama," he said. "If one (freedom rider) comes in and breaks our laws we'll put him in jail.

**"I imagine if one of them comes in looking for a fight he might find that, too."**

THE CHIEF executive spoke briefly Thursday afternoon downtown, then again Thursday night at a square dance.

"It feels just like campaign time again," he said.

Music was provided by Rebe Gosdin and his Sunny Valley Boys, the guitar-twanging troupe that accompanied him in his bid for the governorship in 1958.

**Patterson and the First Lady joined right in, too, in doe-see-doeing.**

HE SAID HE was among "home folks," for he lived near here as a youth and most of the early years of his life.

In a tour of the city, led by Mayor Billy Radney and civic leaders Charlie Davis and J. C. Henderson, he stopped by a white frame house at 313 Semmes St.

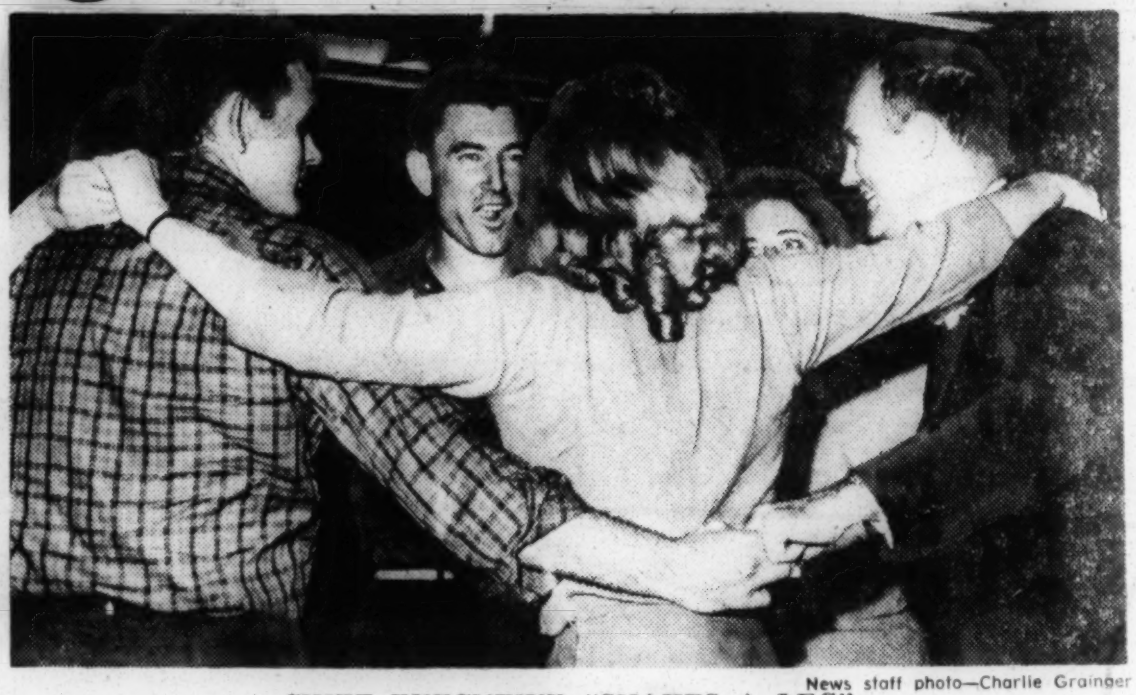
"I used to live here when I was a kid," he told the resident, Mrs. Wilmer Dean.

**Then he saw a sparking $150,000 recreational center bought through $1-a-month donations by townspeople, and stopped at Benjamin Russell High School, another local point of pride.**

ACCOMPANYING the governor were Public Safety Director Floyd Mann, a former Alex Citian; State Rep. Billy Vickers of Tallapoosa, assistant Alcoholic Beverage Control administrator, and their wives; Robert Bradley, the governor's legal adviser; Bob Harper, director of publicity and information; Press Secretary Harry Cook, photographer Tommy Giles, and others.

**Of the new court order, the governor said, "I don't construe the federal court order as prohibiting us from maintaining peace and order. And if it does do that certainly it's not legal."**

He pointed out that "they are having trouble with these freedom riders in Maryland and other states. The Department of Justice is encouraging these agitators to violate the law."



News staff photo—Charlie Grainger

**CHIEF EXECUTIVE "SHAKES A LEG"**
**Gov. John Patterson, right, and Mrs. Patterson (partially hidden), join in Alex City square-dancing**

*SEGREGATION HIT*

# State Replies Vary To ICC Bus Ruling

By VAN SAVELL

There were varied reactions in south Alabama Wednesday to an Interstate Commerce Commission order outlawing segregation in bus terminals. One bus stop service was closed and others refused to comply to the ICC ruling.

Bus terminals throughout the county were ordered to remove all signs declaring segregated facilities by midnight Tuesday night. In addition, they were told to display ICC notices of the action.

A survey of 17 Greyhound and Trailways bus stations revealed only eight displaying the signs ordered by the ICC. Seven others including five private enterprises —continued "operation as usual" and refused to comply to ICC orders. Two are closed.

Only one of the checkpoints refused to answer queries posed by The Advertiser. A man identifying himself as manager of the Opelika Greyhound bus terminal said simply:

"Go jump in the lake. I ain't telling nothing."

**ALL QUIET HERE**

In Montgomery, all was quiet at both the Greyhound and Trailways bus terminals.

Severe action was taken at Prattville where bus stop service was suspended at midnight Tuesday. The Trailways service had been operated through a local service station.

Greyhound service at Prattmont was suspended several months ago, again because of the integration situation.

**RUNNING SMOOTH**

Reports from Andalusia, Alexander City, two stations in Dothan, Greyhound in Mobile and Tuskegee were almost identical.

"Everything's running smooth," station managers said. "We've had no complaints. All (ICC) signs are posted and have been for three or four days."

Enterprise, Troy and Union Springs Greyhound stations and the Trailways bus depot in Troy all had reports similar to the operator of the combined Auburn bus station, which operates from a service station.

"I'm operating like I always do," the station owner reported. "No changes here. It's my place of business."

Trailways in Mobile, said normal operations carried on Wednesday. There were no disturbances. But when asked whether ICC signs were posted, the station manager balked, and said the regional office in Jackson, Miss., could answer that question.

A later check by a Mobile newsman revealed no ICC signs could be found, but that all signs designating white and colored waiting rooms had been removed as the law requested.

So far no attempts at testing the ICC desegregation ruling have been reported in Alabama and no arrests.

SEPTEMBER
INTERSTATE COMMERCE COMMISSION
GOVERNOR JOHN PATTERSON

# Gov. Patterson Is Critical Of ICC Order

NASHVILLE, Tenn. (AP) —Alabama Gov. John Patterson said Monday that the Interstate Commerce Commission order to desegregate bus stations may force buses to let passengers "out on the highways under the trees" in his state.

He told a news conference the order was "politically-inspired and not based on logic or reason." He said it would lead to serious consequences.

The governor said rural stores which serve as bus stops would not comply with such an order.

Patterson renewed his criticism of Atty. Gen. Robert F. Kennedy, and said that resentment in his state against Kennedy's efforts to force integration in Alabama have the people so "sore" at his brother, the President, that he couldn't possibly carry Alabama if he runs in 1964.

He had said earlier the President "couldn't get enough votes to wad a shotgun."

38b 1961

ALABAMA

SEPTEMBER

GOVERNOR PATTERSON SIGNS BILL AUTHORIZING CHANGES IN ALABAMA'S VOTER REGISTRATION SYSTEM.

*CREATES EXAMINERS BOARD*

# Patterson Signs Bill OKing Voter Registration Changes

the Montgomery Advertiser

P 7B

By KARL PORTERA

A bill authorizing sweeping changes in Alabama's voter registration system was signed into law Monday by Gov. John Patterson.

This bill creates a state board of examiners for voter registration to compose and change at frequent intervals the voter application and examination forms.

Operation of the act is contingent upon approval of a constitutional amendment next May by the people of Alabama.

"This bill is far reaching and is perhaps the most important piece of legislation passed in Alabama in many, many years," said Sen. E. K. Andrews of Bullock.

Montgomery Ala

Andrews sponsored the constitutional amendment and enabling act during the special session of the Legislature recently and is one of the last important measures to be endorsed by the governor.

Under this act, applications and examinations for prospective voters would be prepared by the state board, composed of three members of the Alabama Legislative Council.

Andrews says the new method of voter registration would serve a two-fold purpose:

—As a "foil" against federal charges of voter discrimination at the local level.

—To provide for more intelligent electorate in Alabama.

"Everybody will be treated equal under these bills," Andrews said, "and there couldn't be any possible charge of discrimintion because the tests will be graded at the state level by a number rather than a name."

The senator said that there would be no way for any board member to know whose test he is grading.

Federal suits stemming from possible discrimination in voter registrations are presently pending against Bullock, Macon and Dallas counties' registration boards.

Surveys to determine if discrimination is being practiced in registrations in Elmore, Autauga, Lowndes and Wilcox counties are now being made.

**NEW METHOD**

"The new method will make the state, as well as the county, a party to federal suit on the basis of discrimination and at the same time will stop registration of illiterate Negroes, the only race the federal government says is discriminated against in Alabama," Andrews said.

"Of course, in being completely impartial in voter registration, some whites will be eliminated," he claimed, "but the ultimate conclusion rests in the relative intelligence of the two races."

The Union Springs attorney, who has been very active in cases involving registration suits, says this program will also serve as a shield in protecting local board members from personal financial losses involved in these suits.

**GRADE TEST**

County board would still determine from the application and examination whether or not the applicant is entitled to vote. But the state board would grade the citizenship examination and determine what constitutes a passing mark.

The name, sex or race of the applicant will not appear on the papers when forwarded to the state board, only a number will designate the individual tests.

The examination must be uniform in all cases, with no discrimination between applicants as to race, creed or color.

The state board will construct new examinations from time to time so that no person may pass by memorizing the answers to a specific set of questions.

**TAKE TEST**

"An applicant will be allowed to take the tests only once every 12 months," the senator said, "to emphasize the importance of the examination and to limit the number of voter applicants who in all probability would not pass anyway."

He said any state has the right to determine how voters would be registered, but at the same time pointed out that Alabama is the first state to try this system. He also claimed that if the federal government were to attack this system, then they would be attacking, in effect, the systems of all 50 states as well.

# PATTERSON SAYS ICC EDICT MAY FORCE STATE BUSES TO 'UNLOAD UNDER TREES'

The Montgomery Advertiser

f 7B ✓

NASHVILLE, Tenn., (AP) — Alabama Gov. John Patterson said today that the Interstate Commerce Commission order to desegregate bus stations may force buses to let passengers "out on the highways under the trees" in his state.

He told a news conference the order was "politically-inspired and not based on logic or reason." He said it would lead to "serious consequences."

Jun - 9-26-61

The governor said rural stores which serve as bus stops would not comply with such an order.

Patterson renewed his criticisms of Atty. Gen. Robert F. Kennedy, and said that resentment in his state against Kennedy's efforts to force integration in Alabama have the people so "sore" that his brother, the President, couldn't possibly carry Alabama if he runs in 1964.

He had said earlier the President "couldn't get enough votes to wad a shotgun."

Atty. Gen. Kennedy's suits against Alabama officials, Patterson said, "have hurt the Democratic party."

"He has done more to hurt race relations in the last six months than anything that has happened in my lifetime."

"He planned the routes of the freedom riders and arranged their transportation," the governor charged.

As for President Kennedy's address to the United Nations, Patterson called it "splendid."

But, on domestic matters, he said the President "is getting some bad advice" from his brother and others.

# 12 Injured In Outbreak At Anniston

ANNISTON (AP) — Twelve persons were injured in a racial outbreak here Sunday. Two members of the Congress of Racial Equality were hospitalized; the others were treated and released.

Hospitalized were Genevieve Hughes, 28, a white woman of Chevy Chase, Md., and Edward Blackenheim, 28, a white man of Tucson, Ariz.

They were reported in good condition at an Anniston hospital where they were being treated after inhaling smoke.

Other members of CORE who were treated and released were listed at the hospital as:

Henry Thomas, 19, a white man of Washington; Albert Bigelow, 55, white man of Cos Cobb, Conn.; James McDonald, Negro, age unavailable, New York City; and Mae Frances Moultrie, Negro, of Sumter, S.C.

Also treated were two reporters accompanying the "Freedom Riders." They were Moses J. Newsom, 34, Negro, of the Baltimore Afro-American; and Charlotte Devree, 50, white, a free lance writer of New York City.

These passengers aboard the bus also were treated and released:

Roberta Holmes, Negro, Birmingham; Roy J. Powers, 38, white, Clinchport, Va.; and Larry A. Harper, 22, Negro, Margaret, Ala.; and Ell M. Cowling, an Alabama state investigator.

38b 1961

ALABAMA

GREYHOUND LINES

# Alabama Court To Try Negro Girl's Bus Suit

BIRMINGHAM, Ala. (AP)—A $9-million damage suit against Southeastern Greyhound Lines by the daughter of a Birmingham Negro has been moved to U.S. District Court in Birmingham.

The suit originally was filed in Atlanta by Patricia Shuttlesworth, daughter of the Rev. F. L. Shuttlesworth, who is active in integration efforts.

Southeastern Greyhound requested the transfer on grounds that all the principals in the case are in Alabama and the incident as outlined in the suit occurred in Alabama.

The girl contends in the suit that she was arrested at Gadsden, Ala., after refusing to move to the rear of a bus in which she was riding from Tennessee to Birmingham in August. No date for the trial was set.

BIRMINGHAM GIRL

# *Negro Demands $9 Million Damages From Greyhound*

ATLANTA (AP) — A young Negro girl Tuesday filed a $9 million dollar damage suit against Southeastern Greyhound Lines Inc., claiming she was arrested after refusing to sit in the back of a bus.

Negro leaders announced the federal suit was the first step in a drive to eliminate segregation in Greyhound's rest stops and terminals throughout the South.

The suit was filed in the name of Patricia Ann Shuttlesworth, 17-year-old daughter of the Rev. F. L. Shuttlesworth, Birmingham Negro integration leader.

The girl and two other Shuttlesworth children were involved in the arrest incident at Gadsden, Ala., last April 16 while returning to Birmingham from Chattanooga, Tenn.

The suit alleges the driver of the bus requested police at Gadsden to have the Negro girl move to the back of the bus and that when she refused, she was arrested.

The Southern Christian Leadership Conference said the suit was "the first step in a proposed program to eliminate racial segregation in the many terminals and rest stops throughout the South."

Shuttlesworth is secretary of the conference, an anti-segregation organization headquartered in Atlanta and headed by Rev. Martin Luther King Jr.

The statement said the second step would be to call for a nationwide boycott against all Greyhound buses. "The objectives of the boycott would be to give equal opportunity of employment to competent drivers who are members of minority groups such as Negroes, Mexican-Americans, Chinese - Americans, etc.," it added.

The Christian Leadership Conference said another aim of the boycott would be "to arouse the conscience of the Greyhound bus company so that they will direct those employes who agree with the principles of the White Citizens Councils, the Ku Klux Klan and other racial hate organizations, to keep them from enforcing their personal views as to where Negroes should sit and eat when using the Greyhound facilities."

Shuttlesworth was quoted in the statement as saying "this may be one of the most important steps taken in public transportation where racial segregation is involved.

"Poor people mostly use the buses. On a train or plane today, Negroes are not forced to accept Jim Crowism."

38b 1961

FLORIDA

OCTOBER

TALLAHASSEE AIRPORT ORDERED TO INTEGRATE

# 'Car Pool' Ruled Not A Violation

TALLAHASSEE — (UPI) — Leon Circuit Judge Hugh Taylor ruled Thursday that a car pool operated during a racial boycott of city buses here four years ago did not violate city ordinances.

Judge Taylor threw out the convictions of 21 Negro leaders who set up the car pool when Tallahassee Negroes boycotted Cities Transit Inc., in the summer of 1956 to protest segregated seating.

The group, including the Rev. C. K. Steele, president of the local branch of NAACP were each fined $500 by City Judge John Rudd on convicting of operating a public transportation system without a city license.

Reversing Rudd, Taylor upheld validity of the city ordinance requiring a license for engaging in the business of operating vehicles for hire, but said it did not apply to the Negro inter - civic council car pool.

The car pool, which ran as 65 private vehicles, operated at times on fixed schedules but no one was paid to drive or charged to ride, although the council provided the gasolone and riders were asked to contribute to the council to help maintain it.

Only one who benefited financially, Taylor said, was a woman who was paid a salary to serve as dispatcher.

It was not operated as a means of livelihood or with the idea of making a profit, Taylor said.

## Bus boycotters of Fla. get $11,000 in fines refunded

TALLAHASSEE, Fla. — Fines totalling $11,000 assessed against members of the Inter - Civic Council which conducted a bus boycott here in 1596 were ordered refunded Thursday by Circuit Judge Hugh Taylor.

The fines had been levied by City Judge John Rudd who found the boycotters guilty of transporting passengers for hire without a city license in connection with a car pool they were operating.

Since passengers were not charged for the service, Judge Taylor held that the car pool did not violate any city ordinance and therefore was legal.

# Airport Is Ordered To Integrate

TALLAHASSEE, Fla., Oct. 17 (UPI) — Federal District Judge G. Harrold Carswell today ordered an end to racially-segregated facilities at the Tallahassee Municipal Airport.

Judge Carswell gave the city three days to tear down "white" and "colored" signs over waiting rooms and rest rooms.

The ruling was a victory for three Negro ministers who went to court after they were refused service at the airport restaurant operated by American News Co. under lease from the city.

The judge refused an injunction against the news company on the basis of its "unequivocal averments" that it will serve customers on a non-racial basis at the fancy glassed-in restaurant overlooking the landing field.

Company officials testified that it was its policy to serve all persons regardless of race or color.

The company maintained that the person who turned away the Revs. David H. Brooks and A. Joseph Reddick, Tallahassee, and Theodore Gibson, Miami, last April was a brother-in-law of the manager and had no authority or orders to do so.

The restaurant served several Negroes earlier this month without incident.

Judge Carswell put the full blame for segregation at the airport on the city.

He said signs designating use of facilities on a basis of race were erected and maintained by the city and the American News Co. had no voice in the decision.

Such signs are a violation of law, Carswell said.

# CORE To Test Bus Bias In 'Freedom Ride' May 2 To 17

The Louisiana Weekly

New Orleans 2-17-61

NEW YORK CITY -- Freedom Ride, 1961, a dramatic move by the Congress of Equality (CORE) to complete the integration of bus service and related public accommodations in the Deep South, was announced by CORE National Director James Farmer.

"The ride will begin in Washington, D. C. on May 2nd and end in New Orleans on May 17. Participants will challenge every form of segregation met by the bus passenger: in the buses themselves, in restaurants and in rest rooms."

Farmer added, "Whites will sit and eat in 'Colored Sections' and Negroes will sit and eat in the 'White Sections. They will refuse to accept segregation in any form: if need be they will accept threats, violence and jail sentences."

SPECIALLY TRAINED

All participants will be selected from a group of volunteers who have been active in nonviolent demonstrations in their own communities. They will then be specially trained for the difficulties they will meet on the journey.

Replacements may be available to take the places of any participants arrested so that some will be able to complete the trip. Women will travel on one bus and men on another.

FARMER WILL LEAD

Mr. Farmer, a pioneer in the use of nonviolence to eliminate the color line, will lead the interracial group. The itinerary will include cities in Virginia, North and South Carolina, Georgia, Alabama, Mississippi and Louisiana.

Arrangements are being made for mass meetings and rallies in the cities and colleges along the route. "At these stops we hope to inspire local nonviolent action to remove the sin of segregation from our society" continued Farmer.

In 1947, CORE and the Fellowship of Reconciliation sponsored a similar "Journey of Reconciliation" through the upper South to test enforcement of the Irene Morgan decision barring discrimination in interstate travel. Several members served 30-day chain gang sentences as a result of that trip.

38b 1961 GENERAL



# Racial Discrimination Charged on Northern Buses

The Miami Herald

By ROBERT S. BOYD
Of Our Washington Bureau

WASHINGTON — The Justice Department is getting complaints of racial discrimination on buses in the North as well as the South. P-12A

At least one of the alleged incidents happened a month after the "freedom riders" launched their attack on Southern bus segregation practices.

**According to the complaint, passengers were segregated on an all-reserved-seat express coach from New York to Washington June 13.**

Negroes are assigned seats in the rear, whites up front, it was charged. The bus company says it must have been a coincidence.

Another complaint sent to the Justice Department accused a bus driver of ordering a Negro passenger to take a rear seat on a bus leaving Philadelphia May 3.

A third complaint involved a similar order to a Negro riding from Perryville, Md., to Philadelphia, in May.

**Attorney General Robert F. Kennedy listed these three incidents — and 36 others in Southern or border states— in a request to the Interstate Commerce Commission for rules specifically barring segregation in interstate buses and terminals.**

Kennedy also said an FBI survey last month showed that 97 out of 294 Southern bus terminals still carry signs steering white and Negro passengers to separate waiting rooms, rest rooms and restaurants.

In addition to this "blatant and open discrimination," Kennedy said he assumed segregation goes on in other terminals which is not "broadcast to the world through printed signs."

The Justice Department is taking eight bus discrimination cases to court, the attorney general said.

**One bus driver and his company have already been fined $100 a piece.**

Nevertheless, Kennedy said, the law which he is acting is so broad and vague that it is hard to enforce.

Clear, detailed rules from the ICC, which has authority over all interstate bus service, are needed, he said.

The attorney general suggested a set of rules which would:

**Forbid segregated seating on interstate buses.**

Forbid discrimination in waiting rooms, rest rooms, ticket counters, eating and drinking places.

Forbid any kind of "white" and "colored" signs in terminals.

Require signs in buses and terminals stating that facilities are available on a non-discriminatory basis.

**Require a bus company to report to the ICC within 15 days if anyone interferes with these rules and say what the company is doing about the interference.**

The ICC will hold a public hearing on Kennedy's proposed rules in Washington Aug. 15.

Chairman Everett Hutchinson has said, however, that there is some doubt that the ICC has the legal power to issue them.

Meanwhile, pleas and arguments from friends and foes of the Kennedy plan are piling up in ICC files.

**Secretary of State Dean Rusk and Secretary of Defense Robert S. McNamara, for example, submitted letters vowing their full support.**

Rusk said racial incidents in the United States create "embarrassment and difficulty in foreign relations."

McNamara said they hurt the morale of Negro servicemen.

Other typical comments from supporters of the rules are:

**A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, says "the time has come for the ICC to declare unequivocally that Negro passengers are free to travel the length and breadth of this country in the same manner as any other passengers."**

Benjamin Mays, president of Morehouse College, Atlanta, says the rules "would make a contribution to better human relations."

Sen. Jacob Javits (R., N.Y.) says "the basic law of the United States, is being flouted."

Then there's the other side.

**Alabama's Atty. Gen. McDonald Gallion, for example, calls Kennedy's plan an effort "to further encroach on the . . . rights of citizens of this state."**

"Without question, the vast majority of the citizens of both the white and colored race prefer to enjoy mutually voluntary separation in the use of facilities," he said.

Gallion said the requirement that bus companies report and try to stop "interference" with the rules would "make an informer, a law enforcement official and judicial officer" out of every bus company and employe.

This is an "unwarranted, unwanted, undesirable . . . wholly impossible task," Gallion said.

**The Greyhound bus company also opposes the rules.**

Executive Vice President Clifford D. Cherry said they would "only add additional burdens and further cause for vexation."

"Ample remedies exist already," Cherry said. If the administration wants more "remedies," it should ask Congress, not the ICC, he said.

Terminal Restaurants, Inc., of Tuscaloosa, Ala., says its chain of 13 small town restaurants will be put out of business if they are forced to integrate.

An Ocala, Fla. man says he won't use the buses if he has to share facilities with Negroes.

A Jacksonville woman opposes the rules "in the name of decency, morality, and sanitation."

An Alabama woman asks the ICC to "please bear in mind that the Negro is not the only race of people in the United States."

Under the rules, the department suggested that the sign to be displayed on buses say that "seating aboard this vehicle is without regard to race, color, creed or national origin."

It had originally proposed that the sign declare that "all seats aboard this vehicle are by law available at all times to any passenger without regard to race, color, creed or national origin."

The department said the origin language might mislead a passenger to believe that he has an absolute right to any seat at any time regardless of his personal comportment or the convenience of other passengers.

"This is not the purpose of the regulation," the department said. "Its purpose is merely to prevent racial considerations."

The department suggested a rewording of the definition of "terminal facilities" to make it apply to those "available to interstate passengers of motor carriers as a regular part of their transportation."

## NEW BUS MIXING PLANS REVISED

The Times

### Justice Dept. Changes Proposed Regulations

WASHINGTON (AP)—The Justice Department Friday revised the proposed regulations it is asking the Interstate Commerce Commission to adopt to bar segregation in interstate bus transportation. Dat. 8-12-61

Atty. Gen. Robert F. Kennedy petitioned the ICC last May 29 to issue the regulations. Oral argument on the petition is to begin Aug. 15.

Major revisions were in the language of a sign it is proposed that interstate buses be required to display and in a proposed definition of terminal facilities.

# Text of I. C. C.'s Bus Order

Special to The N

*WASHINGTON, Sept. 22—Following are the regulations adopted today by the Interstate Commerce Commission prohibiting discrimination in interstate buses and terminal facilities:*

**1. Discrimination prohibited.**

No motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall operate a motor vehicle in interstate or foreign commerce on which the seating of passengers is based upon race, color, creed, or national origin.

**2. Sign to be posted in vehicles.**

Every motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall conspicuously display and maintain, in all vehicles operated by it in interstate or foreign commerce, a plainly legible sign or placard containing the statement: "Seating aboard this vehicle is without regard to race, color, creed, or national origin, by order of the Interstate Commerce Commission." This section shall cease to be effective on Jan. 1, 1963, unless such time be further extended by the Interstate Commerce Commission.

**3. Notice to be printed on tickets.**

Every motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall cause to be printed on every ticket sold by it for transportation on any vehicle operated in interstate or foreign commerce a plainly legible notice as follows: "Seating aboard vehicles operated in interstate or foreign commerce is without regard to race, color, creed, or national origin." This section shall be applicable to all tickets sold on or after Jan. 1, 1963.

**4. Discrimination in terminal facilities.**

No motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall in the operation of vehicles in interstate or foreign commerce provide, maintain arrangements for, utilize, make available, adhere to any understanding for the availability of, or follow any practice which includes the availability of, any terminal facilities which are so operated, arranged, or maintained as to involve any separation of any portion thereof, or in the use thereof on the basis of race, color, creed, or national origin.

**5. Notice to be posted at terminal facilities.**

No motor common carrier of passengers subject to Section 216 of the Interestate Commerce Act shall in the operation of vehicles in interstate or foreign commerce, utilize any terminal facility in which there is not conspicuously displayed and maintained so as to be readily visible to the public a plainly legible sign or placard containing the full text of these regulations. Such sign or placard shall be captioned: "Public notice: Regulations applicable to vehicles and terminal facilities of interstate motor common carriers of passengers, by order of the Interstate Commerce Commission."

**6. Carriers not relieved of existing obligations.**

Nothing in this regulation shall be construed to relieve any interstate motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act of any of its obligations under the Interstate Commerce Act or its certificate(s) of public convenience and necessity.

**7. Reports of interference with regulations.**

Every motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act operating vehicles in interstate or foreign commerce shall report to the secretary of the Interstate Commerce Commission, within fifteen (15) days of its occurrence, any interference by any person, municipality, county, parish, state, or body politic with its observance of the requirements of these regulations. Such report shall include a statement of the action that such carrier may have taken to eliminate any such interference.

# ICC Orders End to Bus Segregation

WASHINGTON (AP) — The Interstate Commerce Commission Friday barred racial discrimination on interstate buses or in their terminal facilities.

Acting on a petition filed May 29 by Atty. Gen. Robert F. Kennedy, the commission published rules which:

**Issues Rules.**

1. Forbid interstate bus operators from segregating seating on the basis of race, color, creed or national origin.

2. Prohibit interstate buses from segregating seating on the basis of race, color, creed or national origin.

3. Prohibit interstate buses from using terminals where waiting rooms, rest rooms, lunch counters and other facilities are segregated on such a basis.

In its report adopting the rules, the commission said: "We find that in a substantial part of the United States many Negro interstate passengers are subjected to racial segregation in several forms.

"On vehicles, they continue to be subjected to segregated seating based upon race.

"In many motor passenger terminals, Negro interstate passengers are compelled to use eating, rest room and other terminal facilities which are segregated."

**Kennedy Proposal.**

Kennedy's proposal was submitted to the ICC 15 days after a fire bomb was thrown into a busload of "Freedom Riders" on May 14 near Anniston, Ala.

The "Freedom Rides" were protests by Negroes and some white sympathizers against racial discrimination in travel facilities. Scores of the riders have been arrested in the South.

Under the ICC rules, beginning Nov. 1, interstate buses and terminal facilities must display signs declaring that their use will be without regard to race, color, creed, or national origin "by order of the Interstate Commerce Commission."

An ICC spokesman indicated the rules would not be applied strictly to "every independently operated corner drugstore which sells a few tickets for a motor carrier."

**Part of Facility.**

But he added that if an agent offers or provides travel and terminal facilities for interstate passengers, such as a public waiting room or eating facilities, "it would appear that the premises where these services and facilities are made available should be considered as part of the carrier's terminal facility."

The commission also will require interstate bus operators to report to the ICC within 15 days any interference by any person or groups—including a political subdivision such as a state or county—with the carrier's observance of the regulations. The report must also include a statement of what action the carrier may have taken to eliminate the interference.

"Obviously, we cannot anticipate the precise effect of application of the regulations to each and every factual situation that may arise," the commission said, "but the regulations should make clear . . . the rights of passengers under the Interstate Commerce Act."

# ICC Forbids Segregated Bus Seating

WASHINGTON (AP) — The Interstate Commerce Commission Friday barred racial discrimination on interstate buses or in their terminal facilities.

Acting on a petition filed May 29 by Atty. Gen. Robert F. Kennedy, the commission published rules which:

1. Forbid interstate bus operators from segregating seating on the basis of race, color, creed or national origin.

2. Prohibit interstate buses from using terminals where waiting rooms, rest rooms, lunch counters and other facilities are segregated on such a basis.

In its report adopting the rules, the commission said: "We find that in a substantial part of the United States many Negro interstate passengers are subjected to racial segregation in several forms."

# Segregation In Buses Barred

**ICC Issues New Rulings**

WASHINGTON — (UPI) — The Interstate Commerce Commission Friday issued rules barring racial segregation in interstate bus transportation.

Attorney General Robert F. Kennedy had asked the ICC to promulgate rules to bar racial segregation in buses and bus terminal facilities following last spring's tests of racial barriers by freedom riders.

**The rules laid down Friday prohibit motor carriers from segregating buses or utilizing segregated terminal facilities.**

The regulations were opposed by the Southern states and by the motor carriers themselves in a hearing before the ICC Aug. 15.

The commission said in its report that "many Negro interstate passengers are subjected to racial segregation in several forms in a substantial part of the United States."

It said Negroes "continue to be subjected to segregated seating based on race" and in many bus stations they are "compelled to use eating, rest room and other terminal facilities which are segregated."

**Beginning Nov. 1 buses in interstate travel will be required to display a sign stating: "Seating aboard this vehicle is without regard to race, color, creed or national origin by order of the Interstate Commerce Commission."**

Beginning Jan. 1, 1963, interstate bus tickets must carry a similar statement, the ICC said. This later date was because tickets are printed in advance.

Under the new ICC rules, terminal facilities may not be utilized by interstate buses unless there is a posted sign stating: "Public notice — regulations applicable to vehicles and terminal facilities of interstate motor common carriers of passengers by order of the Interstate Commerce Commission."

# ICC ORDERS END TO RACIAL BARS

Bans Any Segregation in Buses, Depot Facilities

WASHINGTON (AP) — The Interstate Commerce Commission Friday barred racial discrimination on interstate buses or in their terminal facilities.

Acting on a petition filed May 29 by Atty. Gen. Robert F. Kennedy, the commission published rules which:

1. Forbid interstate bus operators from segregating seating on the basis of race, color, creed or

national origin.

2. Prohibit interstate buses from using terminals where waiting rooms, rest rooms, lunch counters and other facilities are segregated on such a basis.

In its report adopting the rules, the commission said: "We find that in a substantial part of the United States many Negro interstate passengers are subjected to racial segregation in several forms.

**NO EATING SEGREGATION**

"On vehicles, they continue to be subjected to segregated seating based upon race.

"In many motor passenger terminals, Negro interstate passengers are compelled to use eating, rest room and other terminal facilities which are segregated."

Kennedy's proposal was submitted to the ICC 15 days after a fire bomb was thrown into a busload of "Freedom Riders" on May 14 near Anniston, Ala.

The "Freedom Rides" were protests by Negroes and some white sympathizers against racial discrimination in travel facilities. Scores of the riders have been arrested in the South.

Under the ICC rules, beginning Nov. 1, interstate buses and terminal facilities must display signs declaring that their use will be without regard to race, color, creed, or national origin "by order of the Interstate Commerce Commission."

An ICC spokesman indicated the rules would not be applied strictly to "every independently operated corner drugstore which sells a few tickets for a motor carrier."

**WAITING ROOM FOR ALL**

But he added that if an agent offers or provides travel and terminal facilities for interstate passengers, such as a public waiting room or eating facilities, "it would appear that the premises where these services and facilities are made available should be considered as part of the carrier's terminal facility."

The commission also will require interstate bus operators to report to the ICC within 15 days any interference by any person or groups—including a political subdivision such as a state or county—with the carrier's observance of the regulations. The report must also include a statement of what action the carrier may have taken to eliminate the interference.

"Obviously, we cannot anticipate the precise effect of application of the regulations to each and every factual situation that may arise," the commission said, "but the regulations should make clear . . . the rights of passengers under the Interstate Commerce Act."

## Comment Declined on Order by ICC

JACKSON, Miss. (AP) — Mississippi officials generally declined comment Friday on an Interstate Commerce commission order forbidding interstate buses to segregate passengers by race or operate out of terminals where racial segregation is practiced.

The order, issued in Washington on a petition filed May 29 by Atty. Gen. Robert Kennedy, also requires terminals to erect signs attesting to he nonsegregation of buses and facilities and adding "by order of the Interstate Commerce commission."

After a similar ICC desegregation order several years ago, the Jackson railroad and bus terminals removed the signs designating segregated waiting rooms.

A few days later, the city erected its own segregation signs on the sidewalks fronting the waiting rooms and in the terminals to resignate segregated lunchrooms.

Gov. Ross Barnett was out of the city and unavailable for comment. Both Atty. Gen. Joe Patterson and Jackson Chief of comment.
ed comment.

# I.C.C. ORDERS END OF RACIAL CURBS ON BUS TRAVELERS

The New York Times

Interstate Rules, Asked by Attorney General, Affect Vehicles and Terminal

Dated 9-23-61

GO INTO EFFECT NOV. 1

New York Times

Carriers Forbidden to Use Segregated Stations — Small Depots Exempted

*Text of I. C. C. regulations appears on Page 10.*

By JOSEPH A. LOFTUS
Special to The New York Times.

WASHINGTON, Sept. 22—The Interstate Commerce Commission prescribed rules today forbidding racial discrimination in interstate bus transportation. The rules cover terminal facilities as well as buses.

The commission thus granted a petition filed on May 29 by Attorney General Robert F. Kennedy.

"The time has come for this commission," Mr. Kennedy then asserted, "to declare unequivocally by regulation that a Negro passenger is free to travel the length and breadth of this country in the same manner as any other passenger."

The Attorney General's petition followed incidents involving Freedom Riders in several Southern states last spring.

**Display of Signs Required**

Beginning Nov. 1, buses holding common carrier certificates issued by the I. C. C. must display signs saying.

"Seating aboard this vehicle is without regard to race, color, creed, or national origin, by order of the Interstate Commerce Commission."

The signs will be required until Jan. 1, 1963, unless the time is further extended by the commission.

On and after Jan. 1, 1963, a similar notice must be printed on all tickets sold for transportation in interstate or foreign commerce. The effective date of this regulation was put off until 1963 because tickets for the intervening period probably have been printed.

Beginning Nov. 1, interstate carriers will be forbidden to use terminal facilities that segregate travelers by race.

"We find," the commission said, "that in a substantial part of the United States many Negro interstate passengers are subjected to racial segregation in several forms. On vehicles, they continue to be subjected to segregated seating based upon race.

"In many motor passenger terminals, Negro interstate passengers are compelled to use eating, restroom and other terminal facilities which are segregated."

In considering terminals and facilities, the commission said that the rule "would not be applicable, for example, to every independently operated roadside restaurant at which a bus stops soley to pick up or discharge occasional passengers, or to every independently operated corner drug store which sells tickets for a motor carrier."

"Where a carrier's ticket agent does nothing more for the benefit of the carrier's passengers than sell tickets and post schedules," the commission said, "we would not consider his place of business to be a terminal facility."

The rules would apply, however, where the agent "offers or provides facilities for the comfort and convenience of passengers, such as a public waiting room, rest room, or eating facilities."

Interstate passengers using common facilities may not be subjected to any inquiry as to whether they are traveling in intrastate or interstate commerce, the commission said.

The rules will require interstate bus operators to report to the commission any interference with the observance of the regulations.

38b 1961

GENERAL

# Interstate rules include terminals

## New regulations are result of Freedom Rides in south

WASHINGTON

The Freedom Rides have paid off.

Bus companies doing business in the south have received orders from the Interstate Commerce Commission not to use facilities in any terminal that has segregated waiting rooms, rest rooms, eating facilities, drinking fountains or ticket counters.

Any attempt to interfere with a passenger's right to unsegregated use of such facilities is to be reported

(SEE EDITORIAL PAGE 4)

immediately to the Interstate Commerce Committee which will turn the matter over to the Justice Department.

The ICC ruling is the direct result of a request for such a ruling by Attorney General Robert Kennedy. His request, in turn, was a direct result of the violence, harassment and jailing of Freedom Riders as they

FULL TEXT OF ICC REGULATIONS PAGE 2

tested segregation in, principally, Alabama and Mississippi.

* * *

**ACTUALLY, SEGREGATION** of buses and facilities has been illegal for some time. However, most Deep South states set up an elaborate system of desegregated facilites for interstate passengers and segregated facilities for intra-state passengers.

Despite these signs, however, many southern communities still practiced wholesale segregation in buses and facilities. The Freedom Rides were designed to point out this violation of the regulations.

For the 300-plus Riders who were charged by Jackson, Miss. officials with breach of peace and similar offenses, the officials were careful to make no charges that would lead to challenges of the state's method of continuing segregation.

**NEW SIGNS FOR THE SOUTH** will appear Nov. 1 when the ICC order becomes effective. Replacing the old "for white" and "for colored" signs on buses will be the following legend:

"Seating aboard this vehicle is without regard to race, color, creed, or national origin by order of the Interstate Commerce Commission."

The signs will remain posted until Jan. 1, 1963 when the statement will be printed on tickets. (Tickets for use up until that time had already been printed before the order was issued.)

**IN HANDING DOWN** the decision, the ICC said:

"We find that in a substantial part of the United States, many colored interstate passengers are subjected to racial segregation in several forms.

"On vehicles, they continue to be subjected to segregated seating based upon race.

"In many motor passenger terminals, colored interstate passengers are compelled to use eating, restroom and other terminal facilities which are segregated."

* * *

**AS IS USUAL** in such orders, the south had some area of comfort. The new order does not apply "to every independently operated roadside restaurant at which a bus stops solely to pick up or discharge occasional passengers or to every independently operated corner drug store which sells tickets for a motor carrier.

"Where a carrier's ticket agent does nothing more for the benefit of the carrier's passengers then sell tickets and post schedules, we would not consider his place to be a terminal facility."

The rule does apply, however, where the agent "offers or provides facilities for the comfort and convenience of passengers, such as a public waiting room, rest room or eating facilities."

This covers the larger percentage of ticket agents since even roadside restaurants where the buses stop depend primarily on bus passengers for patronage.

* * *

**THE NEW REGULATION** also forbids the harassing of colored passengers. They cannot be subjected to any inquiry as to whether they are traveling in intrastate or interstate commerce.

Any infractions of the ruling are to be reported by the interstate bus operators to the Interstate Commerce Commission.

To escape desegregation, the south has only one alternative: stop interstate bus travel.

INTERSTATE COMMERCE COMMISSION

# Leaders Hail ICC Ruling On Bus, Depot Segregation

The National director of the Congress on Racial Equality hailed the federal Interstate Commerce Commission ruling against segregation on buses, but he warned it must be enforced.

James Farmer, New York, director of the organization which has sponsored most of the "freedom rides" in the south, spoke before the Chicago Committee on Racial Equality.

He quoted a wartime statement of Sir Winston Churchill following the bombing of Berlin: "The biter is bit."

Farmer said, "the U.S. attorney general is to be congratulated for requesting and getting this ruling from the ICC. The ICC is to be commended for issuing it. The federal government now must insure its prompt and firm enforcement.

To make sure the ruling will be enforced, Farmer and officials of the Chicago committee announced they will sponsor another series of freedom rides in November to "test" bus facilities in southern states.

**FACES LOSS**

"Mississippi has gone all out to persecute and prosecute over 300 freedom riders who have tried to use terminal facilities without segregating themselves. The ICC's ruling means if the state of Mississippi insists on maintaining the evil practice of segregation, then that state must do without interstate bus service," Farmer said.

"This ruling is the freedom riders' vindication," he said.

The Interstate Commerce Commission held that segregation is illegal in interstate buses and the terminals they use.

The ICC handed down rules Saturday that go into effect Nov. 1.

Beginning on that date, buses in interstate travel must display a sign saying "seating aboard this vehicle is without regard to race, color, creed or national origin by order of the Interstate Commerce Commission."

On Jan. 1, 1963, the same statement will be printed on interstate bus tickets. The later date was issued because tickets are printed in advance.

The ICC said interstate buses cannot use terminals unless there is a sign in the terminal saying "public notice — regulations applicable to vehicles and terminal facilities of interstate motor common carriers of passengers by order of the Interstate Commerce Commission."

**TOTAL EFFECT**

The ICC does not regulate bus travel within states, but the new rules will have the effect of making it illegal to segregate intrastate passengers in a terminal used by interstate buses.

But the ICC indicated that the rules would not apply to every independently operated, small-town drug store that sells a few tickets for a bus line.

However, it said agents which provide terminal facilities for the convenience of interstate passengers would be considered a part of the bus line's terminal facilities.

The commission said that "many Negro interstate passengers are subjected to racial segregation in several forms in a substantial part of the United States."

In many bus stations, it said, they are "compelled to use eating, rest room and other terminal facilities which are segregated."

Bus drivers will be required to report any intreference with the regulations, the ICC said.

"Obviously, we cannot anticipate the precise effect of application of the regulations to each and every factual situation that may arise" it said. "But the regulations should make it clear to respondents and others the rights of passengers under thei Interstate Commerce Act."

In New York, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, called the rules a "gratifying amplification of the ICC ruling handed down in 1955 in response to a petition by the NAACP . . . it means there will be no East and West Berlins in our country."

# Text of ICC's bus order

WASHINGTON — Following are the regulations adopted Friday by the Interstate Commerce Commission prohibiting discrimination in interstate buses and termnal facilities;

**1. DISCRIMINATION PROHIBITED.**

No motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall operate a motor vehicle in interstate or foreign commerce on which the seating of passengers is based upon race, color, creed, or national origin.

**2. SIGN TO BE POSTED IN VEHICLE.**

Every motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall conspicuously display and maintain, in interstate or foreign commerce a plainly legible sign or placard containing the statement: "Seating aboard this vehicle is without regard to race, color, creed, or national origin, by order of the Interstate Commerce Commission." This section shall cease to be effective on Jan. 1, 1963, unless such time be further extended by the Interstate Commerce Commission.

**3. NOTICE TO BE PRINTED ON TICKETS.**

Every motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall cause to be printed on every ticket sold by it for transportation in any vehicle operated in interstate or foreign commerce a plainly legible notice as follows: "Seating aboard vehicles operated in interstate or foreign commerce is without regard to race, color, creed, or national origin." This section shall be applicable to all tickets sold on or after Jan. 1, 1963.

**4. DISCRIMINATION IN TERMINAL FACILITIES.**

No motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall in the operation of vehicles in interstate or foreign commerce provide, maintain arrangements for, utilize, make available, adhere to any understanding for the availability of, or follow any practice which includes the availability of, any terminal facilities which are so operated, arranged, or maintained as to involve any separation of any portion thereof, or in the use thereof on the basis of race, color, creed, or national origin.

**5. NOTICE TO BE POSTED AT TERMINAL FACILITIES**

No motor common carrier of passengers subject to Section 216 of the Interstate Commerce Act shall in the operation of vehicles in interstate or foreign commerce, utilize any terminal facility in which there is not conspicuously displayed and maintained so as to be readily visible to the public a plainly legible sign or placard containing the full text of these regulations. Such sign or placard shall be captioned: "Public notice: Regulations applicable to vehicles and terminal facilities of interstate motor common carriers of passengers, by order of the Interstate Commerce Commission."

**6. CARRIERS NOT RELIEVED OF EXISTING OBLIGATIONS.**

Nothing in this regulation shall be construed to relieve any interstate motor common carrier of passengers. subject to Section 216 of the Interstate Commerce Act, of any of its obligations under the interstate Commerce Act or its certificate (s) of public convenience and necessity.

**7. REPORTS OF INTERFERENCE WITH REGULATIONS.**

Every motor common carrier of passengers subject to Section 216 of the Interstate

# I.C.C. Ban On Segregation In Bus Travel Defied In 3 States

## Some Terminals Remove Signs

By The United Press

A new federal ruling banning segregation in interstate bus travel went into effect yesterday and met with opposition in Mississippi, Louisiana, and Georgia.

Four Negroes were arrested in Atlanta when they sought service at a bus-terminal restaurant and three others were taken into custody in Jackson, Miss., when they attempted to use white waiting rooms.

Police at Albany, Ga., advised a young Negro to get out of town immediately after he tried to enter a white waiting room at an Trailways bus terminal where segregation signs were still in evidence.

Authorities said the youth, who identified himself as Blanton Hall of Athens, Ga., took the advice and left in a taxicab driven by another Negro.

### Terminal Manager Held

In Louisiana, police at Shreveport arrested the manager of a Trailways bus terminal for taking down segregation signs in compliance with the federal order.

Shortly after the manager, H. B. Walmsley, was taken into custody the Congress of Racial Equality announced it would put the new federal desegregation order to a major test by attempting to integrate terminals throughout the state.

Sheriff J. Howell Flournoy declared he would enforce Louisiana segregation laws, not the new I.C.C. regulations.

"We don't care about the I.C.C.; It is not a lawmaking body," Flournoy said.

U. S. Attorney General Kennedy requested the new rulings last spring when integrationists were making "freedom rides" across the South.

Terminals throughout Mississippi appeared to be generally complying with the order to remove segregation signs, but local officials left no doubt that they intended to enforce State and City segregation laws.

Two north-central Mississippi cities—Winona and Grenada—announced Tuesday that they planned to integrate their Trailways bus stations. Such a clamor was raised that the boards of aldermen in the two towns met yesterday morning and later announced that segregation would be maintained after all.

# Some in South Defy ICC Order On Depot Signs

By James E. Clayton
Staff Reporter

A bus station manager in Shreveport, La., was arrested yesterday for doing what the Interstate Commerce Commission ordered him to do.

The manager, H. B. Walmsley, took down signs segregating his terminal and put up one saying the terminal was desegregated. He was promptly arrested for violating a Louisiana law requiring segregation of the races.

That was the sharpest indication that some Southern states do not intend to recognize or abide by the ICC's new rules, which went into effect yesterday. The rules require interstate bus lines to use only termnials which are desegregated.

Walmsley said he was acting on orders from the Trailways Bus Co., which told him to follow the ICC directives. United Press International quoted Shreveport Mayor Clyde Fant as saying, "We are going to enforce the (local) law here. We don't care anything about the ICC. It is not a law-making body."

Two other Southern states, Mississippi and Georgia, have already begun court tests of the ICC rules. And, in a counter move, the Justice Department has asked a Federal court in Mississippi to declare the local segregation laws unconstitutional.

In some Mississippi towns, bus terminals were desegregated without incident yesterday. But in Jackson, three Negroes, including the dean of religion at Campbell College, were arrested when they refusd to lave a "whit" waiting room.

Four Negroes who tested the rules in Atlanta, Ga., were refused service in a restaurant at the Trailways terminal. The operator of the restaurant said it was private and two of the Negroes were arrested when they refused to lav.

In Alabama, however, Attorney General MacDonald Gallion was quoted by UPI as saying he plans no challenge of the ICC rules. And in Montgomery, Federal Judge Frank M. Johnson entered an order restraining local officials from enforcing segregation laws in bus and train terminals. He said such laws are unconstitutional. His order grew out of last spring's Freedom Rides and not the ICC action.

The ICC entered its desegregation orders two months ago at the request of Attorney General Robert F. Kennedy. Kennedy had no comment on yesterday's activities, but the Justice Department is expected to do battle with every state and every police official who attempts to keep bus terminals segregated.

The ICC orders are based on its power to regulate interstate commerce and on the Federal Constitution. Under decisions of the Supreme Court going back many years, state laws which require segregation violate the 14th Amendment. That Amendment requires that States give all citizens "equal protection of the laws."

## Riders to See if Jim Crow Really Died

Pittsburgh Courier 9-30-61

# CORE to Test ICC's Bus Ruling

Sept-10-2-61

CHICAGO — Early tests will be made to make sure that the Interstate Commerce Commission's ruling on full use of interstate bus transportation facilities are being enforced, the Congress of Racial Equality has announced.

**• Making the announcement of another series of "freedom rides" in Southern States has been CORE'S James Farmer of the organization's New York office. They will begin in November.**

Pittsburgh Sa.

The ruling, issued last week by ICC at the request of Atty. Gen. Robert F. Kennedy, outlaws racial segregation in buses and bus terminal facilities in interstate travel.

Motor carrier representatives and Southern states officials strongly opposed the ruling at a hearing on Aug. 15.

**ICC WAS PARTICULAR** to point out, however, that the ruling does not apply to every small drugstore and lunch counter that sells a few tickets. Only actual terminals and stations known as such, will be affected.

**Speaking before an audience here last week, Farmer said that Attorney General Kennedy should be strongly commended for requesting the ruling from ICC, and that the commission also should be commended. CORE sponsored most of the Freedom Rides in the South where some 300 riders were jailed.**

Aim of the Freedom Rides has been to win unrestricted use of waiting rooms and eating facilities in the bus terminals themselves. Said Farmer, "The Federal Government now must insure its (the ruling) prompt and firm enforcement in Southern states.

"Mississippi is one of the Southern states which has gone all out to persecute and prosecute more than 300 Freedom Riders," Farmer pointed out.

His interpretation of the ICC ruling implies that "if the state of Mississippi insists on maintaining practice of segregation, then that state must do without interstate bus service."

# ICC Racial Order Extended Into Effect Across Nation

An Interstate Commerce Commission order outlawing separate travel facilities for Negroes and whites goes into nationwide effect Wednesday.

The rules prohibit interstate buses from using terminals which have racially segregated restaurants, waiting rooms or other facilities. Each bus and terminal must display signs proclaiming that bus seats and station facilities are available to travelers without regard to race, creed, color or national origin.

**PROMISES MADE**

In Washington, ICC chairman Everett Hutchinson has promised prompt and efficient enforcement of the new rules. He said the ICC Bureau of Motor Carriers' field office in the areas involved will investigate reports that rules are not being carried out.

Bus operators will be required to report to the ICC any interference with their efforts to observe these rules.

If investigation indicates a need for court action, the case will be referred to the U.S. district attorney in the area, who may then seek court orders prohibiting continued violation.

Criminal prosecution, which would result in a $100-$500 fine for the first offense and a $200-$500 fine for each later offense, also may be recommended.

If any area wishes to block the ICC order they will run into a U.S. Supreme Court ruling the ICC has authority to prohibit racial discrimination in carriers and terminals, plus a battery of federal laws put into effect since the 1954 school desegregation ruling.

The ICC rules were requested by Atty. Gen. Robert F. Kennedy and were issued by the commission Sept. 22.

# Bus Rules Take Effect Wednesday

United Press International

Interstate Commerce Commission Chairman Everett Hutchinson reminded the public yesterday that new ICC rules barring race discrimination in interstate bus travel go into effect Wednesday.

Hutchinson said in a statement that "we expect to achieve prompt and efficient handling of complains of racial discrimination."

The ICC issued rules on Sept. 22 forbidding segregation in interstate bus travel. They applied to bus terminal restaurants and other facilities as well as the buses themselves.

Hutchinson said the bus companies will be responsible for reporting any violation of the rules to the Commission. As of Nov. 1, both buses and bus stations serving interstate traffic must display signs banning segregation.

Reports of violations received by the ICC will be handled in the same manner as other motor carrier infractions, Hutchinson said. Each complaint will be investigated by its Bureau of Motor Carriers' field office in the area involved.

After that, two avenues are open to the Commission. It may either seek a court injunction or it may present its case to the appropriate Federal District Attorney with a recommendation for criminal prosecution.

# New Bus Rules Go In Effect Tomorrow

## Interstate Regulations Ban All Segregation

From The Commercial Appeal Washington Bureau

WASHINGTON, Oct. 30. — The Interstate Commerce Commission reminded interstate bus companies Monday that new rules against discrimination go into effect Wednesday.

The new rules prohibit interstate motor common carriers of passengers from utilizing segregated terminal facilities or operating buses on which seating is based on race, color, creed or national origin. Buses and terminals must display specific signs banning segregation.

ICC Chairman Everett Hutchinson said bus operators will be required to report to the commission any interference with observance of the rules. Such reports, as well as notification of possible violations received from commission investigators or any other source, will be administered in the same manner as other motor carrier infractions. Each notice or complaint will be investigated by the ICC's field office in the area.

If court action is warranted, Mr. Hutchinson said an injunctive type of proceeding may be instituted or the case may be presented to a United States attorney with a recommendation for criminal prosecution.

"Through this arrangement, we expect to achieve prompt and efficient handling of complaints," he said.

The ICC issued its new rules Sept. 22 after Atty. Gen. Robert F. Kennedy, brother of President Kennedy, had strongly urged the action.

# ICC Orders Interstate Bus, Terminal Mixing

## Agency Acts On Petition From Bobby

WASHINGTON (AP) — The Interstate Commerce Commission Friday barred racial discrimination on interstate buses or in their terminal facilities.

Acting on a petition filed May 4 by Atty. Gen. Robert F. Kennedy, the commission published rules which:

1. Forbid interstate bus operators from segregating seating on the basis of race, color, creed or national origin.

2. Prohibit interstate buses from using terminals where waiting rooms, rest rooms, lunch counters and other facilities are segregated on such a basis.

**SEVERAL FORMS**

In its report adopting the rules, the commission said: "We find that in a substantial part of the United States many Negro interstate passengers are subjected to racial segregation in several forms.

"On vehicles, they continue to be subjected to segregated seating based upon race.

"In many motor passenger terminals, Negro interstate passengers are compelled to use eating, rest room and other terminal facilities which are segregated."

Kennedy's proposal was submitted to the ICC 15 days after a fire bomb was thrown into a busload of "Freedom Riders" on May 14 near Anniston, Ala.

**DISPLAY SIGNS**

The "Freedom Rides" were protests by Negroes and some white sympathizers against racial discrimination in travel facilities. Scores of the riders have been arrested in the South.

Under the ICC rules, beginning Nov. 1, interstate buses and terminal facilities must display signs declaring that their use will be without regard to race, color, creed, or national origin "by order of the Interstate Commerce Commission."

An ICC spokesman indicated the rules would not be applied strictly to "every independently operated corner drugstore which sells a few tickets for a motor carrier."

**REPORT INTERFERENCE**

But he added that if an agent offers or provides travel and terminal facilities for interstate passengers, such as a public waiting room or eating facilities, "it would appear that the premises where these services and facilities are made available should be considered as part of the carrier's terminal facility."

The commission also will require interstate bus operators to report to the ICC within 15 days any interference by any person or groups—including a political subdivision such as a state or county with the carrier's observance of the regulations. The report must also include a statement of what action the carrier may have taken to eliminate the interference.

"Obviously, we cannot anticipate the precise effect of application of the regulations to each and every factual situation that may arise," the commission said, "but the regulations should make clear . . . the rights of passengers under the Interstate Commerce Act."

In New York, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, commented happily: "This is a gratifying amplification of the ICC ruling handed down in 1955 in response to a petition filed by the National Association for the Advancement of Colored People.

"It means that American citizens may now travel freely among their states without being penalized and persecuted because of their color. It means there will be no East and West Berlins in our country."

Friday's unanimous ruling by the 11-man commission dealt only with buses under an act which gives the ICC much wider power over motor carriers than it has over railroads, regulated under the original Interstate Commerce Act.

The Justice Department asked the ICC to take administrative action in regard to buses because it felt the commission had clear powers in that field. In addition, the "Freedom Rider" troubles revolved almost entirely around buses and bus terminals.

Under court and ICC rulings, segregated seating on trains and buses has been forbidden in specific cases. But Friday's ruling clarified and extended the ICC position on buses. It is understood, unofficially, that the government is carrying on quiet negotiations with railroads seeking voluntary desegregation in their terminal facilities as well as in seating on trains which is largely desegregated now.

In the field of plane travel, which does not come under the ICC, the Justice Department now has court suits pending at New Orleans, La., and Montgomery, Ala., to bring about desegregation of airport facilities at those cities. It had prepared similar action at Columbus, Ga., but dropped it when voluntary desegregation was worked out.

A spokesman for the Congress of Racial Equality in New York said, "We are pleased with the ruling and shall, of course, work in local communities throughout the country to implement the decision."

There was little immediate comment from officials in Southern states.

### *Mix Order Follows Trend, Gallion Says*

Atty. Gen. MacDonald Gallion said Friday an Interstate Commerce Commission ruling forbidding racial discrimination on interstate buses "followed the trend of federal action."

"It is just another step by the federal government in putting its heel on the necks of us here in the South," the Alabama official said.

"The ruling certainly comes as no sprprise," Gallion added. "I had been expecting it for some time. It followed the trend of federal action on such issues."

Gov. John Patterson and Public Service Commission officials could not be reached for comment.

*STARTS NOV. 1*

## Bus Mandate Draws Bobby's Full Support

WASHINGTON (UPI) — Atty. Gen. Robert F. Kennedy said Saturday the Justice Department "will cooperate fully" in enforcing the new Interstate Commerce Commission order outlawing segregation in interstate bus travel.

He said the order, issued Friday and effective Nov. 1, was the "most far-reaching administrative action ever taken by the federal government" in the field of racial discrimination.

"I am gratified that the commission has taken this important step," the President's brother added in a statement.

In promising his department's full cooperation in enforcing the order, Kennedy said the unanimity of the ICC "reflects the determination of the American people as a whole to make progress in the civil rights field."

"If the new regulations are accepted and applied with good will and wisdom," he added, "the results will be a credit to our country."

In a reference to the "freedom riders," the Attorney General recalled that federal and state authorities found it necessary last May "to take extraordinary steps to protect the safety of interstate travelers."

He said the violence and threats of violence which marked such challenges grew out of racially discriminatory practices in interstate travel.

As a result, Kennedy said, the ICC was requested to issue new regulations "in order that these practices of segregation be terminated in the courts, rather than fought out in the streets." He said this was "consistent with the American tradition of living under the rule of law."

Kennedy also noted that the ICC held hearings last August and the department urged then that segregation in bus travel be outlawed in line with previous court rulings.

An ICC spokesman said violation of the regulations would be a criminal offense punishable by fines. Under the order, he said, bus companies are required to notify the commission of any violation of the regulations.

The ICC then investigates to see if there is a case. If it decides there is a basis for the charges, the case is turned over to a U.S. Attorney for prosecution.

Penalty for conviction for a first offense is a minimum fine of $100 and a maximum of $500. Fines for second offenses run from $200 to $500.

If a civil rights violation is involved, the case is referred to the Justice Department for investigation and prosecution.

The commission spokesman said responsibility for reporting such incidents lies with the interstate bus companies over which the ICC has jurisdiction. If someone tears down a sign, for example, the bus company is supposed to report the fact to the ICC, he said.

# ICC Orders Integration In Interstate Buses Nov. 1

From Press Dispatches

WASHINGTON—The Interstate Commerce Commission Friday ordered a halt to racial segregation in interstate bus travel.

The rules, which go in effect Nov. 1, will require all interstate buses and all major terminals to post signs to the effect that seating and service are to be provided without regard to race, creed or color.

Atty. Gen. Robert F. Kennedy requested such action after the so-called "freedom riders" toured the South last spring testing racial barriers. There were several cases of violence, and numbers of the riders were arrested on disorderly conduct charges.

The commission said in a statement that it will require bus operators to report any interference with the new regulations.

Motor carriers found guilty of violating the rules could be fined a maximum of $500 for each offense. The ICC would investigate complaints and present evidence to the U.S. attorney for the district where the incident occurred.

(In Atlanta, officials of Greyhound and Trailways lines said they could not speak on behalf of their companies about effects of the ruling on other terminals in Georgia.

(But both men said the order would present no problem here, where facilities already are desegregated.)

(Gov. Ernest Vandiver said, "I havent' read the ruling. I wouldn't comment until I have read it.")

**OPERATORS PROTEST**

The new rules in effect make it illegal to maintain separate facilities for intrastate passengers in any terminal serving interstate buses. Many Southern cities maintain segregated facilities for intrastate passengers, since ICC does not regulate bus travel within states.

During a commission hearing on the new regulations, the Justice department contended that the Interstate Commerce Commission clearly bars discrimination on the part of interstate bus operators. The operators themselves, along with spokesmen for several Southern states, argued against any new rules.

The commission said in its report that "many Negro interstate passengers are subjected to racial segregation in several forms in a substantial part of the United States."

It said Negroes "continue to be subjected to segregated seating based on race" and in many bus stations they are "compelled to use eating, rest room and other terminal facilities which are segregated."

Beginning Nov. 1 buses in interstate travel will be required to display a sign stating: "Seating aboard this vehicle is without regard to race, color, creed or national origin by order of the Interstate Commerce Commission."

**STARTS NOV. 1**

Beginning Jan. 1, 1963, interstate bus tickets must carry a similar statement, the ICC said. This later date was because tickets are printed in advance.

Under the new ICC rules, terminal facilities may not be utilized by interstate buses unless there is a posted sign stating: "Public notice — regulations applicable to vehicles and terminal facilities of interstate motor common carriers of passengers by order of the Interstate Commerce Commission."

**SOME EXCEPTIONS**

The ICC indicated, however, that the rules would not apply to every independently operated corner drug store which sells a few tickets for a motor carrier.

But it said that agents which provide terminal facilities for the convenience of passengers in interstate travel should be considered a part of the carrier's terminal facilities.

The commission will require bus operators to report any interference with its regulations.

"Obviously, we cannot anticipate the precise effect of application of the regulations to each and every factual situation that may arise," the report said. "But the regulations should make clear to respondents and others the rights of passengers under the Interstate Commerce Act."

There was little comment from officials in Southern states.

Gov. Ross Barnett was reported out of Jackson, the Mississippi capital, and unavailable for comment.

Jackson has been a target of "freedom riders" seeking to desegregate transportation facilities. Since May 24, 306 "freedom riders" have been arrested and convicted on breach of peace charges there.

Jackson railroad and bus terminals removed signs designating segregated waiting rooms after an ICC ruling several years ago. However, a few days later the city erected its own segregation signs on sidewalks fronting the waiting rooms and in terminals which had lunch rooms.

**ALABAMA PROTESTS**

Atty. Gen. MacDonald Gallion of Alabama said at Montgomery the ICC decision "is just another sttep by the federal government in putting its heels on the necks of us here in the South."

"The ruling certainly comes as no surprise," he said. "I had been expecting it for some time. It followed the trend of federal action on such issues."

In New York, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, commented happily: "This is a gratifying amplification of the ICC ruling handed down in 1955 in response to a petition filed by the National Association for the Advancement of Colored People.

"It means that American citizens may now travel freely among their states without being penalized and persecuted because of their color. It means there will be no East and West Berlins in our country."

# ICC To Enforce Segregation Ban

The News and Courier
Charleston

WASHINGTON (AP) — The chairman of the Interstate Commerce Commission said Monday there would be prompt and efficient enforcement of new ICC rules against racial segregation in bus transportation facilities.

Chairman Everett Hutchinson said any violation of the order, which goes into effect Wednesday, will be treated in the same manner as infractions of other ICC rules.

Pres. 10-31-61

The new regulations forbid buses from using terminals which have segregated facilities of any kind. Each bus and terminal must display signs declaring that bus seats and station facilities are available to all travelers without regard to race, creed, color or national origin.

P. 3A

Hutchinson said bus operators will be required to report any interference with their efforts to comply with the rules. The ICC Bureau of Motor Carriers field offices will investigate such reports.

If there is a need for court action, the field office may refer the case to the U.S. District Attorney in the area involved, who can seek a court order prohibiting continued violation.

A U.S. attorney also could prosecute under criminal laws. First offenders could receive a $100 to $500 fine, with fines of $200 to $500 for each offense after the initial one.

"Through this arrangement," Hutchinson said, "we expect to achieve prompt and efficient handling of complaints of racial discrimination."

# ICC Forbids Bus Station Segregation

The Washington Post P 1 Dat. 9-23-61

## Interstate Rules Effective Nov. 1; Loophole Is Left

Washington Bur

By James E. Clayton
Staff Reporter

The Interstate Commerce Commission yesterday issued rules designed to end race discrimination on interstate buses and in the terminals at which they stop.

Under the rules, interstate bus companies are forbidden after Nov. 1. to use the facilities of any terminal that segregates its waiting room, restroom, eating, drinking or ticket sales facilities. The rules will not apply to bus stations that offer no more than ticket sales facilities or to bus systems that operate entirely within one state.

The practical effect of the rules, if they are enforced in literal terms, will be to give bus companies two alternatives. They may use desegregated terminals or they may try to fit into the exception in the rules.

That exception says that the ICC will not require desegregation by a ticket agent who does no more than sell tickets and post schedules. But, the Commission added, it will require desegregation of agents and terminals that offer more than that.

The only other way for Southern cities to avoid desegregation of interstate bus terminals under the rules is to give up interstate buses.

The ICC's decision is a major victory for Attorney eGneral Robert F. Kennedy. He had requested the regulations in the aftermath of last spring's Freedom Rides across the South and had argued for them in face of resistance from both the ICC and the bus companies.

Kennedy's position, with which the 11-man Commission agreed, was that the case-by-case method of enforcing desegregation on interstatebuses was ineffective. It has been illegal for some time for interstate bus companies to discriminate, but the ICC has levied fines only in occasional cases when complaints were filed.

The ICC had complained that it could not take action in some cases because local authorities insisted that bus companies continue to segregate. Built into the new rules is a provision to take care of that situation.

The bus companies are reqired to report to the ICC any interference they receive from private citizens or public officials in desegregations efforts. Presumably, such complaints will be turned over to the Department of Justice for legal action.

The new rules also require bus companies to put up signs in buses and terminals advising the public of its legal rights. The signs in buses can come down on Jan. 1, 1963, but after that date the same information must be printed on bus tickets.

# Ban on Bus Bias Defied in 2 States

## 7 Negroes Arrested Despite ICC Ruling

ATLANTA, Ga., Nov. 1 (AP). —Police in Georgia and Mississippi arrested Negroes who tried to use interstate bus facilities Wednesday despite a Federal agency order banning segregation of passengers.

Four Negroes were jailed in Atlanta and three in Jackson, Miss., as a rule issued by the Interstate Commerce Commission against bus terminal segregation went into effect.

ICC Chairman Everett Hutchinson said earlier in the week Federal court action could be expected if the commission's ruling is resisted and that criminal prosecution may be recommended.

State officials in Georgia launched Federal court action seeking to have the ICC ruling set aside.

Under the ICC ruling, each bus and terminal must display signs stating bus seats and station facilities are available to all travelers.

A Shreveport, La., bus station manager, who refused Wednesday to remove such a sign, was charged with violating Louisiana's segregation laws and placed under bond of $250. Shreveport officials said Tuesday the city would not comply with the CC order.

In Monroe, La., the Continental Southern Lines removed segregation signs from its bus station but a district judge issued a temporary restraining order directing the bus company to replace them.

Three Negroes who challenged bus terminal segregation in Jackson, Miss., were charged with breach of the peace and released on bonds of $250 each.

By THE ASSOCIATED PRESS

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The ICC rules were requested by Atty. Gen. Robert F. Kennedy.

State officials in Georgia launched federal court action seeking to have the ICC rulings set aside. They contended the orders violate the rights of states to regulate intrastate commerce since bus stations are used by both intrastate and interstate passengers.

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The four Negroes arrested in Atlanta were charged with trespassing on private property and placed under bond of $100 each. They had asked to be served in a restaurant that adjoins the bus terminal and is used by white bus passengers.

In Montgomery, Ala., U.S. Dist. Judge Frank M. Johnson Jr. issued an order prohibiting authorities from enforcing racial barriers on buses and at terminals. His order came on complaints filed by six Negro "Freedom Riders" whose appearance in Montgomery last May touched off a race riot.

## ICC Order Resisted In Two States

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## COURT BACKS ICC BAN ON BUS SEGREGATION

### But 2 States Continue Arrests of Negroes

Atlanta, Nov. 1 (AP)—A federal judge in Alabama today backed an Interstate Commerce commission order with a court decree outlawing segregated buses and terminals in his district covering 24 counties.

The court action in Alabama came as Mississippi and Georgia police arrested Negroes who entered waiting rooms reserved for white persons or sought service in restaurants previously used only by white passengers at bus terminals.

Judge Frank M. Johnson Jr. issued an order in Montgomery prohibiting Alabama authorities from enforcing racial barriers. His order was the result of race riots involving freedom riders in Montgomery last May. It coincided with the effective date of an ICC ruling outlawing segregation practices on buses and in terminals over the nation.

**Refuses to Hear Appeal**

The Florida Supreme court refused to hear an appeal by 10 freedom riders who rode buses from Washington to Tallahassee, Fla., last June and were convicted in city court of unlawful assembly when they staged a sit-in demonstration at the airport terminal after finding the restaurant closed there. The Supreme court transferred the appeal to the Leon county Circuit court.

A Shreveport, La., bus station manager who tried to comply with the ICC ruling was called in by the sheriff's office for violating Louisiana's segregation laws. W. R. Warmsley, who said he was acting on orders of his company's headquarters, was released on $250 bond.

Four Negroes were arrested by Atlanta police who charged them with treaspassing on private property after they asked for service in a restaurant adjoining the Trailways bus terminal.

**Georgia Challenges ICC**

Three Negroes testing the strength of the ICC order were arrested at a Jackson, Miss., bus terminal.

Georgia state officials asked the United States District court in Atlanta to set aside the ICC order on the ground it encroaches on the right of the state to regulate intrastate commerce and exceeds the powers given the ICC by Congress. Assistant Atty. Gen. Paul Rodgers said Georgia would take the case to the United States Supreme court if necessary.

**Testify In Bus Case**

Anniston, Ala., Nov. 1 (UPI)—Two government witnesses today testified that four of eight defendants charged in connection with the burning last May 14 of a bus carrying White and Negro freedom riders were at the scene of the violence. The eight men are charged with interfering with a bus traveling in interstate commerce and conspiring to commit an offense against the United States.

Joseph M. Postiglone, a photographer in Anniston, testified that he saw Frank B. Johnson, 42; William Chappell, 40; Jerry Ronald Eason, 23; and Roger Dale Couch, 19, either at the bus station where the bus was attacked or just outside of Anniston where the $35,000 vehicle burned when a firethe steps of the bus in the terminal and did not let anyone bomb was tossed inside.

Also testifying was L. M. Colston or off.

ling, a state investigator, who said he rode with the integrated group from Atlanta to Anniston. He said that he stood on

INTERSTATE COMMERCE COMMISSION

# 7 Negroes Challenge Dixie Bias, Are Seized

Associated Press.

ATLANTA, Nov. 1.—Mississippi and Georgia police made quick arrests today of Negroes who challenged bus terminal segregation following an order by the Interstate Commerce banning such segregation.

Four Negroes were arrested by Atlantic police who charged them with trespassing on private property. The four, members of the Student Nonviolent Coordinating Committee, an integrationist group, had asked for service in a restaurant adjoining the Trailways bus terminal.

Three Negroes testing the strength of the ICC order were arrested at a Jackson, Miss., bus terminal.

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# ICC Urged To Reject Merger Of Railroads

Wed 11-1-61

WASHINGTON (AP) — The Justice Department asked the Interstate Commerce Commission Tuesday to reject a proposed merger of Seaboard Air Line Railroad Co. and the Atlantic Coast Line Railroad Co.

Asst. Atty. Gen. Lee Loevinger, in a brief filed with the ICC, said the merger would be contrary to the policy of the antitrust laws, the interstate commerce act, and the national transporation act.

The brief said a merger of the railroads would:

1. "Destroy the vigorous competition which now exists" between the lines, which are two of the principal railroads in the Southeast.

2. Jeopardize the existence of several small railroads that "are vitally important to the Southeast."

3. Impose unnecessary hardships on communities and shippers.

4. Impair adequate transportation.

Loevinger said the department realizes that a railroad merger approved by the ICC is "insulated from" the antitrust laws.

But this exemption should not be granted merely because a merger would enable two financially sound and competing railroads to increase their revenues where the records show that there are no overriding reasons for nullification of the national policy expressed in the antitrust laws, Loevinger said.

*ICC EDICT DEFIED*

# Integration Tries Meet Arrests In Two Cities

The Montgomery Advertiser
Nov 11-2-61
Montgomery Ala

Police in Georgia and Mississippi arrested Negroes who tried to use interstate bus facilities Wednesday despite a federal agency order banning segregation of passengers.

Four Negroes were jailed in Atlanta and three in Jackson, Miss., as rules issued by the Interstate Commerce Commission against bus terminal segregation went into effect.

ICC Chairman Everett Hutchinson said earlier in the week that federal court action could be expected if the commission's rulings are resisted and that criminal prosecution may be recommended.

**LAUNCH ACTION**

The ICC rules were requested by Atty. Gen. Robert F. Kennedy.

State officials in Georgia launched federal court action seeking to have the ICC rulings set aside. They contended the orders violate the rights of states to regulate intrastate commerce since bus stations are used by both intrastate and interstate passengers.

Under the ICC ruling each bus and terminal must display signs stating that bus seats and station facilities are available to all travelers.

A Shreveport, La., bus station manager, who refused Wednesday to remove such a sign, was charged with violating Louisiana's segregation laws and placed under bond of $250. Shreveport officials said Tuesday the city would not comply with the ICC order.

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The four Negroes arrested in Atlanta were charged with trespassing on private property and placed under bond of $100 each. They had asked to be served in a restaurant that adjoins the bus terminal and is used by white bus passengers.

# I.C.C. Ruling Forbids Race Discrimination In Buses, Terminals

## $100-$500 Fines Set For Violation

From Wire Dispatches

Washington, Sept. 22.—The Interstate Commerce Commission Friday established rules forbidding racial discrimination on interstate buses or in their terminal facilities, thus handing a fresh legal weapon to antisegregationists.

*The I.C.C. in effect, gave Attorney General Kennedy what he asked in a petition filed May 29. It set up two basic rules which:*

1. Forbid interstate bus operators from segregating seating on the basis of race, color, creed, or national origin.

2. Prohibit interstate buses from using terminals where waiting rooms, rest rooms, lunch counters, or other facilities are segregated.

**Has Sweeping Powers**

The I.C.C. which has sweeping regulatory powers over all commercial interstate surface transportation, said the first violation of the new rules would call for a fine of $100 to $500. The penalty for a second violation could range from $200 to $500.

In its report on adoption of the new rules, the I.C.C. said it has found that "many Negro passengers are subjected to racial segregation in several forms." It went on to specify seating on buses and use of eating, rest-room, and other terminal facilities.

**Must Display Signs**

Beginning November 1, buses holding common-carrier certificates issued by the I.C.C. must display signs saying:

"Seating aboard this vehicle is without regard to race, color, creed, or national origin, by order of the Interstate Commerce Commission."

The signs will be required until January 1, 1963, unless the time is extended by the commission.

On and after January 1, 1963, a similar notice must be printed on all tickets sold for transportation in interstate or foreign commerce.

**Tickets Probably Printed**

The effective date of this regulation was put off until 1963 because tickets for the intervening period probably have been printed.

Operators of interstate buses were directed to report to the I.C.C. within 15 days any interference with enforcement of these rules—whether the interference came from an individual, a private group, or a political subdivision such as a state or a city. Such reports also would have to include a statement on action taken by the carrier to halt the interference.

There was little immediate comment from officials in Southern states.

Governor Ross Barnett was reported out of Jackson, the Mississippi capital, and unavailable for comment.

**City Erected Own Signs**

Jackson has been a target of "freedom riders" seeking to desegregate transportation facilities. Three hundred six "freedom riders" have been arrested and convicted on breach-of-peace charges there since May 24.

Jackson railroad and bus terminals removed signs designating segregated waiting rooms after an I.C.C. ruling several years ago. However, a few days later the City erected its own segregation signs on sidewalks fronting the waiting rooms and in terminals which had lunchrooms.

Attorney General MacDonald Gallion of Alabama said at Montgomery the I.C.C. decision "is just another step by the Federal Government in putting its heels on the necks of us here in the South."

"The ruling certainly comes as no surprise," he said. "I had been expecting it for some time. It followed the trend of federal action on such issues."

**Exemption Limited**

An I.C.C. spokesman indicated the rules will not be strictly applied to "every independently operated corner drugstore which sells a few tickets for a motor carrier."

However, the commission made plain that it would not grant exemptions from the rules on a plea that terminals and their facilities are not owned and operated by the carrier.

If a place offers facilities, such as food and rest rooms, for interstate travelers, the I.C.C. said, "It would appear that premises where these services and facilities are made available should be considered as part of the carrier's terminal facility."

**Cites Many Complaints**

The I.C.C. explained that, for practical purposes, the desegregating of terminal facilities for interstate travelers means desegregrating for intrastate travelers as well as unless intrastate carriers wish to establish their own terminals, which the commission does not regard as a likely development.

While Kennedy's petition formed the basis for the hearings which led to Friday's decision, the I.C.C. said it had received many complaints about discrimination before the Attorney General asked for a clear ruling.

**Wilkins Hails Ruling**

*In New York, Roy Wilkins, executive secretary of the N.A.A.C.P., commented:*

"This is a gratifying amplification of the I.C.C. ruling handed down in 1955 in response to a petition filed by the National Association for The Advancement of Colored People.

"It means that American citizens may now travel freely among their states without being penalized and persecuted because of their color. It means there will be no East and West Berlins in our country."

**Given Wider Power**

Friday's unanimous ruling by the 11-man commission dealt only with buses under an act which gives the I.C.C. much wider power over motor carriers than it has over railroads, regulated under the original Interstate Commerce Act.

The Justice Department asked the I.C.C. to take administrative action in regard to buses because it felt the commission had clear powers in that field. In addition, the "freedom-rider" troubles revolved almost entirely around buses and bus terminals.

Under court and I.C.C. rulings, segregated seating on trains and buses has been forbidden in specific cases. But Friday's ruling clarified and extended the I.C.C. position on buses.

It is understood, unofficially, that the Government is carrying on quiet negotiations with railroads seeking voluntary desegregation in their terminal facilities as well as in seating on trains which is largely desegregated now.

In the field of plane travel, which does not come under the I.C.C., the Justice Department now has court suits pending at New Orleans and Montgomery, Ala., to bring about desegregation of airport facilities at those cities. It had prepared similar action at Columbus, Ga., but dropped it when voluntary desegregation was worked out.

## ICC Acts To End Bus Segregation

### Interstate Travel And Terminal Service Are Affected Nov. 1

By United Press International

WASHINGTON, Sept. 22.—The Interstate Commerce Commission Friday ordered a halt to racial segregation in interstate bus travel.

The rules, which go in effect Nov. 1, will require all interstate buses and all major terminals to post signs saying seating and service are to be provided without regard to race, creed or color.

**Kennedy Requested Step**

Atty. Gen. Robert F. Kennedy requested such action after the so-called "freedom riders" toured the South last spring testing racial barriers. There were several cases of violence and many riders were arrested on disorderly conduct charges.

The commission said it will require bus operators to report any interference with the new regulations.

Motor carriers found guilty of violating the rules could be fined a maximum of $500 for each offense. The ICC would investigate complaints and present evidence to the United States attorney for the district where the incident occurred.

The new rules in effect make it illegal to maintain separate facilities for intra-state passengers in any terminal serving interstate buses. Many Southern cities maintain segregated facilities for intra-state passengers, since the ICC does not regulate bus travel within states.

**Rest Rooms Cited**

The commission said "many Negro interstate passengers are subjected to racial segregation in several forms in a substantial part of the United States."

It said Negroes "continued to be subjected to segregated seating based on race" and in many bus stations they are "compelled to use eating, rest room and other terminal facilities which are segregated."

# Bus Segregation Illegal Starting Tomorrow

Washington, Oct. 30 (AP)—Interstate Commerce Commission Chairman Everett Hutchinson reminded the public today that new ICC rules barring racial discrimination in interstate bus travel go into effect Wednesday.

Hutchinson said, "We expect to achieve prompt and efficient handling of complaints of racial discrimination."

The ICC issued rules last September 22 forbidding segregation in interstate bus travel. They applied to bus terminal restaurants and other facilities as well as the buses themselves.

**Companies Responsible**

Hutchinson said the bus companies will be responsible for reporting any violation to the commission. As of November 1, both buses and bus stations serving interstate traffic must display signs banning segregation.

Reports of violations will be handled in the same manner as other motor-carrier infractions, Hutchinson said. Each complaint will be investigated by the ICC's bureau of motor carriers' field office in the area involved.

After that, two avenues are open to the commission. It may seek a court injunction. Or it may present its case to the appropriate federal district attorney with a recommendation for criminal prosecution.

**Fine Is $500 A Day**

The Interstate Commerce Commission Act carries a maximum penalty of $500 a day for each continuing offense. The antisegregation rules were requested by Attorney General Robert F. Kennedy last spring as an aftermath of the test of Southern racial barriers by "freedom riders."

The ICC has received no petitions for reconsideration of its new rules, which were opposed by many bus companies and by the States of Alabama and Mississippi. Consequently, they will go into effect on the dates originally set.

INTERSTATE COMMERCE COMMISSION
LOCAL SEGREGATION LAWS COVERING
BUS, RAIL, AIRPORT FACILITIES

# U. S. seeks to outflank Dixie on local race laws

## 'Peace breach' maneuvers under attack

BY JAMES FREE
News Washington correspondent

WASHINGTON, July 11—Local segregation laws covering bus, rail and airport facilities are by no means the only target of federal court suits now pending in Alabama and Mississippi.

A key aim, it is now clear, is to stop the police arrest of persons breaking local segregation laws on other charges such as "breach of the peace." Such arrests have had the effect of preventing direct legal challenge of the segregation statutes.

AT MONTGOMERY, ALA., and Jackson, Miss., the Justice Department has filed friend-of-the-court briefs in suits brought in federal court by Negroes.

In the Mississippi brief filed yesterday, the department hit at nine state segregation laws covering travel facilities. Alabama has has no state laws comparable to those under attack in Mississippi, but police practices in both states have been challenged as discriminating against Negro travellers.

FREE

This challenged was spelled out in more detail in the Jackson brief. Noting the claim that Negroes have been arrested in Jackson for doing nothing more than entering white facilities in bus and rail terminals, the brief said.

"Since a Negro has a consitutional right to the use of non-segregated facilities, his use of the white portion of the facilities cannot be taken into account to support the legality of his arrest of conviction" (on other charged). If such of the white facilities constitutes the sole evidene against him on a breech of the peace or similar charge—then it following that there is no competent evidence to sustain either arrest or conviction and both are invalid . . ."

### *Should punish mob*

The Jackson Zionspace struck at a claim that has been made by a number of Southern officials, including Govs. Orval Faubus of Arkansas and John Patterson of Alabama and Police Commissioner Eugene Connor of Birmingham. That claim is the arrest of anti-seregation demonstrators has been necessary to prevent breaches of the peace or possible violence.

On this score, the Jackson brief said:

**"Nor can arrests of those who lawfully exercise their consitutional rights be supported on the theory that others, unwilling to respect the law of the land and the rights of their fellow citizens, might riot, and that breaches of the peace and violence might ensue. The obligation of the state in such a situation is not to vitiate the constutition by arresting those who act act under it, but to punish those who would interfere.**

". . . constitutional rights would be frail indeed if the courts were to cease protecting them because a mob willed it so. Such rights depend neither on the mercy of the mob nor on any possible lack of sympathy of law enforcement with the objectives of those who assert the rights."

### *Cites Birmingham case*

As one of the precedents for the departments claim that a civil rights suit is proper when a citizen's constitutional rights are taken away by illegal use of an otherwise valid statute (such as that on breach of the peace), the Jackson brief cited the case of "Boman vs. Birmingham Transit Co."

"In the case," the brief said, "suit was brought to enjoin the bus company from enforcing segregated seating; and the city commissioners, including the police commissioner, were joined as defendants. The city had repealed its segregated seating ordinance and enacted another which authorized carriers to promulgate their own seating rules and provided that willful refusal to obey a reasonable request of an operator or driver of such a public conveyance in relation to the seating of passengers thereon shall constitute a breach of the peace.

### *District court reversed*

"THE DISTRICT COURT," the brief continued, "held that a deprivation of civil rights had occurred but dismissed on the ground that no state action was involved. The Court of Appeals reversed. The court quoted with approval from the lower court's decision that:

**"A charge of breach of the peace is that one of broad import and may cover many kinds of misconduct. However, the court is of the opinion that the mere refusal to obey a request to move from the front to the rear of a bus, unaccompanied by other acts constituting a breach o fthe peace, is not a breach of the peace."**

### *'On right track'*

SINCE THE INITIAL stage in Birmingham and in Montgomery n permitting mob violence, Alabama authorities—in the private view of Justice Department officials—have been handling "freedom riders" and such with more wisdom than Mississippi, which was smart enough to prevent any violence.

In Alabama, and particularly in Montgomery, recent stress has been on permitting the riders to go through unmolested even if this involved overlooking, for instance, Negro use of a lunch counter marked "for whites."

**In Jackson, some of these same riders have been jailed for refusing to obey a police order to "move on" from white travel facilities. The charge has been breach of the peace.**

One Justice Department official put it this way: "Numerous court decisions have made it plain that segregation in common carriers—buses, trains and airplanes—must end. The sooner states and cities adjust to this inevitable fact, the better off they will be. As Montgomery has discovered, the simplest way to handle travelers who want to make an issue of local segregation, is to ignore them and send them on their way—so long as they do not commit a genuine breach of the peace."

## Hearing set Aug. 15 on travel edict

(Freedom Rider Story on Page 3)

WASHINGTON

**The Interstate Commerce Commission on Aug. 15 is due to begin public hearings on the proposal by U.S. Attorney General Robert F. Kennedy that the agency ban racial discrimination in interstate bus travel and terminals.**

**The Attorney General made the request on May 29 as a result of violence against Freedom Riders in Anniston, Ala., May 14, and in Montgomery, Ala., May 20.**

**Acting on Kennedy's request, the ICC decided June 19 to consider issuing new regulations to ban such discrimination.**

* * *

**BUS COMPANIES,** operators of terminals and other parties interested in interstate travels are due to submit written statements to the agency by July 20.

The ICC, under authority of the Interstate Commerce Act, has jurisdiction over all interstate travel.

In his request for new regulation, the Attorney General said, "the lack of rules has given rise to confusion on part of motor carriers as to their duty to their passengers and has contributed, and will continue to contribute to unrest and civil disorder."

In urging the ICC to act quickly, the Attorney General declared it is the unquestioned right of all persons to travel between states without being subjected to racial discrimination.

* * *

**THE ICC** action is urged on basis of the Interstate Commerce Act which states:

"It will be unlawful for any common carrier by motor vehicle engaged in interstate commerce to make, give or cause any undue or unreasonable preference or advantage to any particular person...in any respect whatsoever; or to subject any particular person...to any undue or unreasonable prejudice, or disadvantage in any respect whatsoever."

The Justice Department's brief supporting the Attorney General's request is being prepared by Assistant Attorney General Burke Marshall who is in charge of the Civil Rights Division.

* * *

**THE PRECEDENT** which indicates the ICC will ban discrimination in interstate travel is as follows:

In 1955, the ICC ruled segregated facilities in railroad stations violated the Interstate Commerce Act.

The same year the agency issued a similar ruling regarding bus transportation, but not including bus terminals.

**IN DECEMBER, 1960,** the Supreme Court ruled in the Boynton Case that if a bus company makes restaurant facilities available to passengers, such service must be provided without discrimination.

Earlier this year, the ICC

obtained a conviction against a Georgia bus company and one of its drivers for violation of the 1955 order against segregated seating. Both were fined $100 each.

# Federal Court Asked To Halt Miss. Vote Ban

## Hearing set Aug. 7 on 2 cases

By LOUIS LAUTIER

WASHINGTON (NNPA)—The Federal Government moved Thursday for the first time against the State of Mississippi to compel the registration of colored citizens to vote.

The Justice Department filed suits, under the 1957 and 1960 Civil Rights Acts, asking the Federal District Court for the Southern District of Mississippi to find that the registration practices of the State and the voting registrars of counties are racially discriminatory and constitute deprivation of voting rights pursuant to a "pattern and practice."

If the court finds a pattern of discrimination to exist, it is authorized by the 1960 Civil Rights Act to appoint a referee to register qualified colored persons who had been refused registration by the county registrar.

• • •

**THE COURT** also is asked to enjoin the State and the two registrars from engaging in any act which would deprive any citizen in Clarke and Forrest counties of the right to vote, or engaging in any act which "prevent, hinder or discourage" qualified colored citizens from applying for and becoming registered voters, on account of race or color.

The Justice Department also asks that the state and two county registrars be enjoined from failing to register any colored applicant who possesses the same or similar qualifications of the least qualified white person who has been registered.

The State of Mississippi was named as a defendant under authority of the 1960 Civil Rights Act. The other defendants are A. L. Ramsey, circuit court clerk and registrar of Clarke County and Theron C. Lynd, circuit clerk and registrar of Forrest County.

• • •

**THE TWO REGISTRARS** receive and pass upon applications for registration to vote and determine whether an applicant is qualified to register and vote in their respective counties.

According to the complaint, there are approximately 7,495 colored persons and 22,431 white persons of voting age in Forrest County. A substantial majority of the white persons of voting age in Forrest County are registered to vote, the Government alleges, while only 25 colored persons are registered to vote.

The complaint also states that there are approximately 6,072 white persons and 2,988 colored persons of voting age in Clarke County. A substantial majority of the white persons of voting age are registered to vote in the county, the complaint asserts, while no colored person is registered.

• • •

**THE GOVERNMENT** charges that the State of Mississippi and the two registrars have arbitrarily denied colored persons the opportunity to register, and rejected or took no action on the applications of qualified colored persons.

It also charges the defendants with failing and refusing to afford to colored applicants for registration the same or equal opportunity to vote as is afforded to white applicants, unreasonably delaying the receipt of applications for registration from colored persons and arbitrarily denying colored persons the opportunity to register to vote.

Federal Judge Sidney C. Mize has set Aug. 7 for a hearing on the Government's motions for preliminary injunctions in these two cases.

• • •

**MEANWHILE, A** spokesman for the Justice Department indicated that more voting rights suits are to follow in Mississippi. He said the Department is presently engaged in the investigation of more than 12 other cases in Mississippi.

Commenting upon the two suits, Attorney General Robert F. Kennedy said:

"These are the first cases brought in Mississippi seeking the fair, equal and nondiscriminatory registration of voters.

# FBI Asked to Kill Bibb Bus Seat Cases

Constitution State News Service

MACON—The father of one of 18 Negro teen-agers arrested under an old state bus seating law here requested the FBI Monday to step in and halt proceedings against the youths.

FBI officials in Atlanta said the bureau has no jurisdiction in the case but said the Department of Justice might be concerned and "we are pressing Washington to pursue that end."

Agents said the bus law was overturned in an Atlanta court decision two years ago.

A Negro group later telegraphed U.S. Attorney General Robert Kennedy asking him to order the Justice department to intervene under the Civil Rights Act. There also are reports that U.S. court action may be filed soon to enjoin prosecution and that damages for false arrest may be sought.

The Negroes were arrested in various downtown locations Saturday when they took seats in front sections of buses in defiance of the old law requiring them to seat from the rear. They entered Bibb Transit Co. buses in groups of three to five and refused driver requests that they move to the rear.

Officers repeated the requests. When the Negroes—mainly teen-agers—again refused to move, they were arrested.

They sang hymns in jail while awaiting fingerprinting and photographing.

U.S. District Court Judge Frank Hooper ruled segregated bus seating unconstitutional in Atlanta early in 1959. Since then, some Negroes have made a point of sitting up front in the Atlanta buses although many still sit toward the rear. There have been only scattered incidents following the invalidation of old seating laws and ordinances.

Some of the younger Negroes arrested here were turned over to Juvenile Court authorities. Others were released under $200 bond each.

# 15 Negroes Seized On Macon Buses

MACON (AP)—Fifteen young Macon Negroes were arrested when they took seats in front sections of buses at four downtown locations and refused to move to rear sections, police said Sunday.

Police said 13 teen-agers and two persons in their twenties were charged with violating a state law requiring persons to sit where they are assigned in buses.

The incidents occurred at four separate locations at about the same time, officers said.

In each case, between three and five Negroes entered a Bibb Transit Co. bus and took seats in the front. The driver asked them to move to the rear and called police after they refused to do so.

Officers said they repeated the request and then arrested the Negroes when they refused to take rear seats.

The Negroes sang hymns in jail while awaiting fingerprinting and photographing.

# Suit to mix cabs dismissed

ATLANTA, Ga. — Because the plaintiffs were late in filing additional information in their suit to desegregate cabs in the city, U.S. District Judge Frank A. Hooper dismissed the suit.

The plaintiffs were the Rev. Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, and Dex Holt, a representative of CORE.

The suit was dismissed "without prejudice" — meaning that it can be re-instituted. When the suit was first filed, the judge gave the two plaintiffs 20 days to file additional information. The plaintiffs were four days late with it.

# Augusta Bus Suit Snares PSC

The Georgia Public Service Commission has been made a party to a bus desegregation suit in Augusta in an attempt to strike down a PSC regulation requiring segregation of bus passengers.

PSC members were served with a copy of an order signed by U.S. District Judge F. M. Scarlett of the Southern District making the commission a party to the suit.

**5 PLAINTIFFS**

The suit was filed in Augusta by five Negro college students who claim they were ordered to move to the rear of an Augusta Coach Co. bus on May 2, 1960, by a city policeman after they refused a similar request from the driver.

Besides attacking Augusta bus-seating ordinances and similar state laws, the suit also seeks a declaratory judgment to invalidate a June 1, 1948, regulation of the PSC requiring motor carriers to segregate white and Negro passengers.

**TEXT OF REGULATION**

The regulation says motor carriers may either confine themselves to carrying only white or Negro passengers or may carry both white and Negro passengers in the same vehicles "under such conditions as will provide a separation of the races in the most practicable manner."

The plaintiffs, Henry Taylor, Thomas Snowden, William Chambers, Jimmy Dukes and Silas Norman, sued for themselves and on behalf of all other Negroes similarly situated to prevent enforcement of laws which deprive them of their choice of seating they select.

The suit originally was brought against the bus company, the City of Augusta, Mayor Mallard Beckum and Police Chief F. B. Green. The amendment allowed by Judge Scarlett also makes the PSC and the Civil Service Commission of Augusta parties to the action.

## Hollowell Says Case Is Made

# Kids in Macon Blitz Segregation on Buses

By Trezzvant W. Anderson

MACON, Ga. — How to write this story created a dilemma! It was to have told of the drastic change in the attitude of Negro Maconites during the past year since the grand jury probe of alleged Negro bloc voting — the apathy, the loss of that sparkle of pride over Negro political weight, and juvenile delinquency.

All that! And then came these 15 wonderful Negro boys and girls, dressed "sharp as a tack," neat, good-looking, well-mannered and knowing exactly what they were doing! They changed the whole picture—and story!

It was at 4 P. M., on Feb. 25 when the youngsters in four groups went aboard four downtown Macon city buses and sat in front seats. They were orderly—silent. They said nothing when the driver told 'em to move back. They said nothing when he called police and asked them again to move. They said nothing when the police asked them to move. They said nothing when they were carted off to jail at City Hall to await transfer to Bibb County Jail.

■

**NO WORDS** were necessary. They had completed their mission when they were put in jail and later moved to the County Jail. There, several of their elders awaited them — with bond money to keep them out of the cells. All but three—three 13-year-olds who were taken to juvenile detention quarters—were bailed out. They were charged with violating a state law requiring segregated seating on public buses.

**They had done their job, regardless of what may happen now, even if the charges are dropped. They were the liberty platoons making the initial attack on bus segregation in Macon.**

Said Atty. Donald L. Hollowell to The Courier in Atlanta last Wednesday: "They have made their case now and we shall move. There is nothing that can stop us."

And since the state law has already been declared unconstitutional by Federal District Judge Frank A. Hooper in Atlanta, there will be no choice for Federal District Judge William A. Bootle except to follow the law and declare the Macon statute also unconstitutional and order non-segregated seating on Macon City buses, thanks to those wonderful kids.

It was not one of those things that "just happened." It was carefully planned, and the kids were carefully trained in what they had to do and how. For over two years, local Negro civic leaders, among them Frank J. Hutchings, the indefatiguable mortician, F. J. Mosley, J. A. Jenkins, T. B. Hooper and others had entreated and sought to get desegregation on the buses from Linton D. Baggs, president of the Bibb Transit Company, but in vain.

■

**MR. HUTCHINGS** said his group even wrote Mr. Baggs two weeks ago about their plans to seek integration on the buses, but had not received a reply. This left the Negro leaders with no alternative but to act. So, last Saturday their liberty platoons moved into the front lines.

**Now, it is obvious that the bus desegregation battle will be won. Then will come action on other fronts, Attorney Hollowell will take the case and he will file a Federal suit and the city cannot win.**

Here are the wonderful kids of the liberty platoons: Julia Lofton, 17; Barbara Johnson, Herschell Randall, 20; Annie Dell Randall,

19; Carl Brantley, 21; William Randall, 17; Harold B. Carswell, 18; Oressa Glover, 17; Cheryl Lickett, 17; Shirley Randall, 17; Harold Wilson, and John E. Glover. The three 13-year-olds cannot be named under Georgia laws. There are several honor students in this list.

City Solicitor Clarence Clay says if the cases are handled routinely they will be heard in April.

# Events Hint Macon Faces Chance of Racial Problems

The Atlanta Constitution
Atlanta, Ga.
Mar 26 1961

By DOUGLAS KIKER
Atlanta Journal Staff Writer

MACON, Ga., March 25—Will Macon be the next Georgia city to experience the prolonged social tension of racial protest and conflict?

Atlanta has come to know it only too well. The port city of Savannah has had its troubles for over a year now. Athens got a quick but strong taste of it in January, when the University of Georgia was integrated under a federal court order.

Now, some observers believe that Macon, this mid-Georgia town that sits almost as perfectly in the middle of the state as a hub in a wheel, will come in for its share of it too before too much longer.

* * *

**THE FIRST** definite move made by Macon Negroes protesting the city's long-standing segregated way of public life came just about a month ago, in late February, when 15 Negro youths boarded a city bus without warning and took seats up front, in the white section.

They were immediately arrested by city police, on orders by transit company officials, when they refused to move. They have been charged with violating the state law prohibiting mixed seating on buses—a law already declared unconstitutional by Federal Judge Frank Hooper in the Atlanta bus desegregation case. And the matter has been turned over to the Macon City Court (really a county court) for trials tentatively scheduled for mid-April.

* * *

**SINCE THAT** incident——which apparently was staged with a court test case in mind—sizable audiences of Macon Negroes have attended a series of mass protest meetings where speakers have emphasized that it will take struggle and determination to gain an end to bus desegregation.

Also in late February, the Macon Council on Human Relations, a bi-racial organization, mailed copies of a statement to city and county political leaders urging them to "re-examine" the local racial situation in light of "the new realism in Georgia's official approach to the constitutional prohibition against racial discrimination."

The council said that this was "imperative to the continued well being and to the preservation of the traditional racial harmony of our community."

* * *

**THE STATEMENT** went on to point out that, with the exception of the bus incident, there have been no other Negro demonstrations—yet.

"Some of Macon's Negro citizens and some of their more dedicated white friends react with shame to this fact, believing they should have acted to secure these rights," the report says, adding: Now, "with the full backing of federal authority, some change is bound to come. . . . That our Negro citizens soon will make new demands for compliance locally with rules of law . . . is beyond question."

City and county officials must "begin now to plan for an orderly transition," the council said; otherwise, it warned, federal courts will eventually do the job for them.

* * *

**THE COUNTY** board of education appointed a committee to look into the "problems" this remarkably candid and forthright statement of intent presented.

But for the most part, city and county officials largely passed it by.

It was thunder scarcely heard, lightning barely seen, but positive, electric evidence, nonetheless, of a gathering storm.

**MACON HAS** a large, healthy upper-middle class community, and colleges, but it is for the most part a working-man's town. It is also the hometown of Lee Davidson, a major Ku Klux Klan leader.

About 40 per cent of the town's population is Negro, according to Mayor Edgar Wilson. A growing portion of these—professional men, Warner Robins employes — lead middle-class lives. But most of the Macon Negro population is working class, too. There are no Negro colleges here.

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GEORGIA

# Woman Fined In Controversy Over Seat On Atlanta Bus

An Atlanta woman told the Atlanta Daily World Thursday that she was fined $15 for taking a seat on the Oglethorpe trolley Tuesday beside a white woman passenger, "after a pushing scuffle ensued."

Mrs. Pearl Watts, 40, of 248 Wellington St., SW, was fined by Judge James Webb in Municipal Court for disorderly conduct -disturbance, when a similar charge against the white rider was dismissed.

Mrs. Watts stated that she boarded the bus and sat down in the vacant seat beside the white woman and began to read her newspaper when the lady identified as Miss Patsy Barron, 26, of 1640 May Ave., SE., started pushing her and she pushed back. Miss Barron told police that she was "saving a seat for a friend", it was stated.

Judge Webb was quoted during the trial hearing as saying that "It was not unusual "for someone to save a seat for someone else on a trolley, and that the Negro woman should have stepped back and found another seat."

Mrs. Watts said that, "I told the judge, if sitting on a seat beside a white woman makes me disorderly then I am guilty." She stated further that a bus supervisor, two policemen and other witnesses testified for the white woman.

# Macon Bus Cases Charge 15 Negroes

Constitution State News Service

MACON—City court solicitor Clarence Clay Friday filed formal accusations in the cases of 15 young negroes arrested by police Feb. 25 in connection with a city bus integration attempt.

The 15 Negroes were arrested after they occupied seats on several Bibb transit buses normally reserved for white passengers. They were taken to city jail and later transferred to the Bibb County jail and city court.

Clay said the cases, to be tried simultaneously, have been included on an appearance calendar for the week of April 17. He said that if at that time a jury trial is requested, the cases will be scheduled for trial the week of May 22.

Clay referred to a similar bus integration case in Atlanta in which Atlanta Federal District Judge Frank A. Hooper ruled in favor of the Negroes. But he said the Federal Court decision in Atlanta has no bearing on any other court in the state.

Since that decision has been made, an appellate court ruling is necessary before a lower court decision becomes binding on other courts, Clay explained.

He added that he had received notification from Negro attorney D. L. Hollowell in Atlanta, that he will defend the Negroes when their case is tried.

# Ga. Bus Law Is Studied

MACON, Ga. — (UPI) — Judge Andrew W. McKenna Thursday took under study the question of Georgia's bus segregation law in an effort to determine whether it would be held constitutional.

The action was taken on the request of defense attorneys for 12 Negro students charged with violating the segregation law in an effort to have charges against the students dismissed on grounds it was unconstitutional.

The city court judge asked several questions of lawyers on both sides Thursday during a hearing in his chambers.

Solicitor Clarence H. Clay, Jr., conceded in answer to questions by McKenna that the U. S. Supreme Court probably would rule the state statute under which the students were charged unconstitutional.

Donald L. Hollowell, Atlanta attorney representing the students, was asked by the judge what he thought the Supreme Court of Georgia would rule on the question.

Hollowell replied: "I like to think in terms of the Supreme Court of Georgia following the law of the land. There is no question in my mind the law of the land as spelled out in numerous federal rulings up to and including the Supreme Court makes the state statutes unconstitutional."

The students were arrested Feb. 25 after trying to desegregate the Bibb Transit Company buses here.

# Arrest Four In Test Of ICC Ruling

By United Press International

Four Negroes who asked for service at a Trailways bus station restaurant in Atlanta were arrested three hours after a federal ban against segregation in interstate buses and terminals went into effect Wednesday.

The four men were members of the Student Non-Violent Coordinating committee, a desegregation group active in the south.

The Negroes bought tickets to Anniston, Ala., where the trial of eight men charged with burning a passenger bus in the first "Freedom Rider" incident in Alabama was scheduled to start Wednesday morning.

They then walked into a restaurant at the station which is leased to an operator by Trailways. They told the proprietor they were interstate passengers and showed him their tickets to Anniston.

"We don't serve Negroes," the proprietor told them. "You'll have to leave."

The Negroes were arrested and taken to jail by two policemen at the request of the restaurant operator.

They were arrested under a trespass law passed by the Georgia legislature just after the "sit-in" demonstrations began in the South in 1960. The law makes it a felony punishable by fines and imprisonment up to five years for refusing to leave the premises of an establishment after being asked to do so by the owner or operator.

The only states in the South offering resistance to the federal decree appeared to be Georgia and Mississippi.

Police officers stood ready in Mississippi to arrest any violators of the state's segregation laws on breach of peace charges that landed more than 300 "Freedom Riders" in jail last summer.

Officials at two north central Mississppi cities said Tuesday their Trailways bus terminals would be integrated Wednesday. But one of them, Winona, Miss., later decided to remove all seats from the terminal's waiting room, preventing anything but "vertical" integration, generally acceptable by Deep South standards. Mayor John Murray of Grenada, Miss., said planned integration of the terminal in his city might be called off later Wednesday in a meeting of the board of aldermen.

Georgia asked a U.S. District court Tuesday for a temporary restraining order against the new Interstate Commerce Commission regulation. The request was denied by Judge Lewis R. Morgan of Newnan, Ga. But a preliminary hearing on the issue will be held by a three-judge federal court when two other jurists are appointed to sit with Morgan.

Elsewhere in the South, those states which haven't eliminated segregated facilities at transportation terminals indicated they would not fight the new ruling. A Louisiana public service commission spokesman said Tuesday his state still has a law requiring segregation in travel facilities but that U. S. Supreme Court rulings have made it unenforceable.

Alabama Attorney General MacDonald Gallion said the ICC ban did not conflict with any Alabama laws and compliance with it was "strictly up to the companies involved and the federal government."

Segregation barriers have been listed for some time in most interstate travel facilities in Florida, South Carolina, Virginia and Tennessee. Some cities in Georgia, like Atlanta and Columbus, also have quietly integrated their facilities.

Many of the localities have closed restaurant facilities in transportation terminals, and others have removed seats and resorted to stand-up service at counters. Some states also have maintained separate facilities for intrastate Negro passengers.

Georgia, in its injunction request, said the ICC ban was designed to interfere with the regulation of intrastate commerce by the states and is therefore unconstitutional.

# State Asks U.S. Halt Bus Integration

The Atlanta Constitution

Wed. 11-1-61

By ACHSAH POSEY

Georgia asked the U.S. District Court in Atlanta Tuesday to set aside an Interstate Commerce Commission order banning segregation in interstate buses and terminals.

Atlanta, Ga.

This was the first legal action challenging the ICC's Sept. 22 order that will go into effect Wednesday.

The state's attack on the ICC order included a request for a temporary restraining order. This was denied Monday in Newnan by Northern District Judge Lewis R. Morgan.

A preliminary hearing will be held by a three-judge court when two additional judges are appointed by the chief judge of the U. S. Court of Appeals to hear the case.

If a temporary injunction is granted at the preliminary hearing, the order will be suspended in all 50 states.

The state petition claims the order encroaches on the right of the state to regulate intrastate commerce and exceeds the powers given the ICC by Congress.

The request Monday for a temporary retaining order, which would have been effective immediately and until the preliminary hearing, was made on the grounds that if the order went into effect damage to the state would be irreparable.

Wed. 11-1-61

The ICC order resulted from a request by U. S. Atty. Gen. Robert Kennedy following so-called "Freedom Rides" into the South to test segregation laws in Southern cities.

Discriminatory practices based on race, color, creed or nationality have been banned in interstate carriers for years. The ICC order claims implementation in motor carriers was necessary because of the "regular" practice of segregation in some areas, which made court action in individual cases an "inadequate remedy."

Georgia contends that implementation is unnecessary and that the order is designed to interfere with the regulation of intrastate commerce by the state, which is forbidden by the Constitution.

**FILE FOR STATE**

Assistant state Atty. Gen. Paul Rodgers and Atty. Gen. Eugene Cook filed the petition for the state. Rodgers said the action would have no effect on suits filed by individuals under the 14th Amendment concerning segregated practices. ICC officials in Atlanta said they were not aware of the petition and would make no comment.

The ICC order requires that no segregated facilities or buses be used for interstate passengers. The state claims this effectively regulates intrastate commerce since the same buses and terminals are used for both interstate and intrastate passengers.

Atlanta bus terminal officials said at the time of the order that they would not be affected because they were not segregated. Many Southern cities have maintained separate facilities for colored intrastate passengers.

**PRIVATE STORES**

Other provisions of the order require that signs stating that seating aboard the vehicle is without regard to race be prominently displayed on buses, and that all signs indicating segregated facilities be removed.

The order does not apply to privately owned drug stores and other ticket sellers in small towns which do not provide regular terminal services. It does apply to independently operated concerns that are considered a part of the bus lines terminal facilities.

Summonses were issued Tuesday to Atty. Gen. Robert Kennedy and the ICC in Washington.

If relief is not granted by this court, Rodgers said the state would take it to the U.S. Supreme Court.

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# 4 Arrested Here In Terminal Sit-Ins

The Atlanta Constitution

P. 17 Atlanta, Ga., Thurs. 11-2-61

## Refuse to Leave Restaurant; Integration Order Takes Effect

A flurry of legal opposition, including four arrests in Atlanta, accompanied Wednesday's effective date of a federal agency order banning bus terminal segregation.

Four leaders of a Negro student integration organization were arrested in the early hours Wednesday when they refused to leave a restaurant at the Trailways station here.

**$100 BONDS**

Their case was tried in Municipal Court, and they were bound over on $100 bonds each for superior court trials under the state's anti-trespass law.

Three Negroes who tested terminal segregation in Jackson, Miss., were charged with breach of the peace and released under bonds of $250 each.

In Shreveport, La., a bus station manager who posted an anti-discrimination sign required by the Interstate Commerce Commission was arrested for violating a state segregation law and released under $250 bond.

Continental Southern Lines removed segregation signs from its bus terminal in Monroe, La., but replaced them under a temporary restraining order.

**ICC BACKED UP**

In Montgomery, Ala., however, Federal Judge Frank M. Johnson Jr. backed up the ICC in an order prohibiting state officials from enforcing segregation. The order applies in the 24-county Middle District.

The Negroes arrested here were officers and staff members of the Student Nonviolent Coordinating Committee, a southwide confederation of Negro student sit-in groups.

They were listed as James Forman, 33; J. Charles Jones, 24; James Luther Bevel, 25, and Bernard LaFayette, 21.

The Atlanta action surprised the students. They had planned no test of the Atlanta terminal. They said they understood its restaurant had been desegregated for some time.

But when two of the four were seeing two other SNCC members off for a ruling-testing trip to Florida, they were refused service at Jake's Fine Foods, a privately operated restaurant leased from Trailways.

The first refusal, made in the presence of Patrolman R. E. Auld, was made about 2:20 a.m. They left. The same two students and two others returned about 3:15 a.m., bought tickets to Anniston, Ala., and again sought service at the restaurant.

Manager Alfred M. Holley asked the four to leave in the presence of Auld and Patrolman G. G. Wheless. The Negroes were arrested when they refused.

Attorney D. L. Hollowell represented the students at the court hearing later Wednesday morning. Hollowell argued that the restaurant was covered by the ICC ruling, and that the cases should be dropped.

**TRESPASS LAW CITED**

Judge Luke Arnold said Georgia's trespass law was designed "to protect a person who pays taxes to protect his business." He bound the four over to Fulton Superior Court.

The arrests prompted telegrams of protest from Dr. Martin Luther King Jr.'s Southern Christian Leadership Conference to U. S. Atty. Gen. Robert Kennedy, to ICC chairman. Everett Hutchinson and to Atlanta Mayor William B. Hartsfield.

GEORGIA

The wire to Kennedy called for "swift and decisive action by your department." Hutchinson was asked to enforce the anti-discrimination ruling.

In the message to Hartsfield, SCLC said it was "distressed that our city, after having moved forward so creatively in race relations has today taken a step backward." It asked the mayor to use his influence to help resolve the matter.

The ICC ruling, announced in September, went into effect Wednesday. It requires station managers to post signs stating that all facilities are available to all interstate passengers.

Atlanta Trailways manager W. H. Rockwell said at the time the ICC ruling was announced that it presented no problem here because facilities already were desegregated.

Rockwell said Wednesday that signs had been posted as required. He declined to comment specifically on the restaurant situation.

NOVEMBER
ATLANTA- SIT-IN
BUS TERMINAL SEGREGATION

38b 1961

GEORGIA

NOV.
CENTRAL OF GEORGIA RAILROAD
MR. J.H. CALHOUN

# Threatened On State

Atlanta Daily World P 1

# Train, Atlantan Says

Atlanta, Ga. Sat. 11-25-61

**A state civic and political leader charged Friday that the Central of Georgia Railroad is practicing segregation on its Atlanta-Savannah train, the Nancy Hanks.**

J. H. Calhoun, co-chairman of the Georgia Voters League and vice - president of the Georgia Conference of NAACP Branches, said he was threatened with bodily removal from a Nancy Hanks coach after he refused to move up to the number one car, reserved for Negro passengers.

Calhoun said the diner was closed down three times inorder to keep him from eating breakfast.

The Atlanta civic leader, who is a former president of the Atlanta NAACP, said he was returning to Atlanta after a Thanksgiving Day in Savannah. He declared that the circumstances surrounding his "hit-in" were not planned.

He said that he was late boarding the train and rushed to get on a coach when a Negro porter told him he had to go to the first car. He said he insisted on boarding the car where he stood, and did so.

A few minutes later the conductor came to him and told him the last three cars were "reserved seat cars" and that he could not stay there. Only five of the seats were occupied, Calhoun said. After he refused to move, Calhoun said the conductor threatened to take him out bodily, and a train flagman sitting in the rear of the car said loudly, "Go ahead, I'll help you."

Calhoun declared he remained seated and later when breakfast was announced he went to the diner. The diner was immediately announced as closed and all of the persons seated were asked out. He said he went to the diner three times during the trip in an attempt to get something to eat, but each time all of the occupants were asked to leave.

Calhoun stated he planned to take some action in the case after conferring with his attorneys.

# 6 Columbus Negroes Held in Bus Seat Push

The Atlanta Constitution
p. 2 3 8 5 Ga

COLUMBUS (UPI)—At least six Negroes were arrested here Monday in an attempt to integrate Columbus Transit System buses.

Tues. 2-28-61

The Negroes, some of them students, were arrested at two different locations by police after they allegedly refused the orders of drivers to move to the rear of the buses. They were charged with violating the state's bus seating law.

Atlanta, Ga.

A Negro attorney said bond of $100 was posted for each of the defendants. Seven Negroes were taken into custody but one was released without any charges being filed.

The bus integration attempt followed a warning by a Negro spokesman who informed the Columbus City Commission Monday afternoon that attempts would be made by Negroes to integrate city buses.

The Rev. E. B. Bryson told the commission, "There is another group of impatient citizens who will be riding your buses today as a protest against segregation."

Bryson made the statement after Columbus Mayor B. Ed. Johnson told Bryson the commissioners still had under study a request that the city voluntarily end segregated seating on city buses.

## Hollowell Readies Legal Assault

# Macon Braces for Segregation Blitz

By Trezzvant W. Anderson

MACON, Ga.—"April will not pass without action of some sort," was the firm and prophetic pronouncement given The Courier last week in Atlanta by Atty. Donald L. Hollowell, who is representing 15 Negro youths who staged a segregation blitz on bus segregation here a few weeks ago.

**The Courier learned that Macon City Solicitor Clarence Clay has completed the accusations against the 15 and they were due to be served on Mr. Hollowell this week. Hearing scheduled for Macon City Court is the week of April 17. At that time court action will begin.**

Whether Mr. Hollowell and his partner, Atty. Horace Ward, choose to let the cases remain in Macon City Court for determination, or file an independent action in the court of Federal District Judge W. A. Bootle remains to be seen.

■

**THE ATTORNEYS** are challenging the constitutionality of the Georgia state law under which the 15 were arrested.

It has already been ruled so by Federal District Judge Frank A. Hooper Jr., in the Atlanta bus desegregation case, and could be so held by a Macon City Court judge. Otherwise, there is always resort to the Federal courts. But Mr. Hollowell has promised that April will be the month of action.

**It may well be that this legal attack on bias in Macon may restore the lagging spark of civic pride in Macon Negroes. Not long ago this town was aglow with pride in the solidarity of the Negro vote, without which no politician could get elected. Then came a grand jury probe into Negro bloc voting and a scare was thrown into Negroes.**

Several who had been active in politics, to this reporter's knowledge, quit cold. The town became apathetic, there was a loss of civic pride. This shot in the arm, sparked by the wonderful youngsters who provided the case may well be just what is needed to revive in Macon Negroes the stimulus to renewed civic and racial pride in their strength and ability.

# Non-Segregated Taxi Service Is Proposed

The possible international aspects and non-segregated setup of the new Atlanta Municipal Airport may bring an end to a long standing rule of complete segregation in the city taxicabs.

The Atlanta Aldermanic Board will soon be handed a measure seeking to eliminate cab segregation for the city. If approved, it would bring an end to segregation for taxi drivers or passengers.

The measure was introduced Tuesday night before the Police Committee of the Aldermanic Board. It sought to change the city ordnance in order to make taxis available to all passengers regardless of race. It further sought to allow either Negro or white drivers to transport passengers regardless of race.

The standing law forces Atlanta taxis to be identified in writing on the surface of the vehicle which race the transport is for. At present no white person can be carried in a Negro cab, nor a Negro in a white cab.

Many Georgia cities with less liberal policies, have had integrated taxi policies for years. Columbus where far more race discord exists a taxi can carry Negro or white passengers.

The prevailing idea at the committee meeting was apparently that the new multi-million dollar airport will not have any segregation policies, and is designed to bring more traffic through the city from virtually all points of the globe With the growth of size and importance of the city, visitors and dignitaries of every race may be stopping in the city. The segregated cab rule can hamper transportation, and possibly hurt the chance of urban growth.

The committee also heard proposals that Washington Street be made a two way until the expressway is completed. A proposal was also presented to remove an old law against riding on running boards of cars. The reason, modern cars have no running boards, rendering the law useless.

# Integrated Buses Called Health Peril

AUGUSTA (AP)—The Augusta Coach Co. Monday asked Federal District Court to uphold a Georgia Public Service Commission rule which provides for segregation of races on public convevances for reasons of public health.

In an amendment to the coach company's answer filed with the U.S. District Court here, attorneys for the public transit firm claimed that segregation is necessary for the public's health.

The attorneys cited the State Department of Public Health's figures showing 96 per cent of infectious syphilis cases reported in 1960 were among Negroes.

Judge Frank M. Scarlett was scheduled to rule on a motion by the PSC to continue the case for at least 30 days.

The commission recently was made a party to the suit brought last year against the coach firm, the City of Augusta, Mayor Millard A. Beckum, and Augusta Police Chief F. B. Green by a group of Paine College students, following attempted integration of city buses here.

The PSC seeks a 30-day continuance of the case on the grounds it has just been made a party to the suit and has not had a chance to make necessary preparations, according to a motion filed by A. V. Conlin, assistant state attorney general.

Roy V. Harris and Henry T. Chance, attorneys for the coach company, pointed out this is the first time in the volume of integration cases filed that public health has been used as grounds.

## Georgia nabs 15 on 'dead bus' law

MACON, Ga. — The Civil Right Division of the Justice Department has been asked to investigate the arrest, Feb. 27, of 15 persons arrested for refusing to observe segregated seating on city buses.

The 15, 13 of whom are teenagers, were arrested on charges of violating the state law which requires bus patrons to sit where directed.

While the law itself does not specifically require that riders be seated according to race, it delegates such authority to the bus company which requires colored passengers to be seated from the rear and whites from the front.

POLICE ARE called upon to inforce the racial seating policy of the bus company, a private firm.

A similar law in Birmingham, Ala., has been ruled unconstitutional.

FBI officials in Atlanta have referred the case to the Justice Department. The accused youths also sent a telegram to U.S. Attorney General Robert Kennedy asking the Department of Justice to intervene in the case.

# Segregation by Law Is Dead, Duckworth Says

By BRUCE GALPHIN

Constitutional or statutory provisions for segregation "won't hold up any more," Georgia Supreme Court Chief Justice W. H. Duckworth stated from the bench Monday.

The jurist's observation was made during a hearing on the appeal of a Negro arrested after he sat in the front section of a Macon bus.

The chief justice made it clear that he was not passing on the particular case.

The Negro, John E. Glover, was arrested not under a segregation statute but a law empowering a bus conductor or driver to assign seats to passengers.

Unless it can be proved the assignment law was used solely to enforce segregation, Duckworth told attorney D. L. Hollowell, then the conviction will be sustained.

But the chief justice said, that "If you have a good constitutional case, we'll sustain you.

"We know we have had segregation—both constitutional and statutory—through the years, and that won't hold up any more. . . .

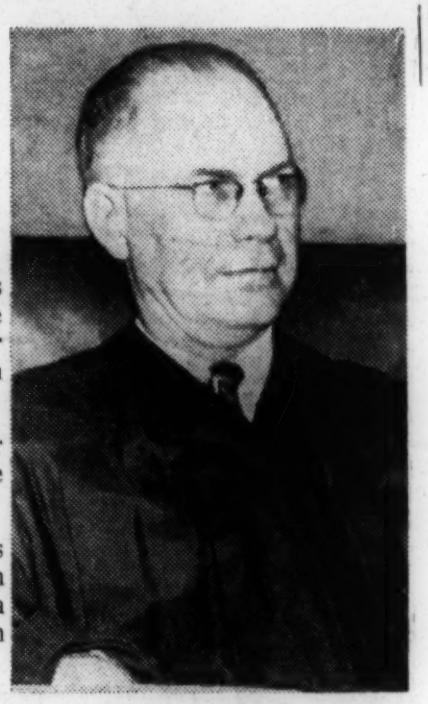
"We bow to the (U.S.) Supreme Court. We can't maintain segregation in violation of their decisions," Duckworth stated.

The chief justice spiritedly questioned both Hollowell and Clarence Clay, solicitor of the Macon City Court, about the facts and the constitutional principles of the case.

Duckworth said although segregation laws as such might be dead letters, the Georgia court was not going to overturn the conviction "just because some colored man objects to it" or allow itself to be "stampeded" into striking down other laws.

Hollowell maintained the conviction was illegal on two grounds:

1. That the seat assignment law was unconstitutional because it was part of an 1890 package of laws including one requiring separation of the races on common carriers.



"WON'T HOLD UP"
*Chief Justice Duckworth*

2. That even if constitutional on its face, the law was unconstitutionally applied because it was used solely to maintain segregation; that the arrest had "no reasonable basis."

Clay, however, argued the equal protection clause of the 14th Amendment did not pertain because the seating law applied equally to white and colored.

In another segregation case, Savannah Negro attorney E. H. Gadsden attacked the conviction of six adult Negroes arrested in Daffin Park playing basketball.

Slyvan A. Garfunkel, chief assistant solicitor general of the Eastern Judicial Circuit, however, contended that the park was supposed to be used by children and that Negro children had in the past played there. The Negroes, he said, were wearing shirts, coats and hard shoes.

The arresting officer did state that one reason he arrested the six was that they were Negroes, though, Garfunkel's brief said.

# ICC mix order takes effect; Negroes testing it in Atlanta

The Birmingham News Wed. 11-1-61

P 1 Birmingham Ala

BY THE ASSOCIATED PRESS

An Interstate Commerce Commission order outlawing segregation of public interstate bus travel went into effect today and Negroes quickly began testing the order's strength in Dixie.

Shortly after midnight, a group of Negroes sought service in a restaurant in the Trailways bus terminal in Atlanta. They were refused service by the manager and complied with a policeman's order to leave. There was no disorder.

In Jackson, Miss., city police quickly thwarted the first two challenges to segregation under the new ban on separated transportation terminal facilities.

**A lone Negro made the first attempt at dawn and an hour later two Louisiana Negroes arrived by bus for another attempt.**

Both groups ignored police department signs directing the races to separate waiting rooms.

THE REV. CHARLES A. Jones of Jackson, dean of Campbell College, entered the white waiting room of the Trailways bus terminal at dawn, carrying a suitcase. Two policemen ordered him to leave and he refused. The order and refusal were repeated and he was arrested without resistance or incident.

About 20 people in the terminal witnessed the arrest.

An hour later, two members of the Congress of Racial Equality from Shreveport, La., arrived by bus and walked into the white waiting room.

Officer W. L. Copeland told them, "You'll have to move on." Levert Taylor, 20, a CORE official, looked at the officer and said:

**"Your order is in violation of the ICC ruling."**

The order and reply were twice repeated and Copeland arrested Taylor and his companion, Glenda Jackson, also of Shreveport.

A spokesman for the Negroes, Charles Jones, a staff member of the Student Non-Violent Coordinating Committee, indicated other tests will be made throughout the South.

**Jones said a report of the incident in Atlanta will be made to the ICC and the Justice Department.**

Alfred M. Holley, manager of the restaurant, said it is privately leased and has no connection with Trailways.

OFFICIALS IN three Southern states have said they will resist the ICC order.

The Birmingham News 11-1-61

Mississippi is expected to lead the Dixie battle against the tearing down of century-old laws and traditions requiring back-of-the-bus seating for Negroes and separate waiting rooms, rest rooms, drinking fountains and cafes.

The main weapon in the Mississippi segregation arsenal is a breach of peace statute which is not racial by nature, but which has been used effectively against invading "freedom riders" seeking to desegregate bus, train and airline facilities.

**Another Deep South state, Georgia, has filed suit in U. S. Dist. Court seeking an injunction to invalidate the order. The Georgia Public Service Commission contends the order encroaches on the right of the state to regulate intrastate travel because interstate and intrastate travelers use the same facilities.**

City officials in Shreveport, La., told management of the Continental Trailways bus terminal that passengers who violate Louisiana segregation laws will be arrested. Mayor Clyde E. Fant said the ICC directive conflicts with municipal and state statutes.

IN WASHINGTON, the Justice Department filed suit seeking to prevent Mississippi officials from enforcing its segregation law. The suit also seeks court orders prohibiting state and local officials throughout Mississippi from interfering with any motor carrier's efforts to observe the new ICC regulations.

A spokesman for the Congress of Racial Equality (CORE) said in New York that Southern communities can expect a second wave of desegregationists. He said Montgomery, Ala., and Jackson, Miss., are on the list of communities scheduled for further tests.

Other racial developments:

Several lunch counters in Macon, Ga., were quietly desegregated.

**Fourteen Negroes and one white man who demonstrated before the McComb, Miss., city hall earlier this month, were convinced of disturbing the peace. They received sentences ranging up to six months in jail and $500 fines.**

Gov. Elbert N. Carvel of Delaware said he has never received a single report of racial discrimination along U. S. 40 in his state. "Most of the trouble, it seems to me, is in Maryland," he said.

A Negro electronics technician at Columbia University, brought suit in Superior Court at Bridgeport, Conn., accusing an integrated development of 52 homes in Norwalk of blocking sale of a house to him because of his race. The association denied the charge.

In Austin, Tex., a student integrationist group has hired an attorney to file a suit which would force the University of Texas to desegregate women's dormitories

# Georgia Suit Attacks ICC Buses Order

The Birmingham News Wed. 11-1-61

ATLANTA, Oct. 31 (AP)—The Georgia Public Service Commission asked U.S. District Court today to set aside an Interstate Commerce Commission order banning segregation in interstate buses and terminals. The order goes into effect tomorrow.

The PSC claims the order encroaches on the right of the state to regulate intrastate commerce and exceeds powers given the ICC by Congress.

Regulations require that three judges must hear suits challenging such ICC orders. A preliminary hearing on the PSC petition will be held by a three-judge court after two additional judges are appointed by the chief judge of the U.S. Court of Appeals.

The ICC order requires that no segregated facilities or buses be used for interstate passengers. The state claims this effectively regulates intrastate commerce since the same buses and terminals are used for both interstate and intrastate passengers.

38b 1961

# Court Refuses To Review Mixing Case

ATLANTA (AP)—Holding that constitutionality of a bus seating law was not properly challenged, the Georgia Supreme Court has declined to review the conviction of 12 Negroes arrested while testing segregated seating on Macon city buses.

The defendants filed a demurrer (motion to dismiss) in Macon City Court, attacking validity of a 1933 code section. But the supreme Court said when the demurrer was overruled, no exception was taken to the ruling and it thus amounts to an adjudication that the due process clause was not violated.

The supreme court, which accepts direct appeals from lower courts in criminal cases only when a constitutional question is raised or a capital offense is invoved, transferred the case tc the Court of Appeals.

The law involved makes it a penal offense for a passenger tc remain in any car, compartment or seat of a train, street car or bus other than one assigned tc him as a passenger by the conductor or operator.

The Negroes were convicted or a charge of refusing to move tc the rear of the bus when ordered to do so by the operator.

GEORGIA

NOVEMBER

GEORGIA SUPREME COURT DECLINED TO REVIEW THE CONVICTION OF 12 NEGROES ARRESTED WHILE TESTING SEGREGATED SEATING ON MACON CITY BUSES

38b 1961

GREYHOUND LINES

# Court Moves $9 Million Bus Case Trial To Ala.

Journal and Guide
Norfolk, Va.

ATLANTA — (ANP) — A Federal Court judge in Atlanta has ordered transfer of a $9 million damage suit filed here against an interstate bus company to the United States District Court in Alabama.

The order, on file in the clerk's office was signed by U. S. District Judge Frank Hooper in connection with the damage action filed against the Southeastern Greyhound Lines Inc., by Miss Patricia Ann Shuttlesworth, a 17 - year-old college coed. She is the daughter of the Rev. Fred Shuttlesworth of Birmingham.

**THE SUIT, filed last Nov. 15, alleged that Miss Shuttlesworth, while en route from Chattanooga to her home in Birmingham, was "illegally** detained and abused" in Gadsden, Ala., after refusing a demand that she move to the rear of an interstate bus.

In a subsequent action, the defendant bus company asked for a change of venue.

The defendant's motions for a trial in another area went unopposed by Miss Shuttlesworth's attorneys.

## Judge transfers Miss Shuttleworth's $9 million law suit

The Afro-American
Baltimore, Md.

ATLANTA — A change of venue in the nine-million dollar suit of a 17-year-old college coed against the the Southeastern Greyhound Lines has been granted by the U.S. District Court here.

Complainant in the case is Miss Patricia Ann Shuttlesworth, daughter of the Rev. F. L. Shuttlesworth of Birmingham, Ala.

Miss Shuttleworth filed the suit last Nov 15. She contends she was illegally detained and abused after refusing to move to the rear of an interstate bus. The incident occurred at Gasden, Ala.

# Speed up of travel order is pledged

By LOUIS LAUTIER

WASHINGTON (NNPA) — The Interstate Commerce Commission Friday pledged that its long - awaited new regulations banning racial segregation in interstate travel will be issued promptly.

The pledge was made by Rubert L. Murphy, vice chairman, after listening to the pleas of seven clergymen Freedom Riders who flew to Washington after their arrests for trying to get a cup of coffee in the Jackson, Miss., airport.

Serving as spokesman for the interracial group of ministers was the Rev. Richard Byfield, assistant to the Episcopal Bishop of California. After their appeal to the ICC for a speed up of its order, the group visited Attorney General Robert F. Kennedy.

* * *

**MR. KENNEDY** agreed with the ministers that "religious leaders have not spoken out with as clear a voice as they might have in helping to bring about an end to segregation in the South without too many people being hurt."

Dr. Martin Luther King, Jr., who has been urging the President to issue an executive order abolishing segregation, was to have joined the ministerial group in Washington but was detained in Philadelphia where he had gone to visit his ailing father.

**MEANWHILE THE** Department of Justice filed a support of the attorney general's May 29 request for a new regulation covering nondiscrimination in waiting rooms, rest rooms and restaurants of bus terminals.

The commission has scheduled a hearing on the proposed new order for August 15.

The Justice Department's brief points out in recent months efforts by American citizens to use the facilities of interstate bus transportation without racial discrimination, have dramatized a sharp cleavage between the federal law and local practice.

"Although the law clearly provides that persons traveling on buses in interstate commerce shall be free from racial discrimination while using the facilities of such commerce," the brief states, "many travelers have been frustrated in their efforts to do so.

"In terminal facilities they have faced refusal of service, the closing of facilities, physical violence, and even arrest by local police.

"These conditions cannot be tolerated. Not only are rights involved, but respect for law itself."

* * *

**THE BRIEF REVEALS** that the files of the Justice Department contains complaints of 39 incidents of racial discrimination in interstate bus transportation, in the past three years. Of these incidents, 17 involved discrimination in terminal facilities and 22 involved segregated seating aboard buses.

Alabama led with seven complaints, and Florida and Georgia were tied for second place with six complaints each.

An FBI survey of bus terminals in southern states was made in the cities in which the FBI has offices to determine whether signs were posted at bus terminals designating separate facilities for colored and white people.

The results of the survey show that of 20 terminals observed in Alabama, 11 have racial designated facilities. Of 14 terminals in Arkansas, six have signs posted. In two cities in Delaware, no signs were posted at the bus terminals.

* * *

**OF 30 TERMINALS** in Florida, 12 have signs posted. Of 24 terminals in Georgia, nine have signs posted. Of 13 in Kentucky, one has signs posted. Of 10 in Louisiana, seven have signs posted. There are no signs posted in the bus terminals in 10 cities in Maryland.

Of 18 terminals observed in Mississippi, 18 have signs posted. Of 20 terminals observed in Missouri, none has signs posted. Of 15 terminals in North Carolina, two have signs posted. There are no sigs posted in terminals in 12 Oklahoma cities.

Of 10 terminals in South Carolina, three have signs posted. Of 31 terminals in Tennessee, 13 have signs posted. Of 39 terminals in Texas, 13 have signs posted. Of the terminals in 14 cities in Virginia, two have signs posted. There are no signs posted in the terminals in 12 cities in West Virginia.

* * *

**ALL OF THE** terminals observed by FBI agents are being used by interstate carriers. A number of them, although not posted with racial signs, the Justice Department said, had duplicate facilities.

FBI agents photographed some of the racial signs. The photographs, which were included in the brief with the ICC, showed an apparent effort to distinguish between intrastate and interstate passengers.

Signs discriminating passengers, the Justice Department said, appear in Louisiana, Georgia, Arkansas, Mississippi, North Carolina, and South Carolina.

Certain of the segregation signs posted in terminals in Mississippi bear the words "By order of the Police," or some similar legend.

* * *

**THE BRIEF DECLARES** that the results of the FBI survey "confirm the persistence of racial discrimination in interstate bus transportation in a number of states.

"Inasmuch as the survey was limited to an observation of posted signs, it reveals only such discrimination as is blatant and open.

"It is reasonabe to assume that racial discrimination extends to at least some terminals where the racial distinctions are not broadcast to the world through printed signs."

Attorney General Kennedy asked Secretary of State Dean Rusk and Secretary of Defense Robert S. McNamara their opinion of the effect of racial discrimination in interstate bus travel upon United States foreign relations and the defense establishment. Mr. Kennedy filed with the Commission the replies from the two Cabinet officers.

* * *

**SECRETARY RUSK** emphasized the difficulty occasioned his Department in the conduct of foreign relations by incidents of racial discrimination within this country.

Secretary McNamara expressed the full support of the Defense Department for the adoption of the rules proposed by the Justice Department. In his letter Mr. McNamara described some of the devices used by the military to avoid subjecting their pesonnel to racial discrimination while traveling.

"That such devices need be used is eloquent testimony to this Nation's failure to eliminate racial discrimination in a field in which there is clear federal jurisdiction," the brief asserts.

In addition to the Attorney General, the brief is signed by Burke Marshall, Assistant Attorney General in charge of the Civil Rights Division; St. John Barrett, John L. Murphy and Irving N. Tranen, Justice Department attorneys.

* * *

**IN A LETTER** to the ICC, July 19, 1961, Robert L. Carter, NAACP general counsel, calls upon the ICC to "promulgate rules and regulations to insure the right of interstate passengers to use the facilities of carriers, subject to the jurisdiction of the ICC without discrimination based upon race and color."

This right, the letter points out, has been firmly "established since 1955 when the Commission decided NAACP St. Louis and San Francisco Ry. Co. and Keys v. Another NAACP case, Boynton v. Virginia, "would seem to require all such restaurants to adopt a policy of equal treatment," the letter asserts.

Nevertheless, Mr. Carter told the ICC, the NAACP has continued to receive complaints "that some railroad carriers were still assigning cars throughout the South and, for example, that the Illinois Central Railroad was still directing passengers to segregated cars at Chicago, the point of origin, for trips into the South.

* * *

**"WE HAVE** also received complaints of persons being threatened and subjected to violence for attempting to exercise their right to use interstate motor bus facilities without discrimination in many areas in the South, particularly on trips that traversed Mississippi."

It is the view of the NAACP, the Association's general counsel said, "that by promulgating the rules and regulations as suggested by the Department of Justice that the commission will make unmistakably clear to all carriers and their employees that they are under a duty and an obligation to enforce a policy of non-discrimination in the use of their facilities."

Mr. Carter indicated a desire to present oral argument before the Commission in support of the Attorney General's proposals.

38b 1961

# 'Already mixed,' railroads say

BY HARRY KELLY

WASHINGTON, Oct. 17—(AP)—Atty. Gen. Robert F. Kennedy has announced that three major railroads have ordered racial desegregation of all their facilities in the South. But two of the railroads said later they hadn't been practicing segregation.

Kennedy issued the statement after Rev. Martin Luther King told a news conference that the Justice Department had told him of the desegregation orders put out by the railroads—the Illinois Central, Southern and the Louisville & Nashville.

KING, NEGRO integration leader from Atlanta, had conference Monday with both President Kennedy and his brother, the attorney general.

King said he had been advised the railroads had "issued orders, to go into effect immediately, that all facilities, all terminals be desegregated immediately."

**As King was making his announcement, Justice Department officials were preparing a statement detailing the plan.**

They said the statement was to have been issued today after confirmation that the order had gone into effect in 10 Southern states—Louisiana, Tennessee, Kentucky, Virginia, Mississippi, Alabama, Georgia, Florida, North Carolina and South Carolina.

ATTY. GEN. KENNEDY said Justice Department officials had held several meetings with the railroad operators to work out the voluntary desegregation program.

Kennedy said of the railroads: "Their action represents more than voluntary compliance with the law. It also represents acceptance of a great responsibility to the nation.

**Theirs is the kind of acceptance of responsibility which we at the Department of Justic hope will help the nation continue to make progress in guaranteeing equal rights under the law to all Americans . . ."**

IN CHICAGO, Illinois Central president Wayne Johnston said his line had done nothing but continue compliance with a 1956 Interstate Commerce Commission ruling banning segregation in interstate transportation.

"All we've done," he added, "is to see it's enforced. We want to be law abiding citizens and do the job we're supposed to do."

**Another Illinois Central spokesman said the railroad had no control over concessionaire-operated lunch counters at terminals or where local authorities enforce segregation. He said passengers are loaded strictly by destination and have freedom of movement on all trains.**

BUT JOHNSTON said he knew of no meeting between the railroad and the Justice Department on the subject of segregation. And Joseph Wright, the Illinois Central's general manager and vice president, added "there never had been any meeting in Washington" on segregation involving the IC.

Warren A. McNeill, director of public relations for the Louisville & Nashville, said the railroad had maintained no segregation in its stations or passenger cars for the past year and a half.

**Edison Thomas, L&N news bureau manager, said the railroad hadn't practiced segregation for years.**

There were two qualifications, he said. In Alabama and Mississippi, where state laws require segregated waiting rooms for intrastate passengers, the railroad took down "white" and "colored" signs over its waiting rooms but local and state authorities put them up again.

But the railroad made no effort to enforce observance of the signs, he said, and they have been removed again.

There was no comment from Southern.

KING SAID he had received a sympathetic hearing at the White House where he proposed that the president issue an executive order declaring all segregation unconstitutional under the 14th Amendment. King said it would be sort of a second emancipation proclamation.

AP wirephoto

MARTIN L. KING
. . . Sees Kennedys

INTERSTATE COMMERCE COMMISSION

OCTOBER
3 LARGEST RAILROADS DESEGREGATE
ILLINOIS CENTRAL, SOUTHERN
AND LOUISVILLE & NASHVILLE

# Little Effect Seen In RFK Mixing Pact

## Southern Railroads Agree To Mix Waiting Room, Eating Facilities

By UNITED PRESS INTERNATIONAL

An agreement by the South's three largest railroads to desegregate their terminal waiting rooms and eating facilities was expected to have little effect today on present customs in Dixie.

Many of the railroad terminals lowered racial barriers some time ago; others are required to maintain them under state and city laws yet to be tested fully in federal courts.

Atty. Gen. Robert F. Kennedy announced in Washington Monday that the Illinois Central, the Louisville & Nashville and the Southern railroads had agreed to eliminate separate facilities for whites and Negroes. Kennedy said these railroads, which operate a majority of train terminals in the South, deserve "great credit" for their action.

**SOME NOT COVERED**

Kennedy said, however, that travelers probably would encounter racial discrimination in some railroad terminals where lunch counters and restaurants are privately operated and not covered by the agreement.

"Even a sense of responsibility and voluntary compliance with the law cannot guarantee that some travelers may not experience unpleasant incidents," Kennedy said.

The Illinois Central some time ago took down signs segregating white and Negro waiting rooms at its Jackson, Miss., terminal. But the city erected other signs and police enforced them—a move resulting in the arrest of a number of "freedom riders."

The riders were charged with breach of the peace for refusing to obey police orders to "move on." Three Jackson Negroes have filed suit in federal court challenging the city's use of breach of peace laws in making such arrests.

**ARREST IN VIRGINIA**

A Negro civil rights leader, Lester Banks, was arrested at Lynchburg, Va., Monday for refusing to leave a white restaurant at the Norfolk and Western Railroad terminal. He was charged with violating Virginia's anti-trespass law.

Train terminal desegregation has been accomplished over much of the South without incident or publicity. In many instances Negroes, while permitted to use former "white" waiting rooms, continue the traditional custom of waiting in segregated rooms.

Most Southern Railway terminal facilities in North Carolina have been desegregated. The station master at the L&N station at Nashville, Tenn., said the terminal has had no segregated facilities "for the past five or six years."

At Memphis, an official at Union Station said "white" and "colored" signs had been taken down "three or four years ago."

# MIXING ORDERED BY THREE LINES

## L&N, Southern, IC End Segregation

WASHINGTON (AP) — Atty. Gen. Robert F. Kennedy said Monday night three major railroads have ordered racial desegregation of all their facilities in the South.

**The railroads are the Illinois Central, Southern, and Louisville & Nashville.**

A statement from Kennedy confirmed a news conference announcement by Rev. Martin Luther King, Negro leader from Atlanta who held conferences with both President Kennedy and the attorney general.

Robert Kennedy also announced that two Southern airports — at Columbus, Ga., and Raleigh-Durham, N. C. — have voluntarily desegregated their terminals.

**King said he had been very sympathetically received at the White House, where he proposed that the President issue an executive order declaring all segregation in the nation unconstitutional under the 14th amendment. King said such an order would be sort of a second emancipation proclamation.**

The attorney general said the three railroads deserve great credit for instructing their employes to desegregate southern terminals.

**ALSO ACCEPTANCE**

"Their action represents more than voluntary compliance with the law," said Kennedy. "It also represents acceptance of a great responsibility to the nation.

"Theirs is the kind of acceptance of responsibility which we at the department of justice hope will help the nation continue to make progress in guaranteeing equal rights under the law to all Americans.

"We can now count progress in each of the major transportationareas. The Interstate Commerce Commission recently issued desegregation regulations for bus lines. At least two Southern airports have voluntarily desegregated their facilities, and the department has brought action in connection with facilities at two others.

"Travelers still may face racial discrimination in some terminal facilities. Even a sense of responsibility and voluntary compliance with the law cannot guarantee that some travelers may not experience unpleasant incidents. The important thing, however, is that we have made great progress and are continuing to do so."

**COURT ACTIONS**

Court actions have been brought in New Orleans, La., and Montgomery, Ala. in an effort to force desegregation at air terminals there.

The attorney general said justice department officials had held several meetings with the railroad operators to work out the voluntary desegregation plan. It was understood at least four of these negotiating sessions were held in recent weeks.

At the moment King was announcing the step to White House reporters, justice department officials were preparing a statement detailing the plan.

**The statement was to have been issued Tuesday after confirmation that the plan had gone into effect in 10 Southern states —Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, Kentucky and Virginia.**

King said the action involving the railroad terminals will apply to waiting rooms, restaurants, eating accommodations and all other facilities.

# Three Railroads in South Order Full Desegregation

## *Illinois Central, Southern, L. & N. Act— Attorney General Hails Carriers and Dr. King Voices Gratification*

By TOM WICKER

Special to The New York Times.

WASHINGTON, Oct. 16— Three major railroads have agreed to end racial segregation in all their terminal facilities in the South. Attorney General Robert F. Kennedy announced today.

The three are the Illinois Central, the Southern and the Louisville and Nashville.

Their action had been disclosed earlier by the Rev. Dr. Martin Luther King Jr. as he left an hour-long meeting with President Kennedy at the White House.

"I would imagine that these are the three largest carriers serving the South," Dr. King added. "I would commend the railroads for this very forthright step."

The Attorney General, in his statement, gave the railroads "great credit" for their action.

It meant, Mr. Kennedy said, that "we have made great progress and are continnuing to do so" in ending racial segregation in interstate transportation.

In another action in the racial field, the Supreme Court affirmed today a lower court's decision holding unconstitutional two Louisiana laws designed to block public-school integration.

The Attorney General said of the railroad's order:

"We can now count progress in each of the major transportation areas." He cited an Interstate Commerce Commission order for the desegregation of bus terminals, the voluntary desegregation of two airports, and Federal suits to end segregation at two others.

Those voluntarily desegregated are at Raleigh-Durham, N. C., and Columbus, Ga. Those where suits are pending are at New Orleans and Montgomery, Ala.

Administration sources said representatives of the railroads had met four times with Justice Department officials since early September. The officials were seeking desegregation of thority of the Interstate Commerce Act of 1888.

Last week, the railroad representatives told the Justice officials that instructions had been sent for immediate removal of segregation signs, and for the discontinuance of segregation practices.

Dr. King said his purpose in going to the White House had been to propose that President Kennedy issue "a second Emancipation Proclamation" ending all forms of segregation.

**Talked of Segregation**

Their conversation, he added, ranged widely over the problems of segregation, which he said persisted 'as a glaring reality in the South and in subtle and hidden forms all over the nation."

In addition to the proclamation he requested, Dr. King said he had urged President Kennedy to issue an Executive order banning segregation in public or federally assisted housing, and to call for an investigation by the Civil Rights Commission of limitations on the right to vote in Mississippi.

Dr. King is a Methodist minister from Atlanta who has become an asknowledged leader of the movement among Negroes for "nonviolent" resistance to segregation. He led the successful Negro boycott of the city bus system in Montgomery, Ala., when he was a minister there.

Dr. King pointed out today that the original Emancipation Proclamation, issued by President Lincoln in 1863, had been in the form of an Executive order. Its effect was to free the slaves in states that were then under the control of the Confederacy.

Now, he said, "almost a hundred years later," Mr. Kennedy should issue an Executive order "declaring all segregated facilities illegal and unconstitutional on the basis of the fourteenth Amendment to the Constitution."

**Describes Conversation**

The President, Dr. King said, "listened sympathetically" and said he would take the proposal under consideration.

Dr. King said he had requested his meeting with the President because he had been talking about such a "second Emancipation Proclamation" for some time and thought he should present it directly to Mr. Kennedy.

He would follow up the proposal, he said, by submitting a legal justification for such an order, prepared by his attorneys.

Dr. King said he had not discussed the question of interstate travel or the Freedom Riders with the President, but had done so in an earlier conversation with the Attorney General and other officials of the Justice Department.

They informed him that the three railroads were ending segregation at their terminals, including rest rooms, waiting rooms and eating places.

Dr. King described the railroads' action as particularly important, since a recent Interstate Commerce Commission order concerning desegregation in terminals had affected bus companies only.

He said the Justice Department was already investigating alleged violations of the right to vote in Mississippi and that there was "very little that can be done otherwise."

He urged the president to call for a Civil Rights Commission investigatiton in Mississippi, he added, with particular emphasis on events at McComb. There, students have been convicted and imprisoned for conducting sit-ins, and students of the Negro high school have staged protest marches.

The marchers also were arrested, and nineteen of them were charged with breaching the peace.

Dr. King said he had particularly urged President Kennedy to issue an Executive order banning segregation in housing.

"This is one of the most important areas," he said. "As long as there is segregation in housing, there will be segregation in schools, recreation, and all other areas."

# Bus Arrest Results In Test Case

The fate of an 18-year-old Fort Hill Negro woman, who may have been illegally arrested, was in doubt this week at city law enforcement officers conferred to rule whether or not women traffic control officers have power of arrest.

Miss Virginia Arthur, of 606 E. Burnett, was arrested on a loaded bus at 4th and W. Chestnut Sts. by Mrs. Dorothy Heltsley, the traffic control officer following an altercation between the two.

Miss Arthur was charged with disorderly conduct. Police Court Judge Hugo Taustine continued the case until April 11 to give time for the city law department to rule if the women officers have authority to arrest.

Atty. James A. Crumlin, counsel for Miss Arthur, argued that Miss Heltsley had no power to arrest Miss Arthur. Police Chief Binder said earlier that he believed the women officers powers to be limited.

Colonel W. G. Matton, director of Safety, ruled it was "no doubt that traffic control officers had powers of arrest. I don't know why there is confusion about it", said Matton, "These women are peace officers with authority to arrest."

Matton explained that Kentucky Statute 95-160 governing the appointment of mounted and special police officers. He said he explained this to Mrs. Heltsley when he swore her in three years ago.

## U. S. Court Rules:

# Baton Rouge Must Desegregate Buses

By JOHN E. ROUSSEAU

NEW ORLEANS—Public buses in Baton Rouge were ordered desegregated when Federal District Judge Herbert W. Christenberry last Thursday signed a permanent injunction classifying a city ordinance as unconstitutional. The ruling was in the case filed by Rev. Theodore J. Jemison, et al v. the city of Baton Rouge, Jack Christian, individually, et al, acting in concert.

The suit filed in Federal Court in 1957 by Atty. A. P. Tureaud on behalf of the plaintiffs challenged the constitutionality of a city ordinance which required bus passengers to be segregated according to race.

■

**THE RULING** signed by Judge Christenberry stated:

". . . The court having considered the pleadings, the record in this cause, oral arguments and the briefs submitted by the parties, and after being fully advised in the premises, having found that there is no genuine issue as to any material fact and that the enforced segregation of Negro passengers solely because of race and/or color, on buses operated by the Baton Rouge Bus Company in the city of Baton Rouge, La., as required by city ordinance of the city of Baton Rouge, violates the constitution and laws of the United States.

**• Now, accordingly, it is ordered, adjudged and decreed that Emergency Ordinance No. 251, of the city of Baton Rouge, requiring segregation of the races on buses, is unconstitutional and void, in that it denies and deprives plaintiffs and other Negroes similarly situated of the equal protection of the laws and due process of law secured by the 14th Amendment to the Constitution of the United States and rights and privileges secured by Title 42, United States Code, Sections 1981 and 1983.**

"It is further ordered, adjudged and decreed that the defendants, their successors in office, assigns, agents, servants, employes and persons acting on their behalf be, and they are, hereby permanently enjoined and restrained.

"(1) From enforcing the aforesaid ordinance requiring plaintiffs and other Negroes similarly situated to submit to segregation in the use of buses in the city of Baton Rouge, La.

"(2) From doing any act or taking any action which would require any public transportation facility to segregate white and Negro passengers in the operation of buses in the city of Baton Rouge, La.

"It is further ordered, adjudged and decreed that this judgment shall become effective when it shall have become final after exhaustion of appeals . . ."

the island Republic of Malagasy through their music.

Norma McLeod, 29, Evanston, research assistant in the Program of African Studies, who will travel to the island formerly known as Madagascar, after she receives her doctoral degree in anthropology from Northwestern next June.

## Bus Segregation In Baton Rouge Ruled Illegal

NEW ORLEANS. — (UPI) — A U.S. district judge last Friday ruled that a Baton Rouge bus segregation ordinance was unconstitutional and enjoined the bus company and city officials from enforcing it.

But Baton Rouge officials said they would appeal Judge Herbert W. Christenberry's judgement, which will not become effective until "exhaustion of appeals."

Judge Christenberry ruled Louisiana's capital city ordinance No. 215 was "unconstitutional and void in that it denies and deprives plaintiffs and other Negroes—equal protection of the laws and due process of law secured by the 14th amendments...."

His judgement permanently enjoined officials of the Baton Rouge Bus Co., the mayor, council, sheriff and police chief from enforcing the 1953 ordinance.

Baton Rouge city-parish attorney Gordon Kean said he would appeal Christenberry's decision. He said the ordinance was unique because it reserved the back seat at the rear of the busses for Negroes and two side seats at the front for whites.

"The rest of the seats," Kean said, "were on a first come, first serve basis. We didn't think it was an attempt to segregate bus passengers."

Christenberry enjoined the Bus company and city officials from "enforcing, the aforesaid ordinance," or "doing any act or taking any action which would require any public transportation facility to segregate white and Negro passengers..."

New Orleans presently is the only city in the state with integrated city buses. An NAACP official said a suit was pending to desegregate buses in Lake Charles.

The Baton Rouge suit was filed in 1957 by the Rev. T. J. Jemison, and five other Negroes. A. P. Tureaud of New Orleans is the principal attorney for the plaintiffs

## Ends Bus Jim Crow In N Orleans

NEW ORLEANS—(ANP)—Federal Judge J. Skelly Wright last week issued a permanent injunction ending bus segregation in Baton Rouge. He ruled the city ordinance requiring bus segregation unconstitutional.

## U.S. COURT VOIDS BAN ON BUS MIX

### Calls Baton Rouge Ordinance Unconstitutional

Baton Rouge bus segregation was declared unconstitutional Thursday by Federal District Judge Herbert W. Christenberry.

**He also permanently enjoined city officials and the Baton Rouge Bus Company from enforcing segregated seating as required under a city ordinance and from taking any action which would require any public transportation facility to segregate white and Negro passengers in the city's busses.**

In a brief judgment, Judge Christenberry said that he had considered the pleadings, the record, oral arguments and briefs in the case. He stated he found no genuine issue as to any material fact and that the enforced segregation of Negro passengers, because of race as required by the Baton Rouge city ordinance violates the constitution of the United States.

**He ruled that the ordinance is unconstitutional and void because it denies the Negro plaintiffs in the case and others similarly situated the equal protection of the laws and due process of law.**

The suit to desegregate the Baton Rouge public transit was brought by six Negro plaintiffs in 1957 against city officials and the bus company.

**In Baton Rouge, Mayor-President Jack Christian said that although he has not had official word of the court ruling, "we will definitely take an appeal."**

Christian said that he had discussed the matter with Gordon Kean, parish attorney. Kean said that the ordinance under attack is unique in that it merely reserved the seat at the rear of the bus for Negroes and two side seats in the front for whites.

"The rest of the seats were on a first come, first served basis, and we didn't think it was an attempt to segregate bus passengers," Kean said.

## Baton Rouge 'Barriers' Come Down

By John E. Rousseau

A permanent Federal Court injunction signed last Thursday by Judge Herbert W. Christenberry in the United States District Court here struck down an ordinance under which city bus passengers are segregated according to race in Baton Rouge, Louisiana.

The City of Baton Rouge has announced its intention to appeal the injunction and thus gain a stay of execution of the Federal Court's order.

Judge Christenberry's ruling was given in response to a suit filed by six Baton Rouge Negro citizens on Feb. 4, 1957. They are Rev. T. J. Jemison, Rev. Felton Hitchens, Dupuy H. Anderson, Curtis J. Gilliam and L. J. James. More recently, the plaintiffs asked the court for a summary judgment contending there is no material issue of fact in the case as it then stood.

The injunction signed by Judge Christenberry stated:

"Now, accordingly, it is ordered, adjudged, and decreed that Emergency Ordinance No. 251 of the City of Baton Rouge, requiring segregation of the races on buses, is unconstitutional and void, in that it denies and deprives plaintiffs and other Negroes similarly situated of the equal protection of the laws and due process of law secured by the 14th Amendment to the Constitution of the United States and rights and privileges secured by Title 42, United States

Code, Sections 1981 and 1983.

"It is further ordered, adjudged and decreed that the defendants, their successors in office, assigns, agents, servants, employees and persons acting on their behalf be, and they are, hereby permanently enjoined and restrained (1) from enforcing the aforesaid ordinance requiring plaintiffs and other Negroes similarly situated to submit to segregation in the use of buses in the City of Baton Rouge, La., and (2) from doing any act or taking any action which would require any public transportation facility to segregate white and Negro passengers in the operation of buses in the City of Baton Rouge, La.

"It is further ordered, adjudged and decreed that this judgment shall become effective when it shall have become final after exhaustion of appeals..."

Mayor - President Jack Christian of Baton Rouge said, "We will definitely take an appeal."

H. Flynn Cauthen, manager

# Contradictory Orders Confuse Bus Terminals

MONROE, La. — (UPI) — Segregation signs were up again this week in a bus terminal whose managers seemed undecided whether to follow state law or federal non-discrimination regulations.

Wednesday, Nov. 1, when the Interstate Commerce Commission (ICC) rule took effect, Continental Southern Lines had the "white" and "colored" signs removed from waiting rooms and restrooms.

In answer to a state judge's court order restraining the firm from breaking state segregation statues, the firm late Friday put the signs back up over the restrooms only.

"As far as we are concerned," said Terminal Manager Ernest Hall, "anyone can sit anywhere they want. Everything I do in this is on instructions from our company."

The president of Continental Southern, M. W. Walker, indicated from his office in Alexandria, La., that the firm's policy resulted from advice of lawyers.

The Monroe judge's order threatened prosecution for contempt of court if the segregation signs were not replaced.

In Baton Rouge, where some signs have been down for months, two state judges signed separate orders along similar lines against Greyhound and Continental Trailways bus companies, which operate terminals in the state capital.

# Louisiana Is Second State Hit

WASHINGTON (NNPA) — The government turned its legal guns against the state of Louisiana Friday as it continued to seek state compliance with federal law and new Interstate Commerce Commission regulations.

Atty. Gen. Robert F. Kennedy said the Justice department, which challenged the constitutionality of Mississippi state segregation statutes in suits filed Oct. 31 and Nov. 2, brought similar action in Louisiana.

He said his department filed a complaint in United States district court in Shreveport, asserting that enforcement of segregation law in Monroe, La., conflicts with federal law and the ICC bus desegregation regulations which went into effect Nov. 1.

Mr. Kennedy also announced the filing of a "certificate of general public importance" on Friday in United States district court in Oxford, Miss., to expedite the case filed there Tuesday. That suit charged obstruction of Greyhound Corporation's compliance with the new regulations in LeFlore County, Miss.

Under the federal transportation code, when such a certificate is filed by the attorney general, the chief judge of the circuit in which the case is filed is required immediately to convene a three-judge court to speed action in the case in every way possible.

"Unless injunctive relief is promptly forthcoming," the certificate said, "the resulting clash between federal and state authority, which these and other public officials, including defendants have percipitated, can not but lead to widespread confusion and disrespect for law and order."

In the Louisiana suit filed Friday, the department asked that sections 1301 to 1305 of the Louisiana statues be declared unconstitutional and that Monroe officials be forbidden to enforce them.

Named as defendants were State Judge Mack Barham and District Attorney Albin Lassiter, both of the state's fourth judicial district, Continental Southern Lines, Inc., of Alexandria, La., a Trailways System member, and Ernest Hall, Continental's Monroe terminal manager.

On Oct. 31, the complaint said, Continental took down racial signs in its Monroe terminal, in compliance with the regulations.

The next day, however, Mr Lassiter sought and received from Judge Barham an injunction requiring Continental to restore the signs, in conformity with the state segregation laws and in conflict with the ICC regulations. Continental obeyed the state court injunction on Nov. 2, the government action said.

The Justice department already has challenged the constitutionality of the Louisiana statutes, in a similar suit filed in Baton Rouge, Sept. 1, but, according to the U.S. attorney general, that suit is in pre-trial stages.

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MISSISSIPPI

SEPT MBER

# Bus, Rail Lines Defend Policies

## Deny They Posted Signs Ordering Segregation In Terminals

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Sept. 25. — Bus and railroad company representatives told a three-judge Federal court Monday that their lines do not require segregation of the races in any of their facilities.

Testifying in a "class action" suit by three Jackson Negro business leaders against enforcement of segregation through use of a state breach of the peace statute were officials of the Greyhound and Trailways bus lines and the Illinois Central Railroad.

They said signs in their facilities were placed there by city officials.

In the case of the Jackson City Lines, also defendant in the suit, its representative said signs in their vehicles were there to preevnt violence by calling patrons' attention to a city ordinance. They said the signs stated that whites were to be seated from the front and Negroes from the rear.

**Wider Implication**

Although the so-called "Freedom Rider" cases are not directly involved in the action seeking to enjoin officials from enforcing segregation, a decion barring enforcement of the breach of the peace statute in segregated-related instances would prevent future arrests.

However, on that point, Thomas Watkins, attorney for the City of Jackson, where the arrests were made, said they were not for violating segregation statutes but for breach of the peace.

Although the suit names the state attorney general as a defendant on the theory he is the chief law enforcement officer of the state, Judge Richard Rives of the Fifth Circuit Court of Appeals ruled that the state officials could not be held responsible for the enforcement of the state's criminal laws.

Judge Rives said Atty. Gen. Joe Patterson is not responsible for all criminal prosecutions, as is the case in other states, after counsel for the plaintiffs failed to connect him directly with threatened enforcement of state segregation laws.

Arrests have been made in cases where mixed groups entered segregated facilities and refused to move on when so ordered by police officers.

Hearing the case filed on behalf of the three Negroes by the National Association for the Advancement of Colored People are Circuit Judge Rives, District Judge Clause Claude Clayton of Tupelo and District Judge S. C. Mize of Gulfport.

Witnesses who said they had been arrested for entering segregated facilities and charged with breach of the peace testified in the first day's hearing. They denied they had committed any acts which violate the state's breach of the peace statute and that there was no violence or demonstrations.

**No Instructions**

The manager of the Jackson airport said he had no instructions as to segregation there. He said the only signs there, installed many years ago, were on rest rooms and water fountains. He said a restaurant in the airport terminal was leased to a private individual without any stipulations as to the customers he would serve.

One of those testifying was Medgar Evers, field secretary of NAACP in Mississippi. He related a 1958 incident in which he boarded a bus at Meridian and was beaten by a taxi driver for occupying the front seat. However, he said, he was permitted to occupy the front seat on his journey to Jackson.

The NAACP secretary also said he was denied service in the Jackson airport restaurant that same year and has not returned since "because of the humiliation he would suffer."

# BUS LINE HALT SEEN IN JACKSON

P. 2-J Jhurs 9-28-61

## Delay in Decision Could Bring Action—Young

JACKSON, Miss. (AP) — J. Will Young, attorney for Jackson City Lines, told a three-judge federal court Wednesday his company would be forced to suspend operations before Thursday morning if a decision were delayed in a suit seeking desegregation of transportation facilities.

Young indicated he felt Negroes would break the color barrier, forcing the drivers to obey company instructions to stop buses.

"Because of local custom, tradition and usage which we can't control," he said, "the situation in Jackson is explosive. City Lines drivers have instructions to halt buses if passengers break the seating law.

"By tomorrow morning, there won't be a bus operating in Jackson."

Young made his prediction at the close of three days of testimony in the suit filed by the National Association for the Advancement of Colored People for three Jackson Negroes, Joseph Broadwater, Samuel Bailey and Burnett Jacob.

Presiding Judge Richard T. Rives of Montgomery, Ala., from the U.S. fifth circuit court of appeals, told Young he would have to make up his own mind about removing segregated seating signs and the instructions to drivers to halt buses. He said the court would not be able to announce a decision within 10 days.

The three-judge court called for attorneys to file briefs within 20 days, by Oct. 18, and said final arguments would begin at 9:30 a. m. Thursday.

State attorneys sought to show Wednesday that Mississippi avoided "freedom rider" violence by racial separation, the policies under attack by the suit.

Special state assistant attorney general Charles Clark said the state brought out testimony from Alabama officers on rider violence when no effort was made at segregation. He also had testimony to back claims that Mississippi preserved order by enforcing segregation when the riders arrived.

The suit was filed by the National Association for the Advancement of Colored People for the three Jackson men. They seek a federal court order to force desegregation of transportation facilities.

R. W. Godwin, Alabama public safety commission captain, testified he advised Mississippi of Alabama violence when the riders reached his state last May. He said no effort was made to segregate the races immediately before or during the violence.

W. Marvin Stanley, assistant police chief at Montgomery, Ala., testified Montgomery was criticized by federal court for not maintaining order.

Mrs. Constance Baker Motley of New York, Negro attorney for the Jackson men who filed the suit, objected to the testimony of the Alabama officials on grounds "violence is no excuse for maintaining segregation."

The defense brought several bus drivers to the stand to combat discrimination charges made earlier in proceedings by Negroes.

Greyhound driver P. E. Lammy told about an incident involving Mrs. Vera Piggee of Clarksdale, a Negro who said she had been made to move aside so two white passengers could board a bus ahead of her. Lammy said race had nothing to do with his order, which was made to permit through passengers to reclaim their seats.

Bobby Ray Burks, a Trailways driver from Shreveport, La., testified he had nothing to do with an incident involving Dr. Jane Ellen McAllister of Vicksburg, a Negro college teacher who said a police officer had taken her off a rear seat after asking her to move to the very back seat, then permitted her to reboard.

Trailways driver Gerald Shelton of Meridian said an incident involving Medgar Evers of Jackson, an NAACP official, occurred before the bus company abandoned its policy of segregating intrastate passengers.

All three drivers said how the policy of their companies is to let passengers choose their own seats.

Three of the eight defendants in the case rested during the morning without introducing witnesses. They were Cicero's airport restaurant, the Jackson airport authority and the Illinois Central railroad.

The other five were the Greyhound, Trailways and City Bus lines, the attorney general of Mississippi and the city of Jackson.

All eight defendants asked the 3-judge court to dismiss the suit for lack of evidence. The judges took the motions under advisement, giving no indication when they would rule, and continued testimony.

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RIVES IN FAVOR

# Federal Court Studies Suit To Mix Jackson Facilities

JACKSON, Miss. (AP) — A three-judge federal court took under consideration Thursday a Negro suit seeking to abolish all forms of racial segregation in bus, rail and air terminals in Mississippi and on Jackson city bus lines.

Presiding Judge Richard T. Rives of Montgomery, Ala., U. S. 5th Circuit Court of Appeals judge, said he believed the request should be granted. He added the opinion was his own and that the court would not give a final ruling for another 20 days.

A preliminary injunction could be issued within 10 days, he said, if the court felt segregation laws were unconstitutional and segregation signs should be removed and segregation arrests prohibited.

Rives said he felt that police should be forbidden to arrest people who conduct themselves orderly in breaking segregation barriers.

Jackson police have arrested 312 "Freedom Riders" for breach of the peace after desegregation attempts in transportation terminals since May 24.

The attack upon Mississippi's century-old segregation laws was filed as a class action by the National Association for the Advancement of Colored People for three Jackson Negroes, Joseph Broadwater, Samuel Bailey and Burnett Jacob.

In final arguments, attorneys for the Illinois Central Railroad and Greyhound and Trailways bus companies said their companies had no policies or regulations requiring segregation either in terminals or on trains or busses.

They said the only reason they maintained separate waiting room, lunch counter and rest room facilities was because of state laws and city ordinances.

Junior O'Mara, attorney for the two bus companies, said company policy for the last three years has been to let bus passengers seat themselves wherever they wished without regard to the normal pattern of whites to the front and Negroes to the rear.

Watkins, attorney for the city of Jackson, and Asst. Atty. Gen. Dugas Shands argued that the suit was not a proper class action.

Watkins contended that the people of Jackson have lived in peace and harmony for the last century under the traditional practice of segregation.

He added that segregation laws were a valid use of the police powers of the city.

**CITY ORDINANCES**

J. Will Young, attorney for the Jackson City Lines, did not make a closing argument. Wednesday, he urged the court to reach a decision quickly to prevent forced suspension of city bus service.

He said city ordinances forbidding city buses to operate on a nonsegregated basis, coupled with Mayor Allen Thompson's statement that segregation laws were not being enforced, meant that integration-minded Negroes could stop the buses individually by breaking the color barrier.

Defendants in the suit were the city of Jackson, the state attorney general, Greyhound and Trailways bus companies, Illinois Central Railroad, Jackson City Lines, the Jackson Municipal Airport Authority and Cicero's Airport Restaurant.

IN MIX FUSS

# Bus Lines Breakdown Is Feared

By BOB PITTMAN
Daily News Staff Writer

A three-judge federal court hears final arguments today in a lawsuit in which Negroes have challenged segregation in Mississippi's public transportation facilities.

One defendant, Jackson City Lines, asked late yesterday for a speedy ruling, with attorney J. Will Young declaring that a delay could cause a "complete breakdown" in local bus service.

The court answered, however, that no decision could be expected for at least 10 days.

Attorneys for the plaintiffs—three Jackson Negroes who brought the suit for the entire Negro race—and the defendants have 20 days after final arguments in which to file written briefs with the court.

The National Association for the Advancement of Colored People filed the suit for the three Jackson Negroes, Joseph Broadwater, Samuel Bailey and Burnett Jacob.

**SEEKS COURT ORDER**

The suit asks for a court order desegregating transportation facilities.

Defendants are Atty. Gen. Joe Patterson, the City of Jackson, Illinois Central Railroad, Greyhound and Trailways Bus Cos., Jackson City Lines, Jackson Airport Authority and Cicero Carr, owner of Cicero's Restaurant at the airport.

Young, attorney for Jackson City Lines, asked the panel to issue an injunction immediately against segregation signs placed on city buses under state law if it were going to do so at all.

He pointed out that it had been brought out in the trial that drivers are instructed to halt their buses at any time a Negro takes a front seat.

Since this has been publicized, he said, he fears a "complete breakdown" in the bus operations.

Judge Richard T. Rives of Montgomery, Ala., said the panel could not offer a ruling immediately.

But he referred Young to a federal court decision in which similar signs were ordered removed from buses in Montgomery.

"You can make up your own mind as to what the law is," Judge Rives added.

Young replied that in view of the judge's remark the company might move the signs immediately.

The signs separate Negro and white passengers. They are maintained under a 1956 state law challenged in the lawsuit.

Buses continued to operate without incident today, however, and Negro leaders indicated they would wait for a court decision before making any move.

Yesterday afternoon Greyhound and Trailways bus drivers testified that neither they nor the company took part in incidents involving Negroes who told the court of racial incidents earlier in the case.

All said their companies have policies adopted in the last few years to permit passengers to sit where they wish, regardless of race.

**REFUTES NEGRO**

Trailways driver M. R. Stallings of Columbus refuted testimony given earlier by John Frazier of Greenville, a Negro youth who said he was taken from a bus and beaten at Winona.

Stallings said only that he saw the youth fighting with the sheriff and a deputy in Winona but saw no one else. The Negro testified the driver blocked his path and several men held him while the sheriff beat him.

In morning testimony yesterday three Alabama officers told the court of violence in their state brought about by invasion of "freedom riders" and said Mississippi officials were informed of that violence.

And a warm exchange of words between Atty. Gen. Patterson and a U.S. Justice Department attorney highlighted the hearing.

The Alabama officers were Ell M. Cowling, a corporal in the Alabama Department of Public Safety; Capt. R. W. Godwin, assistant chief of the identification bureau of the Department of Public Safety; and W. Marvin Stanley, assistant chief of the Montgomery police department.

They told of violence at Anniston, Birmingham and Montgomery as the "freedom riders" entered their state.

All testified that police did not attempt to enforce segregation laws but sought only to maintain law and order.

Information of this violence, they said, was distributed through regular police channels and was sent to Mississippi.

Jackson police officers have testified in the trial, which was initiated after the "riders" were arrested here, that they arrested the "freedom riders" on charges of breach of the peace and not because they violated segregation laws.

Patterson and Justice Department attorney Howard Glickstein exchanged words after Patterson objected to the court because Glickstein was conferring with attorney's for the plaintiffs.

The court replied to the objection that the Justice Department has entered the case as a friend of the court and the conference was not improper.

"I'll be happy to confer with any parties in this hearing," Glickstein told Patterson.

The attorney general replied "We prefer to confer with friendly parties."

"The Justice Department is friendly to anyone interested in justice," Glickstein shot back.

At this point the across-the-room conversation was halted.

# 2 Trials In Federal Courtroom

BY JOHN HERBERS
United Press International

There were two trials going on at the same time in a federal courtroom this week. One you could hear, the other you could feel.

The first was the overt hearing of a lawsuit in which Negroes are seeking to desegregate travel facilities throughout Mississippi.

The second was a trail of emotions between attorneys and witnesses of the opposing sides, and it was charged by the necessity of restraint.

Only occasionally would suppressed emotions erupt into an exchange of words or an irritated glance.

The state and the city of Jackson were defending the lawsuit on several grounds, one being that no racial policy was involved in the arrest of "freedom riders" and use of state segregation laws.

State Atty. Gen. Joe Patterson and Jackson Mayor Allen Thompson found themselves in a delicate situation. They were called to the stand by an attorney for the National Association for the Advancement of Colored People, Constance Baker Motley.

She asked them if they favored segregation in public travel. To answer yes would have damaged defense of the lawsuit. Obviously, they could not answer no.

Both managed to sidestep the question skillfully— both are lawyers-thompson by by saying "separation, not segregation" had led to peace and prosperity in Jackson. Patterson by saying

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# EFFORTS TO BAN MIXING VOIDED

## U.S. Judges Order End to Terminal Segregation

By W. F. MINOR

(Times-Picayune Staff Correspondent)

GREENVILLE, Miss. — A three-judge federal court here Monday granted a preliminary injunction ordering removal of racial segregation signs in the Greenwood bus terminal, but declined to make the order statewide.

**After a full day of hearings, the court, including two appeal judges, also ordered Leflore county Attorney John Fraiser not to proceed with a state court injunction under which the Greyhound bus terminal had been required to keep racial signs.**

The action was filed three weeks ago by the justice department and the interstate commerce commission when circuit Judge Arthur Clark granted a temporary injunction ordering the Greenwood bus station to ignore the Nov. 1 ICC order banning racial signs.

Additional arguments will be heard at a later date on the merits of the injunction petition, which seeks to make the order against bus terminal segregation apply throughout the state.

**TEMPORARY INJUNCTION**

All three judges on the special court, Judges Elbert P. Tuttle, Atlanta, Ga., and Richard T. Rives, Montgomery, Ala., of the fifth circuit of appeal, and federal district Judge Claude Clayton of Mississippi's northern district, agreed to issuance of the temporary injunction to stop the state action launched by the Leflore county attorney.

But Clayton disagreed with his fellow jurists on the other part of the preliminary injunction, which ordered Greyhound Bus Company and its Greenwood manager, S. M. Courtney to comply with the ICC order rather than the state decree.

**Makeup of the three-judge court was strongly protested by attorneys for the state, which contended that it broke a tradition for such courts which normally include two district judges from the state and one appeals judge.**

The special panel ruled, however, that for purposes of the temporary injunction it considered that it had proper jurisdiction.

A ruling was reserved on the final arguments later as to the makeup of the court.

During arguments Judge Tuttle intimated that the court was validly constituted. As presiding judge of the fifth circuit he had been responsible for naming the panel.

The petition filed by the government had sought to enjoin the state of Mississippi, state Attorney General Joe T. Patterson and all county and district attorneys as a class from enforcing state statutes relative to racial separation in waiting rooms.

**NO PROOF OFFERED**

Earlier in the day, however, Judge Tuttle made it clear that the temporary order would not include the state and the other officials as a class since government attorneys offered no proof tying them directly into the case.

Former Gov. J. P. Coleman, who was employed as special counsel for the Leflore county officials, called on the court in his arguments to defer a ruling in order to permit the state injunction to be decided in state courts.

He emphasized that the temporary state injunction granted by Circuit Judge Clark must be heard before chancery Judge E. M. Jackson at Greenwood before it would become permanent.

**"Does it add anything to the dignity of the United States or this court to issue an injunction that is unenforcible?" Coleman asked.**

"What harm would come if the chancery court is allowed to pass on it?"

The former governor said that "time and time again the state courts of Mississippi have followed the federal constitution."

Unless the court granted a delay, he said, it may be subject to "criticism of riding roughshod" over state courts.

Viewing the state-federal issue involved, Coleman said "as long as two families live in the same house you are going to have arguments."

**'DILATORY TACTICS'**

At one point in the hearing appeal Judge Rives accused Assistant State Attorney General Dugas Shands of "simply indulging in dilatory tactics" in his questioning of a Greyhound bus official.

Shands, who has been the state specialist in segregation and civil rights matters, repeatedly tangled with Judge Tuttle over procedure and finally agreed on what he called a "running objection" to testimony put on by the government.

Representing the justice department were St. John Barrett and Jerome K. Heilbron, both of Washington, Bernard A. Gould, also of Washington, represented the interstate commerce commission.

**Junior O'Mara, Jackson, attorney for Greyhound Bus Company, contended his client was "caught in the middle" by ICC and state court orders.**

"I don't see how Greyhound can operate a terminal station and comply with ICC regulations and also comply with the state statutes," he declared.

O'Mara suggested that the court require the Leflore county attorney to dismiss the state court action in view of former Gov. Coleman's observation that the state injunction will still be before a chancery judge.

**'STATE INVOLVED'**

Barrett charged in his closing arguments that the state of Mississippi was involved in the issue because of the intent it has shown under a state statute enacted following legislative adoption of an interposition resolution in 1956.

The justice department attorney contended that the statute pursuant to the interposition measure ordered all local officers to prohibit implementation of oders by the federal government in the field of raciol segregation.

"It imposes on every officer in the state of Mississippi to do what was done at the Greenwood terminal," Barrett asserted.

**Edward F. Rose, Atlanta, Ga., vice president in charge of operations of Greyhound, testified that the company has approximately 80 terminals in Mississippi and that only 20 per cent of the company revenue derived within the state came from intrastate traffic.**

Rose, under questioning, said that Greenwood served as a rest or meal stop for six regularly-scheduled busses which operate from New Orleans to Chicago.

Both Tuttle and Rives will sit on another three-judge panel at Jackson Tuesday to hear a justice department petition for removal of segregation signs put up by the city of McComb outside bus terminals since the ICC order became effective.

District Judge Sidney M. Mize of the southern federal district of Mississippi will be the third member of the court.

# State Protests 'Stacked' Court

## Says Mixing Trial Improperly Set Up

Jackson Daily News
P 1 Mon 11-20-61

By W. C. SHOEMAKER
Daily News Staff Writer

GREENVILLE, Miss.—Mississippi Atty. Gen. Joe T. Patterson charged here today that a three-judge federal court called to hear a U.S. Justice Department plea for an end to segregated transportation facilities was improperly empaneled.

In a motion due to be argued as the hearing opened today, Patterson asked the court to dissolve iself and its senior member appoint another court composed of Mississippians.

The motion was one of several filed by Assistant Atty. Gen. Dugas Shands, head of Patterson's staff of Civil Rights experts.

It charged that under long-standing federal custom such a court should be composed of two U. S. district judges from Mississippi and one member of the Fifth Circuit Court of Appeals.

Court of Appeals Chief Judge Elbert Tuttle of Atlanta has appointed himself, Fifth Circuit Judge Richard Rives of Montgomery, Ala., and District Judge Claude Clayton of Tupelo to hear the case.

A similar lawsuit is scheduled to be heard in Jackson tomorrow. For that case Tuttle named himself, Rives and District Judge Sidney Mize of Gulfport.

The lawsuit underway here sprung from action in Greenwood in which State Circuit Judge Arthur Clark of Indianola enjoined Greyhound bus terminal operators from enforcing integration in intrastate commerce. Leflore County Attorney John B. Frasier sought the injunction on Oct. 30, a day before an Interstate Commerce Commission directive became effective ordering operators

CUST-

The motio-
son, a defendant in the ca- -ing with Judge Clark, Frasier and District Attorney Tom Williams of Lexington, charged that long-standing custom is that a member of the Court of Appeals from the state in which the case is to be tried should be appointed to hear it along with two district judges from the state.

Mississippi is represented on the fifth circuit court by Judge Ben Cameron of Meridian.

Newly appointed District Judge Harold Cox of Jackson was named to hear neither the case here nor the Jackson trial scheduled for tomorrow.

Tuttle named himself, Clayton and Mize to hear an NAACP plea for an injunction halting arrest of "freedom riders" and enforcement of segregation in Jackson last June, but withdrew shortly after Mize and Clayton outvoted him in favor of the state in a preliminary motion.

He named Rives to replace himself as senior member of the court. Last week by a 2-1 majority, the court rejected the NAACP plea with Rives dissenting.

Patterson also charged in an additional motion here today that the three-judge panel should be dissolved on grounds the lawsuit "for the enforcement of and prevention of breaches of any order of the Interstate Commeree Commission" should be heard only by the district judge of the area, who in this case is Clayton.

Patterson also charged that the U.S. attorney general is not authorized to file such a lawsuit without specific authorization by the ICC and claimed that no such order was included in the Justice Department petition.

He asked further for a more definite statement of claims from the Justice Department, for elimination of portions of the petition as "hearsay" and that the court dismiss the state of Mississippi as a defendant. 11-20-61

The justice department asked the three-judge court to declare unconstitutional state laws requiring segregated facilities for intrastate passengers;

Stop enforcement of Judge Clark's injunction prohibiting the Greyhound terminal to comply with ICC integration orders;

Forbid installation of segregation signs in terminals;

Forbid racial discrimination or undue burden on passengers in interstate commerce.

Joining Shands in defense of the lawsuit here today were assistant State Attorneys General Edward L. Cates and Peter M. Stockett Jr.

**COLEMAN TAKES HAND**

Former Governor J. P. Coleman was retained by the Leflore County Bar Assn., to represent Judge Clark, Williams and Frasier. It was the first time Coleman has publicly opposed the Kennedy administration.

Coleman, an almost certain candidate for governor again in 1963, backed the Kennedy-Johnson ticket in last year's election while many state leaders turned to an Unpledged Elector ticket. The former governor later rejected an offer of a cabinet post in the administration.

## Federal Judges Refuse To Order Segregation Ban

To commercial appeal P 1
Times 11-21-61

### U.S. Justice Department Was Asking Injunction Against State Law

Memphis Press-Scimitar

By KENNETH TOLER
Staff Writer

GREENVILLE, Miss., Nov. 20. — A three-judge Federal Court Monday turned down a United States Justice Department petition for a statewide injunction against enforcement of Mississippi's segregation-in-travel statutes.

The decision was a major victory for state Atty Gen. Joe Patterson in the face of earlier expressed positions by two of the judges that the state statutes weer unconstitutional in the face of desegregation laws.

Instead of the sweeping injunction sought by the United States attorney general and the Interstate Commerce Commission, the court, headed by Chief Judge Elbert Tuttle of the United States Fifth Circuit Court of Appeals, limited a temporary injunction against enforcement of the segregation statutes to the Greenwood terminal of the Greyhound lines.

**Evidence Lacking**

Judge Tuttle of Atlanta, sitting with Appeals Court Judge Richard Rives of Montgomery, Ala., and District Judge Claude Clayton of Tupelo, said that the Federal Government had failed to make a case for general application of a temporary injunction.

The court said that the Federal Fovernment had only been able to establish a prima facie case against county Atty. John J. Frazier Jr., who got a state circuit court injunction against removal of the segregation signs, the Greyhound line and S. M. Courtney, operator of the Greenwood bus station.

As a result, the court said the Government had failed to establish the case as a class action applicable to the state, the attorney general, all circuit judges, all district attorneys and all county attorneys. Those officials, named defendents in the case, were eliminated from the case pending trial of the issue on its merits. The hearing was on a motion for an immediate temporary statewide injunction.

State Circuit Judge Arthur Clark Jr. of Indianola was eliminated as a defendent, individually and as a class. The court said that he had no further jurisdiction in the temporary injunction he issued Oct. 27 forbidding removal of segregation signs applicable to intrastate passengers from the Greenwood bus station.

Judge Tuttle pointed out that Judge Clark's injunction is now before Chancellor R. E. Jackson of Cleveland, who was not made a defendant by the Justice Department.

The court, in the case of County Attorney Frazier, enjoined him from proceding further in Chancery Court or seeking enforcement of the temporary injunction he obtained before Circuit Judge Clark.

**'Caught In Middle'**

In the case of the Greyhound-Courtney injunction, Judge Tuttle said those parties are enjoined from complying with or giving any force or action to Judge Clark's injunction. He said those parties were enjoined "partially to protect them in this stage of the case in their legal obligation under the ICC order to desegregate the Greenwood terminal."

Earlier, Junior O'Mara, attorney representing Greyhound, said his company was "caught in the middle" in that it is regulated by the ICC and feels obligated to obey state segregation laws. That position persuaded the court to issue the injunction as a "protective order" against state prosecution for removal of signs.

**Jackson Case**

Assisting Attorney General Patterson was special Asst. Atty. Gen. Peter Stackett Jr., while John Throop of Water Valley represented Mr. Courtney.

A similar case involving signs at the Greyhound terminal at McComb is scheduled for a hearing Tuesday at Jackson.

Judge Tuttle and Judge Rives will sit in that case with District Judge S. C. Mize of Gulfport.

# Three Mississippi Laws Declared Unconstitutional

JACKSON, Miss., Nov. 21 (AP)—A three-judge Federal panel, with one judge dissenting, today declared unconstitutional three state laws requiring segregation in travel terminals and ordered the city of McComb to remove "Jim Crow" signs at bus and train stations.

The laws were the first many segregation statutes enacted since 1954, the year of the Supreme Court's school desegregation decision, to be ruled invalid by the Federal Courts. The others are either under attack or have not been tested.

However, the decision does not effect the breach of the peace statutes under which "freedrom riders" have been arrested for refusing to move from segregated travel terminals. Those are under attack in separate lawsuits.

Judges Elbert P. Tuttle of Atlanta and Richard T. Rives of Montgomery agreed after a hearing to grant the U. S. Justice Dept. an injunction against the city of McComb and to strike down the state laws which the government requested.

U. S. District Judge Sidney Mize of Gulfport dissented. He said he thought the panel should stay a decision until earlier lawsuits challenging the same laws could be decided by the Supreme Court. He also said he believed such statutes should first be tested in the state courts.

The laws invalidate by today's decision were passed in 1956 following a Supreme Court decision that interstate passengers could not be subjected to segregation. They would:

Require all carriers to provide separate waiting rooms for designating "white waiting room, interstate passengers" or "colored waiting room, interstate passengers."

Provide for fine of $1000 and 50 day jail sentence for intrastate passengers for persons who enter the waiting room marked for the other race.

Require all carriers to provide separate toilet facilities for white and Negroes traveling in intrastate commerce and provide a $1000 fine and one-year jail term for violators.

The panel did not invalidate a 1960 trespass law which the government had attacked in its petition for a preliminary injunction. However, the panel said the injunction would be ordered substantially as the government requested and would strike down the three outright segregation statutes which the Justic Dept. had attacked as discriminatory.

While the injunction applies only to the city of McComb, it strikes down state laws under which Jackson and other cities in Mississippi have maintained segregation signs in front of bus and train terminals.

# U.S. Court Testing Segregation Signs

## Jackson Trial Will Decide McComb's Sidewalk Orders

By W. C. SHOEMAKER
Daily News Staff Writer

The government sought here today to have sidewalk transportation facility segregation signs removed at McComb after only a partial victory yesterday in Greenville in an attack on state baked anti-mix orders.

A three-judge federal court yesterday enjoined the Leflore County attorney from proceeding with a state injunction in which the Greyhound bus terminal was required to keep its segregation signs in place.

Greyhound and its Greenwood manager, S. M. Courtney, were also ordered to comply with Interstate Commerce Commision orders to take down the signs.

But the court refused a Justice Department plea that it make its decision effective against similar situations and officials throughout the state.

The court, composed of Fifth Circuit Court of Appeals Chief Judge Elbert Tuttle of Atlanta, Court of Appeals Judge Richard T. Rives of Montgomery, Ala., and District Judge Claude Clayton of Tupelo, removed the state of Mississippi, Atty. Gen. Joe Patterson, Circuit Judge Arthur Clark of Indianola and Dist. Atty. Tom Williams of Lexington from the government's petition.

Toady in Jackson the Justice Department went after McComb city officials and police and the signs they erected Nov. 1 on sidewalks outside their Greyhound terminal.

The government asked a three-judge panel composed of Tuttle, Rives and District Judge Sidney Mize of Gulfport to enjoin McComb officials and police from keeping their signs in place and from encouraging segregation in the bus terminal.

McComb officials installed their own signs after Greyhound took station signs down Nov. 1 to comply with an ICC order.

The action in Greenville yesterday sprang from efforts to keep Greyhound in Greenwood from complying with the ICC order.

On Oct. 27, three days before the ICC order went into effect, Judge Clark issued a temporary injunction at the request of Frasier which forbade the station to comply with the ICC.

The Justice Department, in its request for a federal court preliminary injunction against Clark's injunciton, sought to halt efforts statewide in opposition of the ICC ruling.

Yesterday, however, the court dropped all but Frasier and Greyhound from the lawsuit and ruled its decision would constitute noer class action, thereby making the decision binding only on the Greenwood issue.

The panel ruled that the government failed to prove that a class action involving all the state's bus terminals and county attorneys should be envoked.

It dropped Judge Clark from the lawsuit after former Gov. J. P. Coleman, who along with Attorney Hardy Lott of Greenwood defended Frasier, Clark and Williams, argued that Clark could act no further regarding the state injunction.

Coleman said Clark issued the temporary order in the absence of Chancellor R. E. Jackson and that the matter for final disposition of Frasier's petition was before Jackson.

Coleman argued that no "harm would come if the chancery court is allowed to pass on it." and suggested that "time and time again the state courts of Mississippi have followed the federal constitution."

Failure of the federal panel to allow a delay until Leflore Chancery Court action was complete may subject it to "criticism of riding roughshod" over state courts.

A hearing will be scheduled later to determine if the government injunction will become permanent.

The court rejected a petition from Assistant State Atty. Gen. Dugas Shands that it was illegally constituted. Shands, in behalf of Patterson, had asked the court to remove itself from the case and name a three-judge panel composed of at least two U.S. district judges from Mississippi to hear the government pleas.

### CUTS OFF TESTIMONY

The court cut short government testimony in the case shortly aftr noon when one federal witness had appeared. It said it had heard enough to make out a case against Greyhound, Courtney and Frasier.

The only witness, Edward F. Rose of Atlanta, assistant to the president of Greyhound Southern Lines, testified that Greyhound operated six interstate schedules through Greenwood daily with five of them lingering at the terminal for rest stops.

Mississippi attorneys argued that the signs ordered by the state court applied only to segregation of intrastate passengers, but government attorneys claimed they were effective for all passengers.

Both intrastate and interstate passengers use the same waiting room.

Rose testified Greyhound grossed $3 million in Mississippi during the past 12 months, but 80 per cent of that came from interstate sales.

The court was to sign a formal order enacting its decision in Jackson today.

Meanwhile the Justice Department filed a civil rights suit in Clarksdale yesterday which it charged discriminatory voting practices against Negroes in Tallahatchie county.

It asked the court to enjoin Tallahatchie County Sheriff Ellett Dogan and Circuit Clerk Tom E. Harris from any act which would deprive any citizen of the county the right to vote and sought to insure "fair, equal and non-discriminatory" administration of registration and voting procedures, including payment of poll taxes.

The government charged that since 1946 sheriffs of the county have refused to permit Negroes to pay poll taxes and that Harris has denied Negroes opportunity to register to vote.

### 'PATTERN' CHARGED

The suit, naming Mississippi as a defendant, charged the practices were "pursuant to a pattern" and said defendants will continue to engage in discriminatory acts.

A hearing was set for Dec. 13 before Judge Clayton at Oxford.

The government's declaration said of the 5,099 whites and 6,483 Negroes in the county, about 4,300 whites are registered voters and no Negroes.

In yesterday's hearing at Greenville, Shands was joined by Assistant Attorneys General Ed Cates and Peter Stockett. Junior O'Mara of Jackson represented Greyhound and John Throup of Greenwood represented Courtney.

Justice Department attorneys were St. John Barrett and Jerome K. Heilbron while Bernard A. Gould represented the ICC. The ICC and the Justice Department jointly brought the lawsuit.

The decision to enjoin Frasier was unanimous. Judge Clayton dissented in the injunctions against the bus company and Courtney.

38b 1961

MISSISSIPPI

NOV.
TRANSPORTATION- CITY BUS
BUS TERMINALS

# Another 'Mixing' Suit Will Be Heard Monday

## End Of Segregation To Be Asked Here

By BEN McCARTY
Associated Press Staff Writer

GREENVILLE — The Justice Department will ask a three-judge federal court here Monday to order Mississippi to stop enforcing segregation in transportation facilities. The Justice Department filed the suit in an attempt to enforce the Nov. 1 interstate commerce commission ruling that forbids segregation either on common carriers or in terminals.

The government contends that Mississippi statutes and signs calling for segregated facilities for intrastate passengers were unconstitutional because they violated the equal protection clause of the 14th Amendment.

The suit comes on the heels of a 2-1 ruling by a federal court in Jackson that those seeking remedies to segregation in travel facilities must go first through state courts.

Federal Dist. Judges Sidney Mize of Gulfport and Claude Clayton of Tupelo made no decision on the issues involved, but said the principle of routing cases through state courts was supported by U. S. Supreme Court decisions.

Presiding Judge Richard T. Rives of Montgomery, Ala., who is on the U. S. 5th circuit court of appeals, issued a sharply worded dissenting opinion.

He said "There are statutes and ordinances which on their face require segregation of the races in any transportation facilities and they should be declared unconstitutional, null and void."

Tuesday, another three-judge federal court will hear a similar Justice Department suit in Jackson involving segregation at a McComb bus terminal.

Chief Federal Judge Elbert P. Tuttle of the 5th Circuit Court of Appeals has changed from the normal procedure of naming one appeals judge and two district judges for suits before three-judge courts.

Judge Tuttle named himself and Judge Rives to sit on both cases. He appointed Judge Clayton as the third judge at Greenville and Judge Mize for the suit at Jackson.

Many Mississippi lawyers said they thought the change was significant.

The Greenville suit was filed as a class action against Circuit Judge Arthur Clark of Indianola, all county attorneys and district attorneys, the state attorney general and the state of Mississippi.

The action came after Judge Clark granted an injunction prohibiting Greyhound Lines in Greenwood from removing segregation signs for intrastate passengers. Leflore County Attorney John J. Fraiser filed the court order.

Former Gov. J. P. Coleman, who is expected to hit the campaign trail again in 1963, has been retained by the Leflore County Bar Association as a special attorney in the case. The other attorneys will be Fraiser and Hardy Lott of Greenwood.

The Greenville suit asks the federal court to:

1. Declare unconstitutional state laws requiring segregated facilities for Intrastate passengers.

2. Stop enforcement of Judge Clark's injunction forbidding the Greyhound Bus Terminal in Greenwood to comply with the ICC ban on bus terminal segregation.

3. Forbid the installation of segregation signs in terminals.

4. Forbid any type of racial discrimination or undue burden upon passengers in interstate travel.

Mississippi attorneys are expected to take their cue from the decision handed down by Judges Mize and Clayton.

If so, they could argue that the Justice Dept. and the ICC had not exhausted remedies in state courts before going into federal court.

## Girl, 13, Stands On Her Ideals

### Chooses To Quit School Rather Than Bow To Jackson Law

By The Associated Press

JACKSON, Miss., Nov. 17. — Youth Court Judge Carl Guernsey said Friday segregation was not involved in his order that a 13-year-old Negro girl arrested for breaking the color barrier either obey Jackson laws or find a place where she could comply.

The girl, Jessie Lee Divens of McComb, was arrested earlier this month for refusing to obey police orders to move on after she sat in the white section of a city bus.

**Commuted On Bus**

The child was in Jackson attending junior high school and had to commute to school on the city bus.

Judge Guernsey told Jessie Lee she could remain in Jackson and continue her education if she would promise to comply with existing laws and the local social structure.

"If you mean stop sitting in the front of the bus," she said, "then I won't."

She refused repeatedly to agree to such an arrangement, even after a recess conference with her mother and attorney, Carsie Hall of Jackson.

**Regrets Decision**

After the conference, Hall told the court the child would return to McComb with her mother.

"In that case," Judge Guernsey said, "I regret this decision because this court is committed to a practice of urging the continued education of every child.

"I hope it will be possible for you to get back into school. If not, I encourage you to find a community where you can comply with the rules."

## Judges File Order To Block McComb Segregation Effort

JACKSON, Miss. (AP) — Two federal judges filed a court order Monday to keep McComb from enforcing racial segregation at its Greyhound Bus Terminal.

The order stemmed from a three-judge court's hearing last week on a justice department request for an injunction to bar McComb from placing signs on the sidewalks near its terminals.

The order, signed by Chief Judge Elmer P. Tuttle of Atlanta and Richard T. Rives of Montgomery, Ala., both from the U.S. 5th Circuit Court of Appeals at New Orleans, banned McComb from:

Placing and maintaining segregation signs at terminal facilities.

Interfering with Greyhound compliance with federal laws and an Interstate Commerce Commission ruling against segregation in interstate commerce.

Otherwise seeking to enforce segregation of the races.

The court also held that three state segregation laws, dealing with separate terminal facilities, were unconstitutional.

The orders and rulings were in line with an announcement by the court last week that it considered the laws unconstitutional and would sign an order to keep McComb from enforcing segregation.

The court decision passed by a 2-1 margin, with District Judge Sidney Mize of Gulfport dissenting.

38b 1961

# State Laws Ruled Void

Jackson Daily News

By W. C. SHOEMAKER
Daily News Staff Writer

Mississippi officials today awaited a federal court's formal order declaring three of the state's segregation laws unconstitutional.

A three-judge panel, with one member dissenting, outlawed the laws in a preliminary injunction hearing here yesterday.

Their action becomes effective once formal orders are signed and recorded, probably early next week.

Attack on the three statutes passed in 1956 and requiring separate facilities for white and Negro races in public transportation terminals came in a U.S. Justice Department request for an injunction against posting of segregation signs for intrastate passengers at the Greyhound bus and Illinois Central Railroad depots in McComb.

The three statutes are sections 7787.5 which requires passenger terminals to offer separate waiting facilities for "white intrastate passengers" and "colored intrastate passengers"; section 2351.5, requiring railroad bus and other carriers to provide separate restroom facilities for each race in intrastate travel; and 2351.7, requiring intrastate travelers to use only facilities designated for their race.

Violation of 7787.5 could bring a maximum fine of $1,000 per day against the carrier. Fine of $1,000 and a year in jail is maximum penalty for violation of the other two.

**MIZE DISSENTS**

The panel with District Judge Sidney Mize of Gulfport dissenting from the opinions of Fifth Circuit Court of Appeals Chief Judge Elbert P. Tuttle of Atlanta and Fifth District Judge Richard T. Rives of Montgomery, Ala., also ordered McComb officials to remove Police Department installed signs outside McComb's train and bus depots, "interfering in any way or by any means" with compliance by Greyhound of United States laws and Interstate Commerce Commission regulations prohibiting racial discrimination in vehicles and facilities of interstate commerce, and "otherwise seeking to enforce or encouraging the segregation of the white and Negro races in the use of terminal facilities used in interstate commerce."

The court made no decision on the government's attack on a fourth Mississippi statute, section 2409.7, which Charles Clark, attorney for McComb officials, argued was purely a "trespass" law which forbids persons from remaining on premises or lands of another after being ordered to leave.

Jermone Heilbron, attorney for the Civil Rights division of the Department of Justice and formerly of Fort Smith, Ark., was instructed to write formal orders on the decision and submit them to Tuttle.

The order was expected to be filed with the clerk of the District Court here within a week, making it effective.

Yesterday's decisions stand pending a full hearing on whether to make the injunction permanent. No date has been set for such a hearing.

Judge Mize, in dissenting from the majority opinion, said he could "see where the government will suffer irrepairable injury in the short delay" until another case testing similar Mississippi statutes reaches the U. S. Supreme Court.

**STATE COURTS BYPASSED**

"Courts of the state should first have the opportunity to pass on their own acts," he argued. Their action might "relieve the federal courts of the duty of passing on them," he continued.

Rives argued that abstention on the constitutionality of the statues "would be an abdication of our judicial functions."

Mize and District Judge Claude Clayton wrote a majority opinion in a similar attack on Mississippi segregation statutes last week in which they declined to act until state courts have examined the laws. Rives dissented in that case and it is currently being appealed to the Supreme Court.

The earlier lawsuit filed by the NAACP in behalf of three Jackson Negroes also attacked constitutionality of state "breach of the peace" statutes under which more than 300 "freedom riders" have been arrested in Jackson.

Two days ago in Greenville a three-judge court composed of Tuttle, Rives and Clayton enjoined the Leflore County attorney from proceeding with a state court injunction which required Greyhound to keep in place signs indicating segregation for intrastate passengers, but declined to consider constitutionality of the law under which the state action was taken.

In yesterday's hearing Clark, a former assistant attorney general here, argued that no "civil rights" was involved in the McComb issue. He said if an injunction was granted as an aid to Greyhound in compliance with ICC requirements such action "could as easily be taken next week on the speed limit as it does the sign outside the door."

**LEEWAY ASKED**

He argued that McComb police must be allowed "leeway to protect its residents" and that state officials only have control of intrastate commerce.

Three city officials testified the signs were installed to insure racial peace in McComb.

The panel rendered its decisions 10 minutes after arguments ended yesterday afternoon.

Jackson police have for several years maintained signs outside bus and train terminals designating separate facilities for intrastate passengers.

However, none of the "freedom rider" arrests have been for violation of segregation laws.

MISSISSIPPI NOV.

# Mississippi's Travel And Bias Laws Defeated

Atlanta Daily World

P 1 Thurs 11-23-61

## *Three Judge Panel Finds Them Unconstitutional*

Atlanta, Ga.

JACKSON, Miss. — (UPI) — A three-judge federal panel, with one judge dissenting, Tuesday ordered desegregation of travel terminals in McCombs, Miss., and declared unconstitutional three state segregation laws.

The three laws were the first of a long series of state segregation statues passed since the 1954 school desegregation decision to be declared unconstitutional in the federal courts.

Judges Elbert P. Tuttle of Atlanta and Richard T. Rives of Montgomery, Ala., members of the U. S. Fifth Circuit Court of Appeals, said the statutes were unconstitutional on their face.

They also agreed to grant an injunction ordering down segregation signs maintained by city authorities in front of bus and train travel terminals in McComb. U. S. District Judge Sidney Mize of Gulfport dissented. He said he thought the panel should stay a decision until after other similar lawsuits now before the courts could be decided. He also said he believed such statutes should first be tested in the state courts.

The judges also granted an injunction sought by the Government to force the city of McComb to remove signs from sidewalks around the Greyhound Bus and Illinois Central Railroad stations that designated separate waiting rooms for whites and Negroes.

Judge Elbert P. Tuttle of Atlanta, chief judge of the United States Fifth Circuit Court of Appeals at New Orleans, said Appellate Judge Richard T. Rives of Montgomery, Ala., had concurred with him in the decisions and that United States District Judge Sidney Mize of Gulfport, Miss., had dissented.

The injunction was sought to force the defendants, Mayor C. H. Douglas, Police Chief George Guy and the City of McComb, to remove the signs. The signs read, "White Waiting Room—Intrastate Passengers," and "Colored Waiting Room—Intrastate Passengers."

Judge Tuttle said the rulings would become effective as soon as Federal attorneys prepared and mailed the order for him to sign and he filed it with the clerk.

Judge Mize, in dissenting said he favored postponing action until the Supreme Court had ruled on several similar cases now pending on appeal.

"I cannot see how the Government would suffer irreparable damages if the decision was postponed," Judge Mize said, "and it would save the cost of the proceedings."

Judge Rives said, in concurring, that the Supreme Court had declared unconstitutional many times laws that required enforced segregation in public places.

One of the laws knocked out today required passenger terminals to have separate waiting facilities for "white intrastate passengers" and "colored intrastate passengers."

The others required railroad, bus and other carriers to provide separate toilet facilities for white and Negroes in intrastate travel, and that intrastate travelers use the facilities designated for their races.

The fine for noncompliance with the first law was $1,000 a day. The other two carried $1,000 fines and a year in jail.

**Breach of Peace Stands**

JACKSON, Miss., Nov. 21 (UPI)—The decision reached today does not affect Mississippies breach of peeace statutes, under which Freedom Riders have been arrested for refusing to move from segregated travel facilities.

Those are under attack in separate suits.

Wash 11-22-61

**Suit Held Precedent**

When the Justice Department moved to enjoin the McComb police from interfering with bus company efforts to comply with the Interstate Commerce Commission ruling against segregation, lawyers said the case would affect law enforcement officers throughout Mississippi.

The suit contained a specific request for an injunction against the McComb police. It noted that the Greyhound bus station there had removed such signs on its waiting rooms in October. The suit contended that the police had then installed signs on the sidewalk outside marked "white waiting room, intrastate passengers" and "colored waiting room, intrastate passengers."

Mississippi has been one of the major targets for Freedom Riders who have gone South to test segregated laws. More than 300 Freedom Riders have been arrested in Jackson and convicted for breach of the peace since May 24.

# MISSISSIPPI LOSES SEGREGATION TEST

The Times-Picayune

## U. S. Judges Order Removal of Waiting Room Signs at Bus and Rail Stations

Wash 11-22-61

By The Associated Press.

JACKSON, Miss., Nov. 21—A

# Mississippi Segregation Laws Upset

### Federal Court Orders McComb Signs Down

Jackson, Miss., Nov. 21 (AP)—A three-judge federal panel with one judge dissenting Wednesday ordered desegregation of travel terminals in McComb, Miss. and declared three State segregation laws unconstitutional.

The laws were the first of a long series of State segregation statutes passed since the 1954 school-desegregation decision to be declared unconstitutional in the federal courts.

Judges Elbert P. Tuttle of Atlanta and Richard T. Rives of Montgomery, Ala., members of the United States Fifth Circuit Court of Appeals, said the statutes were unconstitutional on their face.

**Injunction Granted**

They also agreed to grant an injunction ordering down segregation signs maintained by City authorities in front of bus and train travel terminals in McComb.

U. S. District Judge Sidney Mize of Gulfport dissented. He said he thought the panel should stay a decision until other similar lawsuits now before the courts could be decided. He also said he believed such statutes should first be tested in the State courts.

The laws invalidated required segregation of bus stations and train terminals throughout the state for intrastate passengers. However, the federal courts have held that carrying out such restrictions for intrastate passengers also restricts those traveling in interstate commerce.

# Judges Void 3 Laws on Segregation

JACKSON, Miss., Nov. 21 (UPI) — A 3-judge Federal panel, with one judge dissenting, today ordered desegregation of travel terminals in McCombs, Miss., and declared unconstitutional three State segregation laws.

The three laws were the first of a long series of State segregation statutes passed since the 1954 school desegregation decision to be declared unconstitutional in the Federal courts.

Judges Elbert P. Tuttle of Atlanta and Richard T. Rives of Montgomery, Ala., members of the United States Fifth Circuit Court of Appeals said the statutes were unconstitutional on their face.

They also agreed to grant an injunction ordering down segregation signs maintained by City authorities in front of bus and train travel terminals in McComb.

United States District Judge Sidney Mize of Gulfport dissented. He said he thought the panel should stay a decision until after similar lawsuits now before the courts could be decided. He also said he believed such statutes should first be tested in the State courts.

The laws invalidated required segregation of bus stations and train terminals throughout the State for intrastate passengers. However, the Federal courts have held that carrying out such restritcions for intrastate passengers also restricts those traveling in interstate commerce.

## RULING IN RACIAL CASE

### Court Bids Mississippians End Segregation Efforts

GREENVILLE, Miss., Nov. 20 (AP) — Three Federal judges Monday ordered John Fraiser, Leflore County attorney, and S. M. Courtney of Greenwood, Greyhound bus manager, to abandon efforts to enforce bus terminal segregation at Greenwood.

Presiding Judge Elbert P. Tuttle of Atlanta said the decision gave Mr. Courtney legal protection from state segregation laws.

The order went against Mr. Fraiser, who had opened state court proceedings for an injunction to keep Greyhound from ermoving segregation signs at the Greenwood terminal.

Greyhound was ordered not to display any segregation signs.

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# Mississippi Law Attacked In U.S. Suit

WASHINGTON (AP)—The Justice Department Tuesday filed a suit in Mississippi to prevent state officials from enforcing a bus station segregation law which conflicts with new interstate commerce commission regulations.

Atty. Gen. Robert F. Kennedy announced in Washington the filing of a suit scarcely six hours before the Nov. 1 effective date of ICC rules prohibiting racial segregation on interstate buses and in their terminals.

Kennedy said the suit, filed in U. S. district court in Oxford, Miss., also asked that the state segregation law be declared in conflict with the U. S. Constitution.

The attorney general said the court also was asked to issue a temporary restraining order against enforcement of the state law, but a Justice Department spokesman moments later reported this request was denied by U. S. Judge Claude Clayton.

The ICC had joined the department as a plaintiff in the action.

The federal move stemmed from an Oct. 27 state court order requiring the Greyhound Corporation to maintain segregation signs in its terminal at Greenwood, Miss.

The government also asked for court orders prohibiting state and local officials throughout Mississippi from interfering with any motor carrier's efforts to observe the new ICC regulations.

Among other things, the rules prohibit interstate buses from using terminals with racially segregated waiting rooms, restaurants and other facilities.

They also require the posting of signs in buses and terminals proclaiming the availability of all facilities to interstate travelers without regard to race, color, creed or national origin.

Two of the defendants in the suit, Leflore County attorney John J. Fraiser and Parham H. Williams, district attorney of the 4th State Judicial District, were named as representatives of all Mississippi county and district attorneys.

**ALSO NAMED**

Also named as defendants were Arthur B. Clark Jr., Circuit Judge of the 4th Judicial Circuit, who issued the Oct. 27 injunction; state Atty. Gen. Joe T. Patterson, the state of Mississippi, the Greyhound Corp., and S. M. Courtney, manager of Greyhound's Greenwood terminal.

Kennedy said the bus company and Courtney sought to comply with federal law and the ICC rules. They were named as defendants only to make them clearly subject to the federal court orders requested by the government, Kennedy said.

The Mississippi law which the government once declared unconstitutional requires bus companies to maintain "white" and "colored" signs for travelers. It provides a $1,000 penalty for each day of noncompliance. In its complaint, the government said the purpose of the injunction issued by Judge Clark four days ago is to compel Greyhound and Courtney "to maintain racially segregated facilities in the terminal and to display racial signs in violation of federal law and of the regulations of the interstate commerce commission."

The government asked that a special three-judge federal court be convened to declare the state law invalid.

Tuesday's action was similar to a Sept. 1 suit brought by the department in New Orleans, La. asking that a Louisiana law requiring segregation in bus terminals be declared unconstitutional.

# U.S. SUES TO BLOCK MISSISSIPPI FIGHT ON NEW I.C.C. RULE

The New York Times

## End of Discrimination in Bus and Rail Transportation Takes Effect Today

Wed. 11-1-61

## STATE LAWS ATTACKED

p. 1

## Federal Judge Refuses to Issue an Injunction, but Agrees to a Hearing

New York

By ANTHONY LEWIS
Special to The New York Times

WASHINGTON, Oct. 31—The Justice Department moved tonight to head off Mississippi interference with new I. C. C. rules against bus and railroad segregation.

The rules of the Interstate Commerce Commission go into effect at 12:01 A. M. tomorrow. Nevertheless, Mississippi officials have taken public steps to continue enforcing state segregation laws.

This evening the Justice Department filed suit in Oxford, Miss., to strike down the state laws as unconstitutional. The suit asked that the state and its local law-enforcement officials be enjoined from enforcing segregation anywhere in bus or railroad transportation.

The department asked a temporary restraining order to block enforcement of the Mississippi statutes while the case was tried. But Federal District Judge Claude Clayton of Oxford refused to issue such an order.

### Signs Are Forbidden

The judge agreed to request a special three-judge court to hear the suit. The hearing will probably be held within a few weeks.

The I. C. C. regulations, adopted Sept. 22 at the request of the Justice Department, bars segregation in waiting rooms, rest rooms and other terminal facilities, as well as on buses and trains. Segregation signs are forbidden.

The regulations prohibit a railroad or bus company from using a segregated terminal. If one does, it is subject to criminal prosecution and a fine of $10 for each violation.

A Mississippi statute requires separate waiting rooms for white and Negro passengers in all transportation. A carrier violating this law is subject to a fine of $1,000 a day.

Today's suit arose from efforts by the Greyhound Corporation, a bus operator, to remove racial signs from the terminals it uses in Mississippi. Greyhound wanted to comply with the I. C. C. regulations.

Last Friday John J. Fraiser Jr., attorney for Lefore County, Miss., asked state courts for an injunction to make Greyhound obey the state segregation laws. Judge Arthur B. Clark Jr. issued the injunction that day.

In its suit the Justice Department asked that the state injunction be declared null and void. It went beyond that to try to freeze the entire state segregation apparatus in the transportation field.

The suit was brought against all county and district attorneys in the state, as a class; the state itself and Joe T. Patterson, Mississippi Attorney General.

The Federal Court was asked to enjoin them from interfering with the I. C. C. regulations, or imposing "any racial distinction" on bus and train passengers.

Memorandum filed along with the complaint said it was clear that all of Mississippi's segregation efforts at issue were invalid.

Those affecting interstate commerce, the Justice Department said, violated the commerce clause of the Constitution and the Interstate Commerce Act.

As for intrastate passengers, the Supreme Court has held that the Fourteenth Amendment protects them from racial discrimination.

The Interstate Commerce Act provides injunctions to help in its enforcement. It was under that provision that the Justice Department moved.

Significantly, the I. C. C. voted to join the department as a plaintif in the case. The commission, which has frequently been criticized for not taking a strong position on the racial question, has now made clear that it will move aggressively to enforce its new regulations.

Justice officials see an important test of racial policy ahead in Mississippi. They are more than confident that, eventually, the I. C. C. regulations will be enforced and all contrary state laws and policies swept aside.

But there may be a period of delay and confusion until enforcement of the Federal policy is assured.

### Cities to Obey

JACKSON, Miss., Oct. 31 (UPI) — Spokesmen for the cities of Winona and Grenada said today they would bow to a Federal order and desegregate waiting rooms in their Trailways bus terminals.

Jackson and Vicksburg officials declared, however, that segregation would be maintained despite the I. C. C. regulations.

# U. S. Sues to Break Up ICC Rule on Bus Bias

The Times-Herald p. A 13

Wash. 11-1-61

By the Associated Press

Thee Justice Department has filed a suit seeking to prevent Mississippi officials from enforcng a bus station segregation law which conflicts with new Interstate Commerce Commission regulations.

Wash. Post

Attorney General Robert F. Kennedy announced filing of the suit yesterday just a few hours before the effective date of ICC rules prohigiting racial segregation on interstate buses and in their terminals.

Mr. Kennedy said the suit, filed in United States District Court in Oxford, Miss., also asked that the State segregation law be declared in conflict with the United States Constitution.

The Attorney General said the court also was asked to issue a temporary restraining order against enforcement of the State law, but a Justice Department spokesman later reported this request was denied by United States Judge Claude Clayton.

### Joins as Plaintiff

The ICC had joined the department as a plaintiff in the action.

The Federal move stemmed from an October 27 State court order requiring the Greyhound Corp. to maintain segregation signs in its terminal at Greenwood, Miss.

The Federal court was requested to bar enforcement of the State court order.

The Government also asked for court orders prohibiting State and local officials throughout Mississippi from interferring with any motor carrier's efforts to observe the new ICC regulations.

Among other things, the rules prohibit interstate buses from using terminals with racially segregated waiting rooms, restaurants and other facilities.

### Sought to Comply

They also require the posting of signs in buses and terminals proclaiming the availability of all facilities to interstate travelers without regard to race, color, creed or national origin.

Mr. Kennedy said the bus company sought to comply with Federal law and the ICC rules. It was named a defendant only to make it clearly subject to the Federal court orders requested by the Government, Mr. Kennedy said.

Yesterday's action was similar to a September 1 suit brought by the department in New Orleans, La., asking that a Louisiana law requiring segregation in bus terminals be declared unconstitutional.

# New Bus Suit Filed; Bobby Asks Speedup

The Montgomery Advertiser

Sat. 11-4-61

WASHINGTON, D.C. (AP) — The Justice Department filed a bus desegregation suit in Louisiana Friday, and moved to speed action on one of two cases brought previously in Mississippi.

The Louisiana action, filed in U.S. district court at Shreveport, is similar to the suits filed Tuesday and Thursday in federal courts at Oxford, Miss., and Jackson, Miss. It seeks to have Louisiana bus - passenger segregation laws declared unconstitutional.

In an effort to speed the Oxford, Miss., action, Atty. Gen. Robert F. Kennedy announced the filing of a "certificate of general public importance." This requires the chief judge of the federal circuit to convene a three - judge court to expedite a case, Kennedy explained.

Montgomery

### COURT ORDER ASKED

In the Oxford case the Justice Department asked for a court order prohibiting state and local officials from enforcing state segregation laws. It said these laws conflict with federal law and with new Interstate Commerce Commission bus desegregation rules, which became effective Wednesday.

"Unless injunctive relief is promptly forthcoming," the government said in the certificate, "the resulting clash between federal and state authority, which these and other public officials including defendants, have precipitated, can but lead to widespread confusion and disrespect for law and order."

In the Louisiana suit, the Justice Department asked the court to prohibit officials from enforcing state segregation laws affecting bus travelers in Monroe, La.

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# I.C.C.'S BUS ORDER IS DEFIED IN SOUTH

## Some Cities Refuse to Meet Desegregation Deadline

By CLAUDE SITTON

Special to The New York Times.

JACKSON, Miss., Nov. 1—A Federal order desegregating interstate transportation facilities encountered open defiance today in the Deep South.

Transportation lines were prevented by authorities in some cities from meeting a deadline set by the Interstate Commerce Commission for carrying out its order.

A bus terminal manager was arrested in Shreveport, La., for having removed racially discriminatory signs from waiting rooms. Policemen at Tallulah, La., boarded a bus and forced Negroes to move from seats at the front to the rear.

A number of Negroes seeking to test compliance with the ban were arrested when they entered white waiting rooms or sought service in white restaurants.

Police signs on sidewalks outside terminals in Jackson and some other cities designated the white and Negro facilities, even when the signs inside the terminals had been removed.

These and other official actions defying the commission presented a clear challenge to Federal authority and the Justice Department's determination to eliminate segregation in transportation.

Attorney General Robert F. Kennedy requested the I. C. C. order last summer. He and other department officials hoped it would eliminate the necessity for filing numerous suits to bring Southern practices into line with established Supreme Court precedents.

### U. S. Action Planned

Justice Department lawyers were preparing immediate legal action against the police and other state, county and city officials to prevent further acts by them to thwart the I. C. C.

A number of transportation terminals in Florida and the Upper South were desegregated long before the commission's action, some under pressure from the courts and some voluntarily.

Judge Frank M. Johnson Jr. issued an injunction today in the Federal District Court at Montgomery, Ala. He barred Greyhound Lines, affiliates of Trailways and a number of state and local officials from enforcing segregation in bus terminals there.

The general pattern of reaction reported from Mississippi and other Deep South states was one of technical compliance with the I. C. C. order. Copies of the order were posted in bus and train terminals before the deadline of 12:01 A. M. "White" and "colored" signs were removed from waiting rooms.

Nevertheless, the local police continued to enforce segregation in most cases.

### Clergyman Seized

The Rev. Charles A. Jones, dean of Campbell College, a Negro school here, was seized in the white waiting room of the Jackson Trailways terminal at dawn. He approached the ticket counter and refused a policeman's order to move on.

The first organized test here came at 7:25 A. M. when a large red-trimmed silver bus bound for the East Coast pulled into the dock from Shreveport.

The first passenger off the bus was Leverte Taylor, a Negro youth who is a member of the Congress of Racial Equality chapter in Shreveport. Another Shreveport member of the group, Glenda Jackson, followed him.

They, too, approached the ticket counter in the white waiting room. Patrolman W. L. Copeland met them with the command to "move on." He asked Mr. Taylor repeatedly whether he was going to obey.

"Isn't your order in defiance of the I. C. C. ruling" the Negro youth asked in a low voice. "All right, you're under arrest," the patrolman said.

These three arrests raised the total number of whites and Negroes jailed here since the first Freedom Riders arrived last May to 315. They have received sentences ranging up to four months in the state penitentiary at Parchman.

Only three hours after I. C. C. deadline, four Negroes were arrested at the Trailways terminal the Student Nonviolent Coordinatiing Committee, which was formed in 1960 during the lunch counter sit-in demonstrations.

They were picked up after having refused to leave a privately operated restaurant at the terminal. All were charged with violation of a recently passed state anti-trespass law, which provides fines and imprisonment up to five years.

Columbia, S. C., was a major exception to the pattern elsewhere. Gordon R. Carey, an executive of the Congress of Racial Equality, said members of that organization and other Negroes were using previously white facilities in two bus terminals in the South Carolina capital without interference.

Mr. Carey, who was reached by telephone at the group's New York headquarters, said small teams were "testing" facilities in seven states to determine the extent of compliance. The states are South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi and Louisiana.

### Five Supervise Test

Five C.O.R.E. field secretaries are supervising the test, he said, which will continue for more than a month.

One of them, B. Elton Cox, left Shreveport this morning by bus for Vicksburg, Miss., according to Mr. Curey. He reported that the police in Shreveport had not permitted him to enter the white waiting room of the Trailways terminal.

The Trailways station manager there, H. B. Walmsley, refused to follow the advice of local officials, who had told him to ignore the I.C.C. order. He removed the racial signs from terminal waiting rooms.

He turned himself in to the Caddo Parish (county) sheriff's office after having been warned that h would be arrested if he did not obey state segregation laws. He was released on $250 bond.

"We are going to enforce the law here," Sheriff J. Howell Flournoy was quoted as having commented. "We don't care anything about the I.C.C. It's not a law-making body."

Mr. Cox was on the bus that was boarded by the police at Tallulah. A newsman confirmed his account of the incident in a telephone call to Chief James Rogan.

"We segregated them," the police official said of the bus passengers.

Another field secretary of the Congress of Racial Equality, Thomas Gaither, reported that the Greyhound bus terminal at Winnsboro, S. C., had removed signs designating it as such and replaced them with a cafe sign. It continued to sell bus tickets, he said.

Officials of two Mississippi cities, Winona and Grenada, indicated yesterday that terminals there would be permitted to comply with the I.C.C. order. However, seats were later removed from the Winona terminal and the Grenada City Board met and voted in a new segregation ordinance today.

### U. S. Studies Reports

Special to The New York Times.

WASHINGTON, Nov. 1 — Justice Department officials studied reports from the South all day and prepared new enforcement measures.

The officials said the had had some encouraging news from South Carolina, Alabama and Florida. They agreed that things were different in Mississippi and Louisiana.

At the Interstate Commerce Commission and the Justice Department, officials left no doubt that they would take all possible legal action against any persistent ignoring of the new I. C. C. regulations.

# U.S. Asks Court To Rule Out Law

## Mississippi Statute Is Said To Be In Conflict With Federal Measure

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., Oct. 31. — The Justice Department filed a Federal Court suit in Oxford late Tuesday in an effort to prevent enforcement of state segregation laws which conflict with new Federal regulations barring racial discrimination in bus travel.

Federal Judge Claude Clayton took under consideration a Department of Justice petition for a temporary injunction against enforcement of the state segregation statute.

It was carried over from a later hearing before a three-judge panel.

### Injunction Denied

Judge Clayton denied a temporary injunction against enforcement of the state separate facilities laws or interfering with enforcement of the ICC order.

In Jackson, Atty. Gen. Joe Patterson advised city officials that Mississippi's segregation laws for separate racial facilities are "still on the books" and said it is up to them as to what actions are taken Wednesday.

The Oxford filing sought, without notice, applied specifically to Circuit Judge Arthur Clark's order preventing the bus terminal at Greenwood from taking down the segregation signs. It named the district attorney, county attorney and attorney general, and all other similar officials in the state.

Relative to inquires from city officials, Atty. Gen. Patterson said he told them, "Our laws calling for separate facilities, breach of the peace and the right of any business to refuse service to anyone are still on the state statute books."

### Law Is Defined

The reference to refusal to serve anyone was applicable to cafes and restaurants operated in connection with bus terminals throughout the state.

Atty. Gen. Patterson said under the law if a person is denied service and refuses to leave the premises, he may be prosecuted for trespass.

A group of interstate passengers were reported planning to test the ICC desegregation order in Jackson early Wednesday morning. Jackson officials said they plan to continue the segregated operation of the terminal and will arrest those refusing to "move on" on breach of the peace charges.

# U. S. Names Mississippi In Bus Suit

By James E. Clayton

Staff Reporter

The Justice Department said yesterday that the State of Mississippi is enforcing a state segregation law in an effort to block compliance by interstate bus lines with a Federal order requiring that they use desegregated terminals.

In a suit filed in Greenville, Miss., the Department cited a State court order issued last Friday. That order requires the Greyhound Corp. to maintain segregated waiting rooms in Greenwood, Miss., as long as the rooms are used by intrastate passengers.

The State's action is based on a Mississippi law requiring segregation in instra state bus terminials. The Justice Department says this law is unconstitutional and in direct conflict with the Interstate Commerce Commission order which goes into effect today. That order requires interstate bus lines to stop using segregated terminals.

### Bus Company Dilemma

Attorney General Robert F. Kennedy said that the bus line is trying to obey the Federal law but will be prosecuted under the State statute if it does.

He asked Federal Judge Claude Clayton in Oxford, Miss., to temporarily restrain Mississippi officials from enforcing the law, but Judge Clayton denied his request last night.

Kennedy said the effect of the State action is to give the bus line the choice of either violating Federal laws or abandoning the use of the bus terminals for its interstate passengers.

### Mississippi Plans

In Mississippi, State Attorney General Joe Patterson was quoted by United Press International as saying that the State will enforce the segregation law. When he was told that at least two cities are prepared to desegregate their terminals, he said he was "surprisd."

Officials in Winona and Grounds, small towns in northern Mississippi, both told UPI that they will not enforce the State laws.

Mayor M. C. Billingsley of Winona was quoted as saying, "We're going along with what Trailways thinks is the best for us. I don't like it, but it looks like it is the best of two evils."

Billingsley said that Mayor Allen Thompson of Jackson, who plans to enforce the segregation law, had advised him that desegregation "wouldn't work."

# Test of ICC Order Brings Arrests of Three in Miss.

## Waiting Room, Ticket Window Are Tried

By W. F. MINOR
(Times-Picayune Staff Correspondent)

JACKSON, Miss. — Mississippi's first day under an interstate commerce commission order to bus and rail carriers to take down racial signs ended Wednesday with three arrests and no reported violence.

Segregation signs came down in bus terminals in a number of major cities, but that apparently didn't change the traditional pattern of racial separation.

**TURNED BACK**

The arrests came in Jackson, where tests of the ICC order were made by two Louisiana Negroes arriving by bus and one local Negro educator who sought to buy a bus ticket on the white side of the bus terminal.

At Vicksburg, two other young Negroes alighted from a bus and sought to use the white waiting room, but were turned back by police. They were not arrested when they moved on.

The new ICC public notice declaring non-discrimination of facilities was posted in most of the larger towns, including Jackson, Vicksburg, Gulfport, Hattiesburg and Laurel.

The color signs on the doors of the bus terminals here which formerly desgnated waiting rooms had been erased or painted over by the companies.

But the city continued to keep its own segregation signs, designating waiting rooms by color, on the sidewalk outside the two bus terminals and the Illinois Central station.

At the Trailways bus terminal, the restaurant in the white waiting room had been closed, but the lunch counter in the Negro waiting room remained open. The lunch counter in the white waiting room at the Greyhound terminal was open. The Illinois Central station has no eating facility.

**GAVE CONSENT**

Mayor Allen Thompson said he gave his consent to the bus and railroad officials to remove any color signs which they had in their facilities, and he also agreed to move city segregation signs on the public sidewalk.

":We didn't want to embarrass the bus and train people," Thompson declared.

A Jackson police ofifcer stationed at the Trailways terminal arrested Leveret Taylor, 20, and Glenda Jackson, 22, both Negroes, from Shreveport, when they entered th white waiting room and did not obey his order to move on.

They were charged under the breach of the peace statute which the city has used against more than 300 "freedom riders" who have descended on the city since last May 24.

An hour earlier another Jackson officer arersted Dr. C. A. Jones, dean of Campbell college for Negroes here, when he came into the white waiting room and sought to buy a ticket.

**FOUR IN ATLANTA**

At Atlanta police arrested four Negroes who tried to use interstate bus facilities Wednesday.

State officials in Georgia launched federal court action seeking to have the ICC rulings set aside. They contended the orders violate the rights of states to regulate intrastate commerce since bus stations are used by both intrastate and interstate passengers.

The four arrested in Atlanta were charged with trespassing on private property and placed under bond of $100 each. They had asked to be served in a resttaurant that adjoins the bus terminal and is used by white bus passengers.

In Montgomery, Ala., US Dist. Judge Frank M. Johnson Jr. issued an order prohibiting authorities from enforcing racial barriers on buses and at terminals. His order came on complaints filed by six Negro "freedom riders" whose appearance in Montgomery last May touched off a race riot.

In Grenada, Miss. officials adopted an ordinance requiring segregation in all public facilities in a move designed to guard against any integration to conform with the ICC order.

The action came after reports the local terminal would have only one waiting room, although reports indicated it would be used only by Negroes and Whites would wait in an adjoining cafe.

The city board said it "wanted the erroneous picture erased."

Present plans call for no waiting room — only a ticket window. The cafe for whites only will continue in operation.

# Jackson Arrests Follow ICC Desegregation Order

By The Associated Press

JACKSON, Miss., Nov. 1.—The city police arrested three Negroes Wednesday as they challenged bus terminal segregation in the wake of an Interstate Commerce Commission ruling ordering terminals to desegregate.

Rev. Charles A. Jones of Jackson, dean of Campbell College, entered the Trailways Bus Terminal's white waiting room about dawn, refused a police order to move and was arrested or breach of peace charges.

An hour later, two members of the Congress on Racial Equality from Shreveport, La., arrived at the terminal by bus and went into the white waiting room. They were Levert Taylor, 20, a C.O.R.E. official, and Glenda Jackson.

When Policeman W. L. Copeland told them to move, Taylor replied:

"Your order is in violation of the ICC ruling."

The policeman repeated his order and Taylor repeated his reply and the officer arrested both of the Negroes.

All three gained their release before noon on $500 appearance bonds. Their trial in City Court was scheduled for Friday.

Dean Jones is an official of the Jackson chapter of the National Association for the Advancement of Colored People.

### New Grenada Ordinance Requires Segregation

GRENADA, Miss., Nov. 1.—(AP)—Grenada adopted an ordinance Wednesday requiring segregation in all public facilities in a move designed to guard against any integration to conform with an Interstate Commerce Commission order to desegregate bus terminals.

The action came after reports the local terminal would have only one waiting room, although reports indicated it would be used only by Negroes and whites would wait in an adjoining cafe.

The City Board said it "wanted the erroneous picture erased."

Present plans call for no waiting room—only a ticket window. The cafe for whites only will continue in operation.

Grenada had planned to integrate the terminal waiting rooms. But authorities revealed Wednesday morning they had reversed the decisions and that segregation would be maintained.

### Manager Is Arrested For Removing Signs

SHREVEPORT, La., Nov. 1.—(UPI)—Shreveport and Caddo Parish officials defied the Federal Government Wednesday and arrested the Trailways terminal manager for taking down segregation signs here.

A major test of a new Federal desegregation order seemed in the making throughout the state as the Congress on Racial Equality announced it would attempt to integrate terminals trroughout the state Wednesday and Thursday.

Terminal manager H. B. Walmsley surrendered himself to the sheriff's office after officials warned he would be arrested if he followed the new Interstate Commerce Commission ruling to desegregate the terminal.

Walmsley was reelased on $250 bond shortly after he was arrested. The arrest was based on his removal of terminal segregation signs required by state law.

MONTGOMERY, Ala., Nov. 1.—(AP)—A Federal judge ordered a halt to bus and terminal segregation in Central Alabama Wednesday and prohibited city and state officials from trying to keep the races apart.

The order of United States District Judge Frank M. Johnson Jr. barred authorities from "arresting, threatening, intimidating or harassing" integrated bus travelers in the Middle District of Alabama, embracing 23 counties.

LITTLE ROCK, Nov. 1. — (UPI)—A Federal ban against segregation in interstate buses and terminals went into effect quietly here Wednesday.

Bus terminals in Little Rock reported that the signs the Interstate Commerce Commission has ordered to be displayed in the stations have gone on the wall without incident.

# Negro Fined $100 In Bus Incident

Negro insurance salesman Charles G. Patterson was fined $100 yesterday on charges arising from sitting on the front seat of a city bus here last Friday.

Patterson did not contest the breach of the peace charge in municipal court yesterday.

Acting Judge W. H. Fontaine fined him $100 and added a 30 day suspended jail sentence after the Negro's attorney agreed the case will not be appealed to a higher court.

Patterson was arrested after he took a seat alongside a white man on a city bus in downtown Jackson Friday. His arrest came while the NAACP was defending four Negro college students on similar charges.

Patterson's "sit in" was apparently not sanctioned by the Negro organization. Jack Young, attorney for 13 students arrested in two integration tries in the last month, represented Patterson and agreed to the fine with the stipulation that no appeal would be filed.

Patterson had remained in jail since Friday until court was held yesterday. He posted $100 and left when sentence was passed.

Attorneys appealed $100 fines and 30 day suspended jail sentences levied against nine Tougaloo students accused of "reading in" at the main branch of the Municipal Library here March 27 and similar convictions of four students arrested when they took front seats on a city bus last Wednesday. Both cases will apparently be used as legal tests of two of several segregation laws passed by the 1960 Legislature.

# Front-Riding Negroes End Trip In Jail

JACKSON, Miss., April 19 (AP)—Four Negro college students tried today to break through Mississippi segregation by taking the front seats on a city bus. City policemen jailed them.

Officers declined comment and declined to identify the students or give the charges against them.

Medgar Evers of Jackson, field secretary for the National Association for the Advancement of Colored People, said three of the students were from Jackson State College and the fourth was from Campbell College here.

Evers said the group refused to move to the back of the bus when asked by the driver and the call to police followed.

Evers said the three students from Jackson State were George Ann Washington and Doris Bracey, both co-eds, and Walter Jones. He said he did not know their hometowns and did not know the name of the Campbell college man who joined them in their attempt.

Evers said the four were members of the intercollegiate organization of the NAACP and the effort to ride in the front of the bus, where seats are reserved for whites, was their own idea.

# 4 Arrested In Jackson Bus Incident

JACKSON, Miss. (AP) — Four Negro college students tried Wednesday to ride in white-only seats on a city bus; city police arrested them on breach of peace charges.

Officers identified the four as George Anne Washington, 20, of Jackson; Doris Ruth Bracey, 19, of Raymond; and Walter H. Jones, 18, of Forest, students at Jackson State College; and Johnny Barbour Jr., 21, Greenwood, a student at Campbell College here.

The two men and two coeds boarded a city bus on Capitol Street in the main part of downtown Jackson. They said later they planned to ride to the Municipal Park Zoo.

Before the bus left, police were summoned and an officer boarded the bus and told everyone to "move on." Some of the white passengers responded but the four Negro students did not move. They were arrested without incident.

Police said they were charged with breach of peace under a 1960 legislative act aimed at preserving segregation. The four will be tried at 4 p.m. Friday under a law carrying a maximum penalty of a $500 fine and six months in jail.

# Students Charged With Peace Breach in Jackson, Miss.

JACKSON, Miss. — (ANP) — Four Negro college students last week were arrested on breach of peace charges for their unsuccessful attempt to ride in "white-only" seats on a city bus. This is the second demonstration on the part of Negro students here to end color bars in recent weeks.

Jackson police identified the four as George Anne Washington, 20 of Jackson, Doris Ruth Bracy, 19, of Raymond, and Walter H. Jones, 18, of Forest, students at Jackson State college; and Johnny Barbur Jr., 21, of Greenwood, a student at Campbell college here.

Chief of detectives M. B. Pierce said the students were released on $500 bond each. Bonds were posted by Dr. W. E. Miller and Cornelius Turner, both Negroes.

The two men and two coeds boarded a city bus on Capitol St in the main part of downtown Jackson. They said later they planned to ride to the Municipal Park Zoo.

Before the bus left, police were summoned; and an officer boarded the bus and told everyone to "move on." Some white passengers responded, but the four Negro students did not move. They were arrested without incident.

# Mississippi Jails 4 on Bus Seating

JACKSON, Miss., (AP) — Four Negro college students tried unsuccessfully Wednesday to break through Mississippi segregation laws by taking the front seats on a city bus. City policemen arrested and jailed them.

Police declined comment and declined to identify the students or give the charges against them.

Medgar Evers of Jackson, field secretary for the National Association for the Advancement of Colored People, said three of the students are from Jackson (state) College and the fourth from Campbell College here.

Evers said they refused to move to the back of the bus when asked by the driver and the call to police followed.

He said the three students from Jackson State are George Ann Washington, Doris Bracey, and Walter Jones. He said he did not know their hometowns and did not know the name of the Campbell College man who joined them in their attempt.

Evers said the four were members of the intercollegiate organization of the NAACP and the effort to ride in the front of the bus, where seats are reserved for whites, was their own idea. But, he said, "we're behind them 100 per cent."

# 4 Convicted In Try To Crack Miss. Bus Bias

JACKSON, Miss.--Ci James L. Spencer last convicted four college on breach of the peace for attempting to crack gated seating arrangen Jackson's public buse fined the four $100 e gave them 30-day su jail sentences - the i punishment imposed c Tougaloo College stude cently for sitting in at t municipal library.

Convicted Friday wei rge Anne Washington, Jackson; Doris Ruth I 19, of Raymond, and Wa Jones, 18, Forest, Mi students in Jackson Sta lege; and Johnny Barbo Greenwood, Miss., of bell College here.

There were no demonstrations in or outside the city court building during the trial.

Police officers, remembering the head-beating of Negroes during a demonstration two weeks earlier, patrolled the area and patrol cars carrying officers and the same trained dogs which were unleashed on Negro spectators two weeks earlier, cruised the area.

While the trial was in progress, however, police booked another Negro, Charles Patterson, Jr., for trying to take a seat in the white section of the bus.

Patterson reportedly boarded the bus on Capitol Street, the city's main thoroughfare, not far from where the four were arrested for taking "white-only" seats April 19.

The state's only witness in the trial, Policeman J. D. Hart Jr., testified he ask e four students twice to move before they were placed under arrest.

Hart said if the situation on the bus had been permitted to continue, "it would have caused a disturbance." He said there was no actual disturbance on the bus.

The policeman said about six other persons on the bus besides the defendants appeared "nervous and upset." He said the people told him they were nervous, but he could not testify to their feelings.

Significantly, Hart never once mentioned that the four defendants were Negroes. This, obviously was in keeping with the report that officers involved in such cases have been previously instructed to say nothing which could be construed as a "segregation" fight.

Hart testified the defendants were seated at the front of the bus across the aisle from the driver. He did not mention that the "Negro" section is at the rear of the bus.

Defense Atty. Jack H. Young asked Judge Spencer to dismiss the charges against the students because the city "failed to prove its case and any cause of action" by the defendants. The motion was over-ruled.

The four were tried under one of a series of laws passed by the 1960 Legislature to strengthen the state's segregation system. The maximum penalty under the law is $1,500 fine and six months in jail.

The NAACP, meanwhile, held a mass meeting in the Masonic Temple here last week to protest the students' arrest and also to move its "Operation Mississippi" into high gear.

Medgar Evers, NAACP field secretary for Mississippi, called for the employment of Negroes by all Mississippi firms holding government contracts, in keeping with President Ken-

nedy's order; and by the city police force, the internal revenue bureau and the Veterans Administration hospital.

Dr. Aaron Henry, state NAACP president, wired Gov. Ross Barnett and Mayor Allen Thompson protesting the students' arrest and urging that they be "fully protected" while in custody of Jackson law officials.

# Police Jail Bus Mixers

Jackson Daily News
Wed. 11-1-61 Jackson, Miss

By BILL COPPENBARGER
Daily News Staff Writer

Three Negroes deliberately risking arrest to test effectiveness of an Interstate Commerce Commission order prohibiting racially separate facilities in state transportation terminals were promptly taken into custody by police here this morning.

Shortly after 6:30 o'clock, the Rev. Charles A. Jones, 29-year old dean of religion at Campbell College, was arrested for failure to obey an officer when he entered the Trailways Bus terminal. He was charged with a breach of the peace and booked at the police station.

Less than an hour later, Glenda Jackson, Negro woman from Shreveport, and Janet Taylor, also Shreveport Negro, were arrested when they entered the waiting room and proceeded to the ticket counter.

Officer W. L. Copeland approached the man and advised him he would have to "move on," and Taylor answered "isn't your order in defiance of the ICC ruling."

Officer Copeland asked if he understood the order, and when the man reiterated his statement, the policeman placed him under arrest. The woman did not make statement.

Both were booked at the police station on charges of breach of the peace.

The arrests were made in the large waiting room heretofore designated as the white waiting room, where a fairly large crowd of travelers were seated.

Police Capt. J. L. Ray, who has been in charge of repulsing the Freedom Rider desegregation movement aimed at Jackson during the summer, was present at the station but did not take part in the arrest.

He said earlier that the assigned patrolmen would handle all such breach of peace cases, unless there was too great a move.

While all race identifying signs on entrance doors and restroom facilities have been removed at the station, police signs directing white and Negro passengers are placed conspicuously on the side-

regulation which went into effect today is posted inside the waiting room door, near the ticket office.

Yesterday, U.S. Dist. Judge Claude Clayton refused to grant a U.S. Justice Department request for an immediate order to stop Mississippi from enforcing segregation law.

The two Shreveport Negroes were obviously members of the Congress for Racial Equality as their arrival here was publicized some hours in advance.

Wed. 11-1-61

Rev. Jones, who is also a minister in the African Methodist Episcopal Church, said he believed his arrest would touch off another influx of riders to challenge the race mixing resistance.

Mayor Allen Thompson said yesterday there would be no change either in the "status or action" of Jackson handling of the race-testing missions.

He said wherever there was a breach of the peace, those involved would be arrested, just as in the past.

Those arrested today were not involved in the summer Freedom Rider activities here.

38b 1961 MISSISSIPPI AUGUST CORINTH TRAIN STATION

# EX-JACKSON 'RIDER' TRIES TO MIX DEPOT

CORINTH, Miss. (UPI)—Police said today they held a Negro briefly Tuesday for sitting in the white waiting room of the Corinth train station. It was the first "freedom rider" incident reported in Mississippi outside Jackson.

Police said Leslie Word, 28, was questioned and released with no charges filed. "But he will be charged if he tries it again," said an officer.

Word gave police a Corinth address but told a newsman he was from Chicago. He told officers he had been making "freedom rides" for four months.

38b 1961

THREE MAJOR SOUTHERN RAILROADS HAVE AGREED TO END RACIAL SEGREGATION IN ALL THEIR TERMINAL FACILITIES OCTOBER

ILLINOIS CENTRAL - THE SOUTHERN- AND THE LOUISVILLE AND NASHVILLE ( L&N)

# L&N, Southern Agree To Integrate Terminals

By TOM WICKER

(Copyright 1961 by the New York Times Co.)

WASHINGTON—Three major Southern railroads have agreed to end racial segregation in all their terminal facilities.

The three are the Illinois Central, the Southern, and the Louisville and Nashville. (Southern and L&N serve Atlanta).

The announcement of their action was made Monday by the Rev. Martin Luther King as he left an hour-long meeting with President John F. Kennedy at the White House. He had met earlier with Atty. Gen. Robert F. Kennedy.

"I would imagine that these are the three largest carriers serving the South," King added. "I would commend the railroads for this very forthright step."

The Atlanta integration leader said he had been informed by Justice department officials that the railroads had acted "effective immediately."

Later, Robert Kennedy issued a statement confirming King's announcement and giving the railroads "great credit" for their action.

It meant, Kennedy said, that "we have made great progress and are continuing to do so" in ending racial segregation in interstate transportation.

"We can now count progress in each of the major transportation areas," he said. He cited an Interstate Commerce Commission order for the desegregation of bus terminals, the voluntary desegregation of two airports, and federal suits to end segregation at two others.

Those voluntarily desegregated are at Raleigh-Durham, N.C., and Columbus, Ga. Those where suits are pending are at New Orleans and Montgomery, Ala.

Administration sources said representatives of the railroads had met four times with Justice department officials since early September. The officials were seeking desegregation of terminal facilities under authority of the Interstate Commerce Act of 1888.

Last week, the railroad representatives told the justice officials that instructions had been sent for immediate removal of segregation signs, and for the discontinuing of segregation practices.

(In Atlanta, an official of the Union Station said all facilities at that station—including the restaurant, waiting rooms and rest rooms—have been desegregated for some 90 days or so.

(At the Terminal Station, a spokesman said desegregation also has been in effect there for some time for inter-state railroad passengers.)

King said his purpose in going to the White House had been to propose that Kennedy issue "a second emancipation proclamation" to end all forms of segregation.

Their conversation, he added, ranged widely over the problems of segregation, which he said persisted "as a clearing reality in the south and in subtle and hidden forms all over the nation."

In addition to the proclamation he requested, King said he had urged Kennedy to issue an executive order banning segregation in public or federally-assisted housing, and to call for an investigation by the Civil Rights Commission of limitations on the signs to vote in Mississippi.

King pointed out that the original Emancipation Proclamation, issued by President Abraham Lincoln in 1863, had been in the form of an executive order. Its effect was to free the slaves in the states that were then under the control of the Confederacy.

Now, he said, "almost 100 years later," Kennedy should issue another executive order "declaring all segregated facilities illegal and unconstitutional on the basis of the 14th Amendment to the Constitution."

38b 1961 SOUTH CAROLINA

# Greyhound Quietly Ends Segregation In Columbia, S. C.

The Courier
Pittsburgh, Pa.
Sat. 2-11-61

COLUMBIA, S. C.—The Greyhound Corporation's terminal at Columbia has quietly dropped segregation at the lunch counter, it was learned Monday.

An employe, who asked his name be with-held said the integration has been in effect "for nearly three weeks, on orders from higherups."

He explained that the counter service at the station is operated under contract by private parties but that these had been urged to discard segregation practices, and "It's really worked well."

The terminal, actually, had never practiced racial segregation. It disposed of this matter in the simplest terms: It had no facilities at all of Negro passengers, unlike the case at terminals at Florence, Greenwood, and a few others.

**NEGRO PASSENGERS** reaching the Columbia terminal had to go outside of the station to the rear door of the kitchen and, if and when cooks decided, place and receive orders which they ate standing in a driveway, or on the street.

Under pressure for several years, the terminal last year was a target of student sit-iners.

Five youths were jailed when they sat at the lunch counter, all having first purchased tickets for short-run trips. However, the station's management had a change of heart and the cases were withdrawn before the cases reached Recorder Court the following morning.

**DURING 1960,** the Trailways Coach Co. moved out of the Columbia terminal, into a station of their own at Washington and Sumter Sts. There are no segregated facilities such as rest rooms, waiting rooms or the lunch counter in the new Trailway depot, which is believed to have influenced the quiet reform at the Greyhound terminal.

Waiting rooms at the Greyhound terminal remain segregated, however. Or, are they?

Unconfirmed, but reliable, reports are that the bus terminal itself will not oppose use of the large and beautiful waiting room now used exclusively by whites, should Negro passengers prefer it. "I understand that they (bus company) don't care who uses any facilitiy, but they aren't going to announce this," The Courier was told.

**FALL OF** the race and color bar at Greyhound just about wiped out the last vestige of racial discrimination in public transportation for Columbia.

City buses were integrated under a Federal court case brought by Sarah Mae Flemming in 1954.

City taxicabs which, a decade ago, were governed by ordinances alluding to race and color, have long since been hauling fares without deference to race and color. Both the Union and Seaboard Railway Stations are integrated, although voluntary segregation is often observed at these.

The Columbia Airport has never engaged in segregation, so far as could be determined immediately.

# Judge Orders Waiting Rooms Desegregated

The Post + Courier
Charleston, S.C.
Sat. 2-11-61

GREENVILLE (AP) — Waiting rooms at Greenville's muncipal airport have been ordered desegregated in an injunction filed in U. S. Western District court.

But U. S. District Judge George Bell Timmerman, who issued the injunction on instructions from the Fourth District Court of appeals, took exception to the appellate court ruling.

The injunction orders that the defendants, the Greenville airport commission, "pending the final disposition of the case," be restrained "from making distinction based upon color in regard to services at the Greenville Municipal Airport."

The injunction was signed by Judge Timmerman on Friday, shortly after a hearing on the matter had been conducted in his chambers in Columbia. It was filed Saturday in the office of U. S. Western District Clerk of Court Miller C. Foster Jr.

It climaxes two preliminary hearings which have been held on the complaint of Richard B. Henry, a Detroit Negro, against the commission for maintaining separate waiting rooms at the airport.

Twice Judge Timmerman denied the injunction and twice he was reversed by the appeals court. The later reversal included orders to issue the injunction.

The case has still to be heard on it merits.

## Bus Company Indicted For Integrating Seats

MEMPHIS (AP) — The Shelby County grand jury this week indicted the Memphis Transit Company — which sold out to the city two days ago — for not enforcing a state law for segregated seating.

The 286-bus system was taken over by the city for $2,333,546 last Sunday. No change was made in the MTC policy of letting customers choose their own seats.

## Airport suit sent back to Tenn. courts

MEMPHIS — A three-judge Federal Court panel ruled last week that the suit of a Memphis banker to desegregate eating facilities at the municipal airport must be tried in the state courts.

The decision was made by District Judges Marion S. Boyd of Memphis and William E. Miller of Nashville and Appeals Court Judge John D. Martin of Cincinnati.

They ruled that Jesse Turner, an officer of the Tri-States savings Bank of Memphis, must test a state law in public accommodations before a ruling is made by the Federal Court in his suit against the Dobbs House Restaurant.

Federal Court action on the suit was stayed pending a declaratory judgment suit "to be brought in the courts of Tennessee" to clarify the 1875 state law.

# Houston Chambers Jointly Endorse Bus Franchise

The Houston Chamber of Commerce and the Houston Negro Chamber of Commerce have jointly endorsed the bus franchise negotiated by the Mayor and City Council with Rapid Transit Lines, Inc, it was recently announced by P. H. Robinson and A. E. Warner, Presidents of the two Chambers.

The Chambers recognize that an improved public transit system is one of Houston's greatest needs. The proposed franchise will assure for Houston adequate and satisfactory facilities in this regard. It contains a guaranty that new air conditioned transit vehicles will be substituted for the present bus fleet. More favorable standards for extending lines into new areas are included, thus insuring widespread availability of service. The schedule of fares incorporated in the franchise compares favorably with those prevailing in other cities.

Bernard E. Calkins, who heads Rapid Transit Lines, Inc, is a bus operator of proven ability. He has revitalized transit operations in two other major municipalities.

The Houston Chambers of Commerce join with Mayor Cutrer and the City Council in believing that the best interest of Houston and its citizens dictate that all groups give their wholehearted cooperation and support to this project so that our transit problem can be solved effectively and promptly.

# Denies HCCO To Withdraw Petition On Bus Franchise

HOUSTON — "Somebody is feeling around and no conclusion has been made," George T. Nelson, prominent civic leader and barber said Wednesday of reports that the Harris County Council of Organizations would withdraw its petition campaign to force an election on the new bus franchise.

Mr Nelson, a spokesman for HCCO, said the group had not taken any actior on the matter. He pointed out that their president, M. L. Ward, was buried Sunday.

Mr Nelson, an easy, but clever person to interview, did indicate that the group, which comprises most Harris County Negro civic clubs, was in direct contact with Bernard Calkins, the Wichita, Kansas bus operator, who is seeking to take over local bus lines.

The organization's intterest in conferring with Mr Calkins is beamed at the hiring of Negro bus drivers.

Mr Calkins has indicated that his eyes are also focused on purchasing bus lines that service predominately Negro surburban areas. These lines employ Negro drivers. City buses have no Negro drivers.

However, speculation is high that Negro patronage is the largest source of revenue of busses operated in the city.

Atty Carl Walker is legal advisor to the group conferring with Mr Calkins.

# Negro Mayor's Aide Refused Hotel Service

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 5-13-61

NORFOLK, Va. (ANP)—The vice mayor of Toledo, the city's second ranking officer, was refused a hotel room reserved for him here last week because he is a Negro.

He is James B. Simmons who was sent here to represent the Ohio city at the International Municipal Workshop on Parking.

Hotel reservations had been made for Simmons by the City of Toledo which also sent along a check for $25 as a guarantee.

**SIMMONS SAID** that when he arrived at the Monticello Hotel the clerk on the registration desk informed him that his reservation made by Toledo officials, had been cancelled.

**He asked to see the manager, Jack Armory, who apologized and stated that Virginia law does not permit the hotel to offer lodging to both white and colored guests.**

Simmons said he was told the hotel would lose its license if it housed whites and Negroes at the same time.

■

**THE MONTICELLO** had sent reservations by mail to Simmons for a room with twin beds and extended a welcome to him and his wife as guests of the hotel and the city of Norfolk. He acknowledged the reservations, but informed the hotel that his wife would not attend the workshop.

Mr. Simmons, stopped at the home of his former Lincoln University (Pa.) classmates, William Mercer and Dr. Edward A. Archer, said he was aware of conditions in the South and did not wish to create an incident.

**"However, I felt that as a representative of my city, I should seek the same services that were made available to delegates from other cities," he said.**

**"I came here to deal with parking problems, and I intend to do my job with dignity," he continued.**

Simmons is a member of the off-street parking committee in Toledo.

# Four Draft Registrants Allege Bias

Washington Post
Sat. 10-17-61

## Virginia Cafeteria Forced Negroes to Eat in Separate Area

Washington, D.C.

Four Negro Selective Service registrants, traveling on a Government-chartered bus and bearing a ticket entitling them to a meal at Government expense were required to eat in a segregated dining area when the bus stopped at the Natural Bridge (Va.) Cafeteria, one of the four reported yesterday.

He said the incident occurred Oct. 3 when a Greyhound Lines bus, under charter to the Federal Government, was returning a group of Shenandoah Valley residents home following their pre-induction draft physicals in Roanoke.

James Nickens, 23, of Strasburg, Va., identified the other three Negroes as James Shefflett, of Harrisonburg, Va., and James Quigley and Joseph Grayson, both of Strasburg. Nickens gave this account of the incident:

The four were part of a group of 27 prospective draftees from Shenandoah and Rockingham counties who were brought to the Roanoke induction center on the morning of Oct. 3. They boarded the bus to take them home about 6 p. m.

At 7 p. m., the bus stopped at the cafeteria, one of a complex of lodging and tourist services located near the Natural Bridge, a few miles from Lexington, Va. The cafeteria and other services are owned by a private firm, Natural Bridge of Virginia, Inc.

While they were waiting to be seated in the dining room, the bus driver told the four Negroes that the management had informed him they would have to eat in a separate area segregated from the dining room.

Nickens said they then were escorted to a small room that was identified as "the colored help's dining room." He said they were seated and told that the bus driver had a ticket entitling them to order anything on the menu provided the cost did not exceed $1.50.

The four were served by a Negro kitchen boy, Nickens said, and after eating, boarded the bus to return home. He emphasized that everyone at the restaurant was courteous and none of the Negroes protested the segregated-seating arrangement.

VIRGINIA

*Virginia NAACP official arrested in railway restaurant. Labor Department to move 620 employes (including about 200 Negroes) to Silver Spring quarters.*
*Page B1.*